



Department of Justice and Public Safety
Adult Custody Services

Policy: **Behaviour Management E14**
Effective: February 2022
Revised: December 2022

MISSION STATEMENT

Adult Custody Services is committed to providing professional practices that respect human rights and ensure safety for all. To be successful we will deliver fair practices, incorporate transparent policies and procedures, ensure independent quality assurance processes, and provide program access that allows for educational, cultural, traditional, and faith-based services as well as mental wellness and community re-entry assistance.

PURPOSE

To outline the Client Behavior Management process and definitions for conditions of confinement which will act as the foundation and guiding principles of the Behaviour Management model.

LEGISLATIVE AUTHORITY

[Corrections Act N.B.](#)

SCOPE

This policy applies to all employees of the Adult Custody Services division of the Department of Justice and Public Safety.

POLICY GUIDELINES

The objectives of a behavioral management model are to ensure:

- adherence to rules and behavior that conforms to reasonable expectations based on the **individual characteristics** of all the Clients'
- safety and security and maintenance of an environment that promotes personal growth.
- Discipline is a learning process, which focuses on the achievement of self-control. The goal of discipline is to emphasize the value of positive behavior.
- All interventions should be restorative and rehabilitative in nature.
- Sanctions shall be proportionate to the seriousness of the behavior and the least restrictive that can achieve the purpose of holding the client accountable.

PROCEDURE

Consequence guidelines

The Behavior Management Model provides an Offence Level System with clear expectations re:

- behavior.
- reinforcement of positive behavior versus negative; and
- appropriate consequences for actions



Department of Justice and Public Safety *Adult Custody Services*

The program provides immediate control responses by staff to clients intended to:

- encourage personal control while considering the developmental needs unique to each client.

The Offence Level System shall provide corrective actions equal and proportionate to the client's demonstrated behaviors.

The Offence Level System is a three (3) tiered model for dealing with the severity of a client's behavior and /or attitude.

Staff shall:

Take the most appropriate course of corrective action in accordance with policy which results in a positive learning experience for the Client.

Offence Levels

- **LEVEL I** offences deal with minimal breaches of the Centres' rules and regulations; (commonly referred to as infractions)
- **LEVEL II** offences deal with a serious breach of the Centres' rules and regulation (commonly referred to as misconducts); and
- **LEVEL III** offences deal with the most serious breaches which would normally be a violation of a Federal/Provincial law.

Informal Processes:

Verbal Warnings

Officers dealing with Client(s) involved with minor violations of the rules and regulations shall take steps to explain the following:

- nature of the violation,
- impact of the violation; and
- possible consequences if future violation of the same nature occurs.

This interaction is to be documented via the **Notes** section of the Client Information System

Written Reprimand

A Written Reprimand is confirmation of the previous verbal warnings issued to a client for a minor breach who continues to present the behavior, or conduct. A written reprimand is the final step in the informal process of the Behavior Management Model. A copy of the Written Reprimand is to be issued and explained to the Client. The Written Reprimand is to state the negative behavior, or conduct presented by the Client and the fact that if the Client continues to present the behavior or conduct, he/she will be subject to the Institutional Charge process.

Formal Processes:

Restorative Intervention Forum

A Restorative Intervention Forum is used in cases which the Client has accepted responsibility for their actions and willing to participate in the Restorative Intervention Forum process. If the incident involves a victim, the victim also must agree to participate in the forum for the intervention to take place.

Department of Justice and Public Safety *Adult Custody Services*

The goal of the forum is to identify a process which will result in a learning experience for the offending Client and a positive resolution for the victim.

Loss of Privileges

Suspension of privileges and/or activities for a determined period.

Extra Work Assignment

Assigning extra work duties, which are **not** parts of a daily work routine.

Restitution

Payment for damages to property, which will be recovered from the Clients trust account.

Room Confinement

Room confinement is less restrictive than segregation and shall normally apply to minor incidents.

Segregation

Refers to the practice of removing a client from their regular unit to a secure cell in an area designated by the Superintendent. Segregation is to be used when more serious circumstances are presented.

Offences – Criminal

- Serious violations of Federal or Provincial laws are to be referred to the appropriate law enforcement agency for investigation and prosecution **only** after exhausting all options within the behavioral management model.
- All incidents resulting in police involvement shall be reported to the Director of Adult Custody Services monthly.
- All incidents involving the police shall be dealt with as a Level III Offence and brought before the Centers Operational review panel before referral.

Offences – Corrections Act N.B.

- gambling.
- neglect performing the work and duties assigned.
- damaging or wasting institutional property.
- making gross insult by gesture, use of abusive language or another act directed to or at any person.
- having in possession any article not authorized by the Superintendent.
- disobeying a lawful order given by an employee.
- smuggling, conspiring, or attempting to smuggle any article either in or out of the Centre.
- destroying or defacing private or public property.
- conduct that is detrimental to the welfare of other clients or programs.
- attacking or threatening to attack another person within the Centre.
- causing, conspiring, or attempting to cause a disturbance, breach of peace or riot.
- committing or attempting to commit an indecent act.
- being in an unauthorized place or leaving or attempting to leave the limits of the Centre, without being escorted by an employee or without the permission of the Superintendent.
- giving or offering a bribe or reward to an employee.



Department of Justice and Public Safety
Adult Custody Services

- counseling or aiding or abetting another Client to do any act in contravention of the *Act*, these Regulations, or the rules; or
- willfully breaching or attempting to breach any term or condition of a Temporary Absence.

Behavioral Management offences may be designated as Level I, II, III, depending on severity and as determined by the Offence Level System.

Reporting behavioural breaches

Staff members reporting a client for any violation of policy will do so via an incident report for submission to the Sergeant.

Sergeant

The sergeant will determine:

- the level of the offending behaviour.
- if the behaviour is an infraction or misconduct requiring the involved Officer to forward a charge sheet stating the violation.
- if necessary, take steps to inform the client a charge is being laid; and
- indicate the actions taken with respect to the alleged offence via an incident report.

Superintendent

This information will be provided to the Superintendent or designate.

Operational Review Panel

The Superintendent shall develop an operational review panel comprised of the following representatives to review all serious disruptive behaviours:

- Correctional Officer
- Clinical Team Member
- Correctional Programmers; and
- Deputy Superintendent.

The board will be chaired by the Superintendent or their designate

RELATED POLICY

D12 Conditions of confinement
E15 Behavioral Management – Review Board
E16 Behavioral Management – Appeal/Grievance
Adult Institutional Policy Manual N.B.