

Temporary Absence (TA) Process During Covid 19

Under the *Ministry of Correctional Services Act* (MCSA), an inmate may be granted a TA for medical or humanitarian reasons or to assist inmates in their rehabilitation.

The TA program allows the inmate to be absent from the institution, with or without escort.

Until recently, the authority to grant TA's was shared by Superintendents and the Ontario Parole Board (OPB), depending on the length of the TA requested. Recent regulatory amendments have also provided the Assistant Deputy Minister (ADM) – Institutional Services (IS), Executive Director – IS, and Regional Directors – IS with the authority to grant TAs.

Both Superintendents and the newly designated staff have the discretion to refer a 72 hour+ TA application to the Board.

TA Application Process

Inmates can submit a TA application at any time. The application process for TA's remains the same as prior to the COVID 19 pandemic and the regulatory amendments. Inmates who wish to request a TA should submit their application to the Superintendent. The Superintendent will then determine whether the Ministry will retain the application and make a decision, or whether the application will be referred to the OPB.

TA's referred to the OPB

If referred to the OPB, an OPB approved TA may be authorized for a maximum period of 60 days and renewed on reassessment for one or more 60-day periods.

Recent regulatory amendments allow the Board the discretion to hold non-in person considerations of TA applications. The inmate is entitled to make submissions to the Board but is no longer entitled to attend before the Board.

TA's proactively considered by the Superintendent

Inmates with release dates occurring on a Saturday, Sunday, statutory civic holiday, or other days where community services may not be available, are proactively reviewed for eligibility for an unescorted reintegration TA for up to 72 hours prior to their release date. Eligible inmates are not required to submit a request for this type of TA.

TA's proactively considered by the ADM – Institutional Services

This is a proactive Ministry initiative in response to the COVID 19 pandemic. The Ministry is identifying all sentenced inmates that may be eligible for consideration for an early release TA due to COVID 19 risks. Reviews are completed by a centralized team to identify inmates that have

30 days or less left in their sentence, are low risk to re-offend, and are not serving time in custody for serious offences such as violent offences or offences involving weapons. Decisions about whether to grant a TA on this basis require ADM approval.

This is not an application-based initiative. All sentenced inmates are being considered to determine whether they may be eligible. Inmates are notified if an early release TA has been approved.