

Risk Classification and Municipal Policing in Canada:
Altered Practice and Innovation

by

Deirdre McDonald

A thesis submitted to the Faculty of Graduate and Postdoctoral
Affairs in partial fulfillment of the requirements for the degree of

Doctor of Philosophy

in

Sociology

Carleton University
Ottawa, Ontario

© 2020, Deirdre McDonald

Abstract

In the current Canadian carceral system, categories of risk related to reoffending are assigned to individuals on the basis of their behaviours and traits inside and outside carceral institutions. This dissertation examines the complex history and application of how classifications are generated in order to understand how the police take up these classifications in their work toward ensuring public safety as they manage and supervise certain high risk individuals in the community. An ‘action in practice’ methodology (actor network theory) was adopted in this project whereby voluminous government-produced records were analyzed and interviews were used to capture the experiences of police officers in Edmonton, Alberta, Canada, and how their work relates to risk classification practices for the management and supervision of individuals classified as ‘high risk to reoffend’ in the community. This research captures how police officers self-identify and define their roles in risk classification practices through which both actions of replication of carceral risk classifications and altered policing practices have emerged. This original research makes visible how police officers’ processes and practices exist within the parameters of the current carceral risk classification system. By challenging positivist, realist notions that risk is a negative and calculable construct, this research instead engages with constructivist risk theory that draws specifically from Ulrich Beck’s risk society theory. The resulting analysis utilizes narratives, stories, and experiences of risk as defined by the police in their writings and conversations to construct a more comprehensive understanding of risk classification practices at the level of Canadian municipal policing. This dissertation is organized into four core chapters that address: (1) risk is essentially a psychological-statistical construct premised on individual traits or behaviours or combinations thereof; (2) risk classification practices are legitimized by a system-wide deference to those who claim to possess expert or scientific knowledge on risk; and (3) the lived realities of high risk individuals, the police, and Canadian communities more generally spotlight the inapplicability of risk classifications in alternate contexts outside of carceral institutions. The findings from this research contribute new sociological insights into the reality of altered practices and innovations in policing today through a focused case study of a municipal police force in Canada.

Acknowledgements

I am grateful to all of those with whom I have the pleasure to work during this and other related projects. Specifically, I am grateful to each of the members of my dissertation committee, Dr. Mike Mopas, Dr. Aaron Doyle, and Dr. Roberta Sinclair. They have provided me with academic and professional guidance and taught me a great deal about pushing the boundaries of theory and methodology and about academia in general. I thank them for their enduring mentorship on this journey.

Thank you to Dr. James Sheptycki and Dr. Diana Young for an enjoyable and engaging defense and their thoughtful insights. Thank you to Dr. Neil Gerlach for his professionalism in chairing the defense.

Many thanks to the Edmonton Police Service and the police officers who participated in my research. I appreciate the time you took to speak with me, share resources with me, provide me with suggestions for further contacts, and identify further research opportunities. You helped me to better understand the importance of researching risk classification practices in policework.

No one has been more important to me in the pursuit of this project than my family. I am forever indebted to my sister, Fiona, who, by her graceful, generous, and consistent example, has shown me what a good scholarly researcher (and person) should be. She has taught and shared with me more than I could ever give her credit for here. I am grateful to Andrew who provided unwavering patience and support. And most importantly, I would like to thank my incredible mom, whose boundless love, patience, wisdom, humour, and silent guidance are with me in all that I pursue.

This dissertation would not have been possible without the financial support of the Social Sciences and Humanities Research Council of Canada (SSHRC Joseph-Armand Bombardier Canada Graduate Scholarship - Doctoral Award), Carleton University and the Department of Sociology (Teaching Assistantship/Entrance Scholarship and Graduate Student Travel/Research Bursaries), and the Government of Ontario (Ontario Graduate Scholarship).

Table of Contents

Abstract	ii
Acknowledgements	iii
Table of Contents	iv
List of Figures	vi
List of Tables	vi
List of Abbreviations	vi
Introduction	1
Background and Sociological Study	3
Research Questions	10
Methods	10
Theoretical Orientation	12
Key Findings	15
Outline of the Dissertation	16
Chapter 1: Theory and Methods	18
Classifications	18
A Working Definition of Risk	23
Subjective Risks	27
Risk Society Theory	29
Rationale for My Theoretical Framework	40
Using Risk Society Theory in this Study	41
Bridging Theory and Methods—Actor Network Theory	42
Actor Networks	44
Methodological Principles of ANT	45
Five Strategies of ANT	47
Inscription, Irreversibility, and Framing	49
Using ANT in this Study	53
Relevant Views beyond the Scope of this Study	53
Data Collection and Analysis	56
Chapter 2: Contextualizing the Risk Management Model	66
The Model and its Origins, Construction, and Implementation	67
The History of the Model	69
The Model and Canada’s Carceral System	75
The Model and its Instruments and Documents	80
The Instruments	81
The Four Stages of the Model	103
The Documents	112
The Model and Expert or Scientific Knowledge	120
Political, Ethical Considerations	127
Conclusion	128

Chapter 3: Legal Challenges	130
Legal Challenge Round One – Federal Court	131
Legal Challenge Round Two – Federal Court of Appeal.....	139
Legal Challenge Round Three – Supreme Court of Canada.....	146
Lack of Research by the CSC	150
Conclusion.....	153
Chapter 4: Policework in the Model	155
Chapter Organization	157
Contextual Details	158
How High Risk Individuals Enter the Community of Edmonton	158
Criminal Code Section 810 Orders.....	160
Implementing the Model in the EPS	163
The Effects of the Model’s Black Boxing Strategies outside the Carceral System	169
“Conducting a Risk Assessment”	174
Documents.....	184
The Edmonton Police Service’s Risk Assessment Reports.....	184
Applying ANT to the Documents	194
Fact Construction and Fragmented Accounts.....	194
Inclusion and Exclusion	198
Authoritative Nature of Documents	202
“Missing Pieces of Information”	209
Incorporating Interviews	210
In the Absence of Interviews.....	216
Conclusion.....	218
Chapter 5: Policework beyond the Model	222
Chapter Organization	224
The Community Context.....	224
The Significance of Communication.....	226
Altered Practice	228
Active Participation in Community Networks	239
Conditions of Supervision Accompanying Section 810 Orders.....	254
Section 810 Orders Originating Elsewhere.....	260
‘Police-High Risk Individual’ Relationships	261
Conclusion.....	263
Conclusion	270
Summary of Findings and Analytical Takeaways.....	272
Applied Outcomes with Relevance to Policy.....	278
Suggestions for Future Research.....	281
Legal Sources	284
Bibliography	285

List of Figures

(All figures created 2018-19, designed by Deirdre McDonald)

Introduction

- Figure 1. Forms of Release for Individuals in Federal Correctional Institutions
Figure 2. The Four Stages of the Risk Management Model

Chapter 2

- Figure 3. Illustration of the Risk Management Model and its Stages, Instruments, and Documents
Figure 4. A Fictitious Carceral Risk Assessment Instrument Score Card for Illustrative Purposes

List of Tables

Chapter 2

- Table 1. Characteristics of Commonly Used Risk Assessment Instruments in Canada. Adapted and updated from Fazel, Singh, & Doll (2012).
Table 2. Summary of Risk Assessment Instruments. Adapted from the CSC *Commissioner's Directive Number: 705-6*.

List of Abbreviations

ANT	actor network theory
CCRA	<i>Corrections and Conditional Release Act</i>
CCRR	<i>Corrections and Conditional Release Regulations</i>
CSC	the Correctional Service of Canada
EPS	the Edmonton Police Service
the Model	the singular Risk Management Model in Canada
OMS	Offender Management System
STS	science and technology studies
WED	warrant expiry date

Introduction

In communities across Canada, the police are mandated to ensure public safety. This mandate can range from enforcing federal and provincial laws to providing protection of life and property under said laws (Public Safety Canada, 2018, 2019b). Unexpectedly, however, since 1985, the police have increasingly inherited a role outside traditional policing duties that involves the management and supervision of certain individuals released from federal prisons by the Correctional Service of Canada (CSC) (Rankin et al., 2007). Specifically, these are individuals who, while incarcerated, were classified as ‘high risk offenders’ by the CSC because they were deemed to have a higher tendency to reoffend and posed a high risk to the community.¹

This improvised supervisory role for the police is primarily the result of a piece of federal legislation enacted in 1992 called the *Corrections and Conditional Release Act* (CCRA) (S.C. 1992, c. 20). Under this Act, there was the substitution of the regulation called the *Corrections and Conditional Release Regulations* (CCRR) (SOR/92-620) for three existing regulations: the *Penitentiary Service Regulations* (C.R.C., c. 1333), the *Parole Regulations* (1978, c. 1025), and the *Penitentiary Inmates Accident Compensation Regulations* (1982, C. 1026). This legislation ensures that when federal offenders reach the end of their court-imposed sentences they are no longer under the CSC’s jurisdiction and must be released from prison, and, subsequently, from any form of supervision by the

¹ To be clear, any individual within a prison or released into a community in Canada after serving their prison sentence continues to be referred to as an offender by the Canadian criminal justice system. In this project, any individual who served their entire federal sentence and is released into a community is called an ‘individual’ so as not to perpetuate the classification of humans outside the CSC.

CSC.² The CCRA states that it is an “Act respecting corrections and the conditional release and detention of offenders,” and that “[t]he purpose of conditional release is to contribute to the maintenance of a just, peaceful and safe society by means of decisions on the timing and conditions of release that will best facilitate the rehabilitation of offenders and their reintegration into the community as law-abiding citizens” (s. 100). If the CSC functioned as structured according to the CCRA, offenders *would* (and *should*) be ‘conditionally’ released by the CSC under some form of supervision by CSC staff in the community and efforts at reintegration would occur during this time.³ That is, a parole officer would be required to supervise an individual released into a community and to whom the CSC had assigned the classification of high risk offender (Government of Canada, 2018).

However, this situation does not always happen, because those individuals classified by the CSC as high risk who were detained for their entire court-ordered sentence based on their high risk classification and, therefore, ineligible for any form of conditional release, are essentially free to rejoin any community in Canada without any oversight by the CSC.⁴ This second form of release is known as ‘not conditional release’.

² In this dissertation, the term ‘prison’ means a place in which individuals convicted of a criminal offence are incarcerated during their court-ordered sentences. The term prison captures federal penitentiaries, regional treatment centres, and the Special Handling Unit (SHU), all under the jurisdiction of the CSC.

³ These forms of CSC supervision in the community range from full parole (after serving one-third of a prison sentence) to statutory release (after serving two-thirds of a prison sentence) (Griffiths & Ekstedt, 1984; Griffiths & Murdoch, 2014).

⁴ There is also a distinction in Canada’s carceral system between ‘high risk offender’ and ‘dangerous offender’ designations. In Canadian criminal law, certain convicted offenders may be classified as dangerous offenders (DO) and be subject to a longer or indefinite, term of ‘preventive’ detention in order to ensure public safety. The purpose of the legislation is to detain offenders who are deemed ‘too dangerous’ to be released into society because of their violent tendencies, but whose court ordered prison sentences would not necessarily keep them incarcerated under other legislation (i.e., the *Correctional and Conditional Release Act*). Under subsection 761(1) of the *Criminal Code*, the Parole Board of Canada is required to review the case of an offender with a DO designation after seven years of their sentence has

Figure 1 below captures these two different ways individuals exit the prison system—‘conditional release’ and ‘not conditional release’—and highlights the involvement, or not, of the CSC in these individuals’ reintegration into the community following their release from prison.

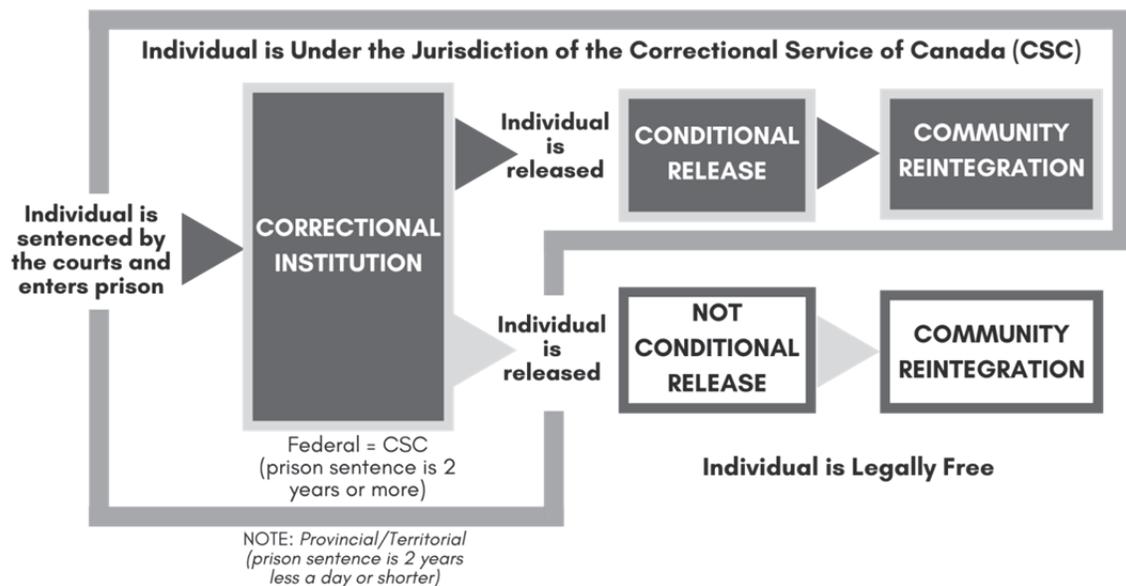


Figure 1. Forms of Release for Individuals in Federal Correctional Institutions

But what does ‘not conditional release’ for high risk individuals mean for the public safety of communities? Who is responsible for monitoring previously classified high risk individuals once they are released from prison and enter a community without conditions of supervision? These basic questions call attention to the actors, legislation, policies, practices, and politics at play concerning issues of public safety and policing in Canada.

Background and Sociological Study

How an inmate is classified inside Canadian prisons is a distinct process (Correctional Service Canada, 2017b). So, too, is the process through which this inmate

been served (and every two years thereafter), and, although rare, parole may be granted for some dangerous offenders, but the offender would remain under the supervision of the CSC indefinitely.

becomes detached from this classification upon release from prison, becomes a citizen again, and is then re-classified in the community by the police. To understand this process and the legislation that makes systems of risk classification mandatory in Canada, it is important to look first at the mechanisms in place in order to make visible *who* and *what* are used to classify human behaviours and traits.

In Canada, there is something known as the Risk Management Model (hereafter called the Model) that was developed in the 1980s within and specifically for the carceral system (also known as the correctional, penal, or prison system) (Bérard et al., 2013). The Model has four stages that lead to the classification and management of individuals related to their criminal activity (see Figure 2 below). During an offender's time in prison, they first engage with the Model via government officials (e.g., correctional staff, government-paid psychiatrists and psychologists, parole officers, and municipal, provincial, and contract police).⁵ In Stage 1, these officials review an offender's criminal history and behaviours by undertaking what is known as a 'risk assessment' (Correctional Service Canada, 2017b). Following this assessment, an offender and the resulting documents from the risk assessment move along to Stage 2 where they are assigned a quantitative value called a 'risk score'. From here, in Stage 3, an offender is given a 'risk classification' that results from the translation of the risk score into a category of low, medium, or high risk offender based on their perceived risk to reoffend and the risk they pose to the community (Wormith, 1997). This classification then leads to the development of a 'risk management plan' in Stage 4. This plan is comprised of all strategies to be used to manage and mitigate the risk posed by an offender while

⁵ I refer to these individuals as government officials, agents, or staff members throughout this dissertation.

incarcerated (Correctional Service Canada, 2012b). All of this information is recorded in a series of documents stored in the inmate's file for the duration of their incarceration (Correctional Service Canada, 2013c).



Figure 2. The Four Stages of the Risk Management Model

Of significance is when these documents move between institutions and an offender moves closer to being detached from this classification when they are released from prison. Just prior to the end of their sentence, a high risk inmate indicates to the CSC the community they wish to enter upon their release. The CSC notifies that local police authority that an individual it has classified as high risk while in the prison system will soon be entering their community. In a best-case scenario, prior to (or even after) their release, the CSC transfers to the police a collection of documents containing information about the risk classification(s) it assigned to the individual during their incarceration. Knowing that a previously classified high risk individual enters the community as a free citizen, and that, as per the CCRA, the CSC has provided the police notification of this individual's release and has taken "all reasonable steps to give the police all information under its control that is relevant to that perceived threat" (s.25), the police now have an obligation under the mandate of Public Safety Canada (2019a, 2019a) to undertake their own risk classification in order to determine if and how that individual may or may not affect public safety based on the police's assessment of the conditions in their community.

As a result of this obligation, the police follow the same legislation mentioned above and use the Model to generate a risk classification in the same way it was carried out inside the prison (CCRA, 1992). This fact alone fundamentally guarantees a strong likelihood of the police replicating the CSC's risk classifications for certain individuals, because they use the same instruments as the CSC without the same expertise, training, and resources. In the event that the police continue to classify an individual as high risk to (re)offend, a new reality is enacted by the police where they must turn to special legislation known as section 810 orders to legitimate their supervision and management of that individual in their community (Rankin et al., 2007). Section 810 was enacted in the original *Criminal Code* (1985) as part of the Revised Statutes in 1985, and its relevant subsections, section 810.1 for sexual offenders and section 810.2 for violent offenders, were enacted in 1993 and 1997 respectively. These subsections of the *Criminal Code* were ratified following the enactment of the CCRA and the CCRR and the implementation of the Model, all occurring in 1992. These pieces of legislation mark, temporally, the role of police supervision for high risk individuals re-entering Canadian communities.

A section 810 order (also known as a peace bond or surety) allows police agencies to apply to the courts to legitimate the scope of their supervision of this new resident in their community (Rankin et al., 2007). Police officers are required to become key actors in the risk management and supervision of certain individuals under these orders. These orders allow the police to place conditions (such as movement, prohibited neighbourhoods, social connections, and so forth) on the high risk individual while they reside in their community (*Criminal Code*, 1985). This order is the mechanism through

which the police are given agency in the face of an individual's rights and freedoms in order to ensure public safety in an effort to mitigate the risk of an individual committing a violent and/or sexual crime in the community (Rankin et al., 2007).

From my time as a criminal analyst with the Edmonton Police Service (EPS) in Alberta, I observed the way the Model was implemented and the way section 810 orders were enacted by police officers. These observations led me to recognize that a critical flaw exists in the implementation of systems of risk classification and supervision between the prison and the community. Through a sociological lens, my empirical study seeks to critically question—how a classification system and instruments used to make such assessments and supervision plans *inside* the prison can have *any* applicability *outside* the walls of the prison when it comes to the work police do in each community and larger issues around public safety in Canada? I also question why the federal government unreflexively maintains the required use of the same Model and its unscrutinized instruments for the classification of individuals both inside and outside prisons. This leads to the questions: in what ways are public safety, politics, and control related to the classification of offenders and the implementation of the Model? And, how do police officers work with such classifications that in no way capture their communities' lived realities?

There are multiple ways to conduct a study concerning the large scale phenomenon of carceral risk classification practices and processes. Given my experience working in the policing context, the police became a natural point of entry for me. Because of this point of entry, I was able to examine how the police operate within the confines of the Model and the related legislation. Thus, the starting point of my research

is explicitly that of my research participants—it is from *their* stories, narratives, and experiences that I began my research. As a researcher and analyst, I have had the opportunity to work closely with police officers. As a result, I have an understanding of the processes and practices of the police as an organization. And, at the same time, I have an understanding of the community context in which these processes and practices occur. To ensure meaningful and deep descriptions that accurately reflect the perceptions of the police officers who shared their experiences and work with me, I adhere to the protocols of reflexive qualitative research practice by neither censoring nor judging those police officers who shared their experiences and by explaining viewpoints of different police officers and other government officials through the use of an abstract, neutral, and consistent vocabulary.

However, it is important to keep in mind that there are counter-analyses I must neglect as a consequence of focusing on the processes and practices of the Model in policework. The most notable omitted analysis concerns the nature of the social relationship between everyday citizens and government institutions. This is the analysis that implicates our current communities—ones that subscribe to capitalist activities of which inequality is an inevitable product (Marx & Engels, 2004)—in how we experience the Canadian criminal justice system, and how this experience is mediated by and reproduces conditions of capitalism (Cowling, 2011; Greenberg, 1993; Messerschmidt, 1986; Quinney, 1980). An alternate analysis would also examine how individuals and populations are controlled through institutions, such as when individuals are held accountable for their behaviours (Giddens, 1984; Griffiths et al., 2007). While the society-intermediary relationship is not the focus of this study, it should be clear that this

is precisely what is at stake around forms of social control decided by institutional interactions and relationships.

Without doubt, this future work is needed. But it is outside the scope of this study. I argue that the work undertaken in this project is needed in order to do future work around tracing out the many complex aspects that move beyond the systems and actors that do the classifying. For example, a future study may consider the social and political implications for the individuals who are classified as ‘a risk’ themselves. By focusing this examination on the role of and implications for the police, this study opens the possibility for future investigations of different actors involved in this social network—work that will allow us to see the functions and effects of the Model in the Canadian justice system more broadly.

Taking into account the questions that motivated this empirical research project noted above, this study calls attention to the role of the police in the processes and practices that assign to individuals who are by legal definition ‘free’ a classification of high risk to reoffend in the community. The sociological significance of this study is that, in the context of the Canadian carceral system, risk is essentially a psychological-statistical construct premised on individual traits or behaviours or combinations thereof (Babchishin et al., 2011; Craig et al., 2007; Hanson et al., 2017). This construct does not consider alternate social, economic, political, cultural, and historical factors (Stoker, 1998) contributing to understandings and mitigations of risk in communities across Canada (Hannah-Moffat, 2012; Hannah-Moffat et al., 2010; Hannah-Moffat & Maurutto, 2010; Hannah-Moffat & Shaw, 2001a, 2001b; Hannah-Moffat & Yule, 2011; Maurutto & Hannah-Moffat, 2006).

Research Questions

The earlier abstract questions lead to the two mutually connected starting points of this study. These are: (i) the Model and (ii) the experiences of police officers supervising and managing high risk individuals under section 810 orders in Edmonton. These two lines of investigation drive my empirical dissertation to focus on one group of actors involved in the classification and supervision of high risk individuals in Canada through obligations and available practices and instruments to do their work. This study examines the role of government officials in classifying risk, specifically police officers replicating the practices of corrections officials inside the CSC. It further considers the key role of police officers in developing altered practices and innovations and community partnerships to achieve their obligation to ensure public safety in their community. My inquiry has been guided by the following research questions:

1. What are the historical, social, and political circumstances that have led to the current offender risk classification practices in Canada's criminal justice system through the use of the singular Risk Management Model?
2. What can the interactions between police officers and high risk individuals tell us about the practice of risk classification outside prisons in Edmonton, as well as in Canada more broadly? And how do these actions contain insights to suggest new frameworks for policy related to the supervision and management of high risk individuals in Canadian communities?
3. What role have police officers and their social service partners in the community played in innovating new practices for the management and supervision of high risk individuals in the community, and what is their vision for the future of this phenomenon in Edmonton?

Methods

Empirical data to answer these questions emerged during seven months of archival document research followed by qualitative interviews with police officers. In the spring of 2016, I travelled to Edmonton, Alberta to examine documents housed inside the EPS that contains evidence spanning over ten thousand pages of official materials

(evidence/records/reports/documents) prepared by staff inside the CSC, contract employees to the CSC, members of Parole Boards, medical clinicians, psychologists, and police officers. During this period, I conducted textual analyses of the documents provided by the CSC to the EPS for the purpose of determining risk classifications for individuals being released into or currently residing in the community. In the spring of 2017, I returned to Edmonton to conduct a series of in-depth, semi-structured interviews with police officers of the EPS concerning the management and supervision of high risk individuals under section 810 orders in the community. Together, these two methods—which I expand upon in Chapter 2—enabled an in-depth analysis of the social and institutional relations that regulate the classification, management, and supervision of high risk individuals by the EPS.

While its name lends itself to a possible theoretical lens, actor network theory (ANT) is widely viewed as a method for doing social science research (Callon, 1986a, 1986b, 1999; Callon & Latour, 1981; Latour, 1987, 1996, 1999, 2005; Latour & Woolgar, 1979; Law, 1991, 1992, 1999; Voeten et al., 2015). I take up ANT in this dissertation from a middle ground between these two perspectives. ANT is central to analyzing the widespread use of the Model in multiple contexts in the Canadian criminal justice system. ANT allows one to consider the interplay and agency of human actors (government officials, police officers, community partners, individuals who are assigned a high risk classification, and the public/community at large) and non-human actors (the Model) that result in the classification of humans for purposes of social control. I substitute ‘the Model’ for ANT’s terminology of the ‘non-human actor’ since the Model only has agency because human actors give it agency through mandated governance

roles. Such distinct terminology allows me to draw out the agency at play within the networks of the Canadian criminal justice system. Specifically, some of these actors were architects of the Model designed to produce risk classifications that, in the end, control other actors (those who are classified) within these same networks. Further to this, ANT allows me to reveal where disjuncture and agency in these networks exist and, by studying police officers in action, where altered practice and innovation emerge on the part of the police in the community.

The focus of my fieldwork was limited to the aforementioned mutually connected starting points: (1) the dominant practice of risk classification on the basis of individual offender behaviours and how diverse social actors use instruments that have not been scrutinized facilitate the classification of risk in multiple contexts; and (2) the local experiences of police officers facing the reality of managing and supervising high risk individuals in the community. This twofold focus allowed me to analyze these data through the theoretical lens of Ulrich Beck's risk society theory and, as noted earlier, the theoretically informed methodological approach offered by actor network theory. The following section offers a brief overview of the dissertation's theoretical orientation.

Theoretical Orientation

First, I draw on science and technology studies (STS) literature in order to define classifications (Bowker & Star, 1999, 2000; Busch, 2011; Lampland & Star, 2009; Star & Lampland, 2009). Second, I trace the history of the etymology of risk, provide some of the various notions of risk, and discuss the challenges of defining risk. Third, my reliance on theory is much more structured than the derivations of risk classifications themselves. Social theories at the forefront of modern risk research range from realist to constructivist

(Beck, 1991, 1992, 1996, 1997, 1999, 2000a, 2009; Culpitt, 1999; Dean, 1996; M. Douglas, 1966; M. Douglas & Wildavsky, 1982; Foucault, 1995, 2008, 2009; Garland, 1999; Lupton, 1999; O'Malley, 1996, 2008; Power, 1997, 2011; Rose, 1998, 1999; Rose & Miller, 1990, 2010). For example, the technical and scientific theories that guide risk classification in the Model are categorized as realist because they privilege expert accounts and view risk as external and independent of the social and cultural values of a community. Differently, risk society theory (Beck, 1992) is constructionist because it considers the extent to which social factors may inform the construction of risk. As my original research questions set forth to examine the sociological construction of risk classifications and let police officers define their experiences with these classifications in the community context, I chose to narrow the theoretical focus and use only one constructionist theory—Beck's risk society theory. I apply risk society theory as a lens which makes it possible to see new meaning and understandings of risk as police officers present it in their everyday work in the community. The application of risk society theory, I argue, is enhanced by my use of ANT because this allows us to gain a better understanding of risk classification practices in action as captured by my research questions above. This advantage comes from a qualitative approach that can increase opportunities for flexibility and for the production of data that are more nuanced than data collected through quantitative means (Creswell, 2013).

A more pointed argument for this approach is advanced by Pertti Alasuutari (1996, p. 374) who argues:

Being theoretically informed means that one is reflexive toward the deceptively self-evident reality one faces in and through the data, able to toy with different perspectives to it, and that one is open to new insights about everyday life and society. Theoretical frameworks should be considered as additional lenses

enlarging and contextualizing the natural attitude, not as blinders that may systematize but nonetheless only amplify the everyday life view of the world. Theoretical frameworks should help us use our imaginative powers and break away from the confines of the mundane reality.

Therefore, this social theory of risk allows for the investigation of different issues such as the origins and maintenance of carceral risk classifications used to make certain populations accountable; how risk classifications are arrived at and inform work of officials located in the criminal justice system; and how these risk classifications are perceived and acted upon in contexts outside the carceral system by police officers in the community. The dichotomy that emerges from the application of risk society theory is, on the one hand, how the Model is premised on the notion of risk being inherent within the individual in the form of behaviours and traits which can be ‘measured’ using techniques from psychology and actuarial sciences and, therefore, individual responsibility is attached to risk. On the other hand, the notion of risk is a social construct and solutions to risk can be found within society along with its causes. This dichotomy highlights how interpretations of risk and risk classifications themselves are strategies of accountability under the current framework.

Together, these theoretical and methodological approaches allow me to discuss the phenomenon of risk classification practices by considering how the basis of risk classifications derived from individual behaviours and traits inform the development of the technical instruments the Model relies on and their users and usages. And, conversely, these approaches allow me to demonstrate how risk classifications are informed by these same instruments, users, and usages.

Key Findings

This dissertation spotlights the altered practices and innovations related to classifications that no one has yet studied in sociology around policework in Canada. From this empirically driven research project, data from the lived work of police officers when analyzed in relation to the theoretical frameworks that guided this analysis brought about the following four key findings:

1. The way that risk comes to be identified, classified, assigned, and responded to by government officials is largely uncontested in the Canadian criminal justice system, with a strong emphasis on the views of officials positioned as experts in the CSC and Public Safety Canada.
2. Within the carceral system, risk classifications tend to be used as a mechanism to obscure the recognition of a connection between risk and the individual. This practice results in the denial of individual identities and their social conditions. These risk classifications are the result of institutionally organized mechanisms for regulating behaviours and, through their reliance on instruments and documents for widespread use, are entangled in relations of control.
3. Within the EPS, moving beyond risk classifications to consider the ‘humanness’ of high risk individuals and their social and cultural conditions is equally necessary to the practice of their management and supervision to ensure public safety and the reintegration of these individuals in the community.
4. Thus, police move beyond a prescribed framework to navigate lived realities when managing high risk individuals in the face of practices and processes under the Model that are incompatible at the local level of policing in the community.

The analysis that led to these four key findings is derived from a comprehensive investigation across institutions, actors, policies, and politics.

Together, these research findings point to the increased role of the police in the supervision and management of high risk individuals in the community as the result of legislation, policies, and practices that were framed to be for the carceral system, specifically the CSC. This increased participation of the police, I contend, emerged in the late-1980s and early-1990s, in response to processes which were set in motion by the introduction of a new blueprint for offender risk classification—the Risk Management

Model. I suggest that the Model is an example of this type of increased participation by government institutions outside the CSC, and that by studying how the Model came into being and continues to evolve beyond its original intentions, intentions, uses, and users, we can better document those processes which gave rise to and continue to (re)produce highly significant risk classification practices in Canada. We can also begin to document important moments and shifts in policing where these same processes lead to altered practices and innovations. By focusing on the experiences of the police and the Model, this project captures how the inapplicability of the Model leads police officers to respond to obligations of supervising and managing high risk individuals through altered practices to ensure public safety, while devising innovative ways to steward the safe reintegration of certain individuals into the community.

Outline of the Dissertation

Following this Introductory chapter, Chapter 1 (Theory and Methods) focuses on the theoretical framework that informed my empirical research, as well as the research methods used to analyze the data I collected while in the field. Chapters 2 and 3 set the context of this study. In Chapter 2 (Contextualizing the Risk Management Model), I trace out the origins of the Model, drawing attention to key actors, instruments, legislation, and the role of experts and documents in carceral risk classification practices. Recently, some of these experts and the instruments they developed have been challenged before the courts. These legal cases and their implications are discussed in Chapter 3 (Legal Challenges). Chapter 4 (Policework in the Model) and Chapter 5 (Policework beyond the Model) present the empirical heart of the dissertation. These are the substantive chapters of the dissertation that act as case studies around the phenomenon of how the Model is

implemented in the alternate context of policing in the community, the related experiences of police officers, and where emergent action on the part of the police is evidenced. Chapter 4 presents the EPS as a case study for understanding an observed shift in high risk offender supervision and management practice—that is, from the CSC to the police, from the prison to the community. This discussion leads to Chapter 5 where a public safety obligation for the EPS to implement the Model has resulted in an optics of innovation in Edmonton. This chapter summarizes the experiences of police officers who continue to push for the creation of social partnerships, while also grappling with the lack of support provided by the Model and the legislation for the management and supervision of high risk individuals in the community. The experiences of these officers also bring attention to the immediacy of public safety concerns for the police due to the presence of high risk individuals in the community. This dissertation closes with a summary of the key analytical takeaways of the dissertation, a brief discussion of the project’s implications for developing comprehensive risk classification policy, and I offer several insights for future research in the area.

Chapter 1: Theory and Methods

In this chapter, I accomplish three things. First, I make clear the subject matter presented in this study by providing: (a) a definition of classifications; and (b) a brief description and history of the etymology of risk, some of the various notions of risk, and the challenges of defining risk. Second, I provide an overview of a prevalent social theory of risk—risk society—and argue for the usefulness of this theoretical approach in analyzing: (i) the implementation of the Model in policing, (ii) police officers’ understandings and experiences with high risk individuals, and (iii) how this configuration and these interactions influence police officers’ practices in the community. An important aspect of this research relates to how government actors conceptualize risk and fall into different roles related to carceral risk classification practices. Thus, thirdly, I introduce actor network theory as an underpinning method of sociological inquiry for this research. This methodological discussion extends to how I designed and conducted my research.

Because this dissertation is interested in understanding the classification of risk for certain individuals by government officials and their subsequent actions, defining classifications and risk is a logical place to begin.

Classifications

In order to define classifications and then begin to examine their consequences, a distinction must be made between standards and classifications and the interplay between them. Given the common and varied uses of these terms in academia, industry, policy making, and everyday life, it is important to provide conceptual clarity as to how they are understood and applied in this study. Science and technology studies (STS) scholars

Susan Star, Geoffrey Bowker, Martha Lampland, and Lawrence Busch, to name a few, offer a logical starting point (Bowker & Star, 1999, 2000; Busch, 2011; Lampland & Star, 2009).⁶

Bowker and Star (1999, p. 19) note that these concepts are “both ambiguous and constant; they may be abstract or concrete.” The relatedness and apartness of these two concepts are also captured by Bowker and Star (1999, p. 13) when they write: “[c]lassifications and standards are closely related, but not identical. The systems we discuss often do become standardized; in addition, a standard is in part a way of classifying the world.” Thus, a standard is arrived at by an authority or by general consent on the basis of comparison so that the standard is regarded as the most ‘normal’ of its kind. A classification is how we arrange things, ideas, people, and so forth, according to the information provided by a standard. According to Bowker and Star (1999, p. 15), classifications and standards are further related through these scholars’ observed use of a classification in more than one context by more than one type of user and, significantly, “the impact that use has on questions of membership and the taken-for-grantedness” of classifications. They define a classification as follows:

A classification is a spatial, temporal or spatio-temporal segmentation of the world. A ‘classification system’ is a set of boxes (metaphorical or literal) into which things can be put in order to then do some kind of work—bureaucratic or knowledge production (Bowker & Star, 1999, p. 10).

Taking their discussion of classifications up a level of abstraction, Bowker and Star (1999, pp. 10–11) note that the following properties are exhibited by a classification system:

⁶ STS is the study of how society, culture, and politics have implications for and influence scientific research and technological innovation, and how these practices and ‘things’, in turn, have implications for and influence society, culture, and politics.

- 1) *There are consistent, unique classificatory principles in operation.* For example, date, time, genealogy, and genetics.
- 2) *The categories are mutually exclusive.* For example, your DNA is yours and mine is mine.
- 3) *The system is complete.* For example, a classification system provides total coverage to the phenomenon it classifies and if unknowns are determined to exist they are absorbed into the complete system of classifying.

Addressing the role of classification systems in the real world, Bowker and Star (1999, p. 11) add that they have never observed a classification system that meets these three simple requirements. Rather, classification systems in practice tend to reflect people's ignorance of them, their disagreement about their nature, or they blend principles that differ and may be contradictory. These real world uses "demonstrate ways of reading classification systems so as to be simultaneously sensitive to these conceptual, organizational and political dimensions" (Bowker & Star, 1999, p. 12). This point is significant for classifications that are designated 'statistical' but do in fact attempt to classify issues, things, or persons, and so forth, that may not be quantifiable. For example, as it relates to this study, carceral risk classifications involve the classification of acceptable and unacceptable behaviours and traits on the basis of compliance with, or not with, social norms.

Relevant to this study is Bowker and Star's (1999, p. 13) observation that:

The work of making, maintaining, and analyzing classification systems is richly textured. It is one of the central kinds of work of modernity, including science and medicine. It is, we argue, central to social life.

The work that Bowker and Star and other STS scholars observe in relation to the construction and maintenance of classification systems is captured by the standardizing effects of these systems in the social world (Bowker & Star, 1999, 2000; Busch, 2011; Lampland & Star, 2009). As with classifications, standards exhibit multiple dimensions:

- 1) A 'standard' is any set of agreed-upon rules for the production of (textual or material) objects.
- 2) A standard spans more than one community of practice (or site of activity). It has temporal reach as well, in that it persists over time.
- 3) Standards are deployed in making things work together over distance and heterogeneous metrics.
- 4) Legal bodies often enforce standards—be these professional organizations, manufacturers' organizations or the [government].
- 5) There is no natural law that the best standard shall win.
- 6) Standards have significant inertia, and can be very difficult and expensive to change (Bowker & Star, 1999, pp. 13–14).

Through these dimensions, one recognizes the role of the wide scale standardized measurement systems we rely on in our daily lives, including the central role of 'idealized' or 'good enough for government use' standards in economic life, industrial production, policy making, and knowledge production (Bowker & Star, 1999, p. 15). According to Bowker and Star (1999, p. 15), "[s]mall deviations between standards and reality are routinely overlooked," highlighting "the slip between the ideal standard and the contingencies of practice." This point is significant because it captures the human action and agency involved in classification. This human action and agency is typically guided by social norms.

Bowker and Star (1999, p. 1) argue that classification is an inherently human action. This point is important to this study because it makes a distinction between classification and the person(s), group(s), or institution(s) that do the classifying and that are classified. Bowker and Star (1999, pp. 2, 3) argue that standards and classifications "are ordinarily invisible" but they "may become more visible, especially when they break down, or become objects of contention." Central to the work of STS scholars investigating classifications is the presence of moral and ethical dimensions. Bowker and Star (1999, p. 5) state:

we seek to understand the role of invisibility in the work that classification does in ordering human interaction. We want to understand how these categories are made and kept invisible, and in some cases, we want to challenge the silences surrounding them.

This quotation captures a central argument presented by Bowker and Star (1999, p. 322): that any classification system with organizational or political consequences is neither unambiguous nor uniform and is, therefore, not to be conflated with Aristotelian aspects of classification that function according to a set of binary characteristics that the person or thing being classified either presents or does not present (Bowker & Star, 1999, p. 62). Their argument is important to this study because it captures how classification systems in real world practice are fused with the institutional structures and systems they operate within (including alliances and tensions), and vice versa. A significant point is that as classification systems become more embedded in the working systems and structures of institutions, “they risk getting black boxed and thence made both potent and invisible” (Bowker & Star, 1999, p. 325). Latour (1999, p. 304) defines ‘black boxing’⁷ as:

the way scientific and technical work is made invisible by its own success. When a machine runs efficiently, when a matter of fact is settled, one need focus only on its inputs and outputs and not on its internal complexity. Thus, paradoxically, the more science and technology succeed, the more opaque and obscure they become.

This view also highlights the potential for classifications to ‘valorize’ some perspectives and ‘silence’ others (Bowker & Star, 1999, p. 5), thereby connecting classifications to social control. In particular, Bowker and Star (1999, p. 3) state that “classifications and standards occupy a peculiar place in studies of social order,” and they “link up with those

⁷ A black box is a process, device, or system whose inputs and outputs (and the relationships between them) are known, but whose internal structure or inner workings are either not well, or at all, understood; are deemed by those who developed the process, device, or system as not needed to be understood; or are meant to remain hidden due to the proprietary, sensitive, or confidential nature of the process, device, or system. Thus, a black box conceals all the activity that went into the production of that process, device, or system.

[classifications] that are formal, standardized, and widespread” (p. 7). Standards and classifications that are perceived to be formal tend to lead individuals “to mold their behaviour to fit those conceptions” (p. 53).

The literature on classification encourages researchers to consider not only what work classifications and standards do, but also *who* does that work (Star & Strauss, 1999) and what happens when cases *do not fit* (Star, 1991). Thus, those contributing to this field of study point to classifications such as ‘miscellaneous’ and ‘none of the above’, which often appear in classification systems, as a demonstration of boundaries imposed by standards (Bowker & Star, 1999, p. 321; Lampland & Star, 2009, pp. 9–11). This idea of boundaries leads to a more significant observation that knowledge contained within a classification system forms an authorized doctrine. Anything that is excluded is not considered to be true. Departures are not permitted because they are considered false. Thus, it is an ethical, political issue as to whether something can be found or not found in a classification system. One final point of significance about classification as they relate to this study is the recording of classifications in official documents. Archiving is a powerful act. It is a form of ownership and control, affording the ability to authorize what happened in a certain place or time (Bowker & Star, 1999; Lampland & Star, 2009). In this study, authority in classification systems and practices is tied to ideas of risk, a topic to which this discussion now turns.

A Working Definition of Risk

Unlike the concise definition of classifications provided by the STS literature, defining risk is not a straight forward task for several reasons. First, the Oxford English Dictionary (“Risk, n,” 2019; “Risk, v,” 2019) has entries for risk as both a noun and a

verb. Second, risk is a part of everyday life and it can be, and is, interpreted and applied in numerous ways. Thus, risk is understood as both a consequence of an action and as an individual perception. The sociological consideration of risk requires one to move beyond such common assumptions. This perspective is necessary because such assumptions “do not possess the quality of mind essential to grasp the interplay of man [*sic*] and society, of biography and history, of self and world” necessary to engage one’s sociological imagination (Mills, 1959, p. 4). Despite the abstract, multifaceted nature of risk, many sociological definitions of the concept of risk exist. David Garland (2003, p. 49) captures these diverse understandings of risk when he writes:

Risk is a calculation. Risk is a commodity. Risk is a capital. Risk is a technique of government. Risk is objective and scientifically knowable. Risk is subjective and socially constructed. Risk is a problem, a threat, a source of insecurity. Risk is a pleasure, a thrill, a source of profit and freedom. Risk is the means whereby we colonize and control the future. ‘Risk society’ is our late modern world spinning out of control.

Garland’s catalog of the dominant ideas of risk captures the significance of differences between what risk *is* and how we as individuals in society *understand* and *measure* risk. Garland’s quotation further highlights the earlier point that risk can be understood in countless ways. This multiplicity in understandings emerges because there are many relevant factors that inform understandings of risk in relation to the core themes of expert or scientific knowledge and individual responsibility, which become more important as this dissertation proceeds. Garland’s work is significant for thinking about how knowledge is generated through objective and subjective understandings of risk. These ways of thinking are important because our knowledge of risk informs how we attempt to control it, whether that is by measuring risk as a calculation (objectively) or by identifying an absence of control (subjectively).

As government institutions, organizations, and everyday citizens become more and more concerned with social control and with identifying risks to be controlled, more questions are raised about how the concept of risk is constructed and implemented within, across, and between contexts. Social theories of risk are not isolated; rather, understandings of risk in contemporary society draw from a range of disciplines: environmental studies, economics, epidemiology, sociology, anthropology, linguistics, and mathematics, to name a few.

In addition to a multitude of definitions, the historical origin of risk and its etymology are widely debated. For example, Niklas Luhmann (1993, p. 9) argues that the etymology of the word risk is unknown. Yet, many other scholars have located the concept in social and cultural contexts. For example, the Latin noun *risicum* or *resicum*, from the Latin verb *resicare*, meaning *that which cuts*, and, possibly, with Arabic origins (*rizq*) (Boholm, 2015, Chapter 1). Sources dating to between the mid-thirteenth and mid-seventeenth centuries indicate that risk was taken up as a concept in many other European languages, spreading with the introduction of the printing press in the mid-fifteenth-century with vocabulary such as: French (*risqué*), Italian (*risc(hi)o* or *risco*), Spanish, (*rieggo*), Portuguese (*risco*), and Dutch (*risico*), all with possible similar meanings.

Despite his stance on a lack of etymology for risk, Luhmann (1993) suggests that the term risk came into use between the fifth and seventeenth centuries (that is, between the Middle Ages and the Renaissance). He bases his argument on his observation that other terms in use at the time, such as ‘danger’, ‘hazard’, ‘harm’, ‘courage’, ‘fear’, ‘(ad)venture’, ‘chance,’ ‘luck’, and so forth, failed to capture a newly identified, unknown element and, therefore, the term risk represented something entirely different

from these other terms (Luhmann, 1993, p. 10). The seventeenth century also saw the emergence of the mathematical analysis of 'chance' to describe foreseeable hazards related to risk (Hacking, 1990). This mathematical approach to risk was further developed in the eighteenth century and used in the actuarial and economic calculations of maritime insurance (M. Douglas, 1992, p. 23). Economic theory was further extended to calculate things such as risk aversion (gain versus loss or risk), and also informed Jeremy Bentham's hedonic calculus of pleasure versus pain, also based on the logic of gain versus loss or risk. The relevance of a 'gains and losses logic' concerns the implication that when something is at stake, certain advantages are to be gained by defining what constitutes risk, and, moreover, that decisions about this logic need to be made by those in positions of authority (Luhmann, 1993, p. 11). This calculated perspective is also captured in the rise of gambling, probabilities, and statistics from the mid-seventeenth century onward, all of which suggested that the notion of risk was invoked to assess probability and uncertainty with respect to gains and losses of human behaviour too.

Alongside these conceptual and mathematical shifts, so, too, did the linguistic usage of risk shift from neutral chance, to danger, and lastly to fear (Luhmann, 1993, p. 11). It was through these shifts that risk came to be understood as an event or a behaviour that was to be controlled or minimized. This mitigation approach highlights the distinction between objective and subjective risk. Objective risk is understood as that which can be mathematically calculated, measured, defined, and controlled. Subjective risk has incalculable, social meanings and depends upon the judgement of a person and, therefore, contains some aspect of uncertainty.

Understanding how risk is *measured* is meaningful for this study. Decisions about risk are rarely made with certain knowledge of their probable, possible, or likely outcomes (Hacking, 1975, 1990; Knight, 1921; Tversky & Fox, 1995). This view is known as the probabilistic perspective and it relies on inductive logic to give the probability of future events based on past events. The probabilistic perspective argues that social and personal influences guide a person's decision making process (Schöbel et al., n.d.). Another strategy for dealing with the notion of risk is seen in a leaning toward a precautionary culture practiced by governments, government institutions, and policy makers. For example, François Ewald (2002, p. 286) argues that governments' invocation of the precautionary principle (or precautionary culture) "invites one to consider the worst hypothesis (defined as the 'serious and irreversible' consequence) in any business decision," thus leading these institutions and individuals to err on the side of caution. A precautionary culture is one where risks are avoided at all costs.

Subjective Risks

As noted earlier, much of the literature on risk results from techno-scientific and economic theory contributions in which understandings of risk are clearly defined and calculable. A more complicated understanding of risk emerges when one incorporates understandings of social contexts. The belief that knowledge about social phenomena is generated through jointly constructed understandings of the world reflected in shared assumptions about reality is called a constructivist perspective. Conversely, a positivist perspective emphasizes empirical observation and scientific analysis of social facts to reveal the true nature of how society operates. This distinction is important to how facts

about risk are used across disciplines seeking to understand risk (Klinke & Renn, 2002; Rosa, 1998).

Although an oversimplification, Peter Taylor-Gooby and Jens Zinn's (2006, pp. 107, 150) application of a continuum metaphor to describe risk theories is useful when making clear the distinction between constructivist and positivist perspectives. For example, along such a continuum, risk theories range from strong to weak realist perspectives on one end, and from weak to strong constructivist perspectives on the other end. Starting at the extreme of a strong realist perspective, risk is understood to exist separately from external factors and, therefore, can be measured independently of the social and cultural values of a particular context. In short, from a realist perspective, risk is 'real' or 'fact' (Lupton, 2000; Rosa, 1998; Taylor-Gooby & Zinn, 2006). This detached view is consistent with contemporary risk assessment and risk management strategies, particularly in relation to a gain versus loss logic. Examples of this approach to risk are found in the risk management literature of environmentalism (Failing et al., 2007; Jones, 2001), epidemiology (Dean, 2000; O'Malley, 2008), insurance (Bougen, 2003; Ericson et al., 2003; Ericson & Doyle, 2004b, 2004a; Ewald, 1991), as well as in the correctional literature taken up at length in Chapter 2. In all of these contexts, 'expert or scientific knowledge' determines what an acceptable level of risk is. Expert or scientific knowledge may be informed objectively and subjectively. These subjective considerations are important because they highlight the influence of political and moral views (Epstein, 1995, p. 420; Whelan, 2000, p. 59). I return to this subject and provide a comprehensive discussion in relation to the Model, its risk assessment instruments, and their users in Chapter 2.

The constructivist perspective also exhibits a range of views (Taylor-Gooby & Zinn, 2006). On the one hand, a weak constructivist perspective holds that risks are real, but that how we interpret and understand them and what action they signify, is located in our unique social and cultural traditions and contexts. On the other hand, a strong constructivist perspective holds that there is no premise on which we can claim that risks are real, and that all risks are internally, socially constructed (Lupton, 1999). A shared feature of weak and strong constructivist perspectives is that they examine the constructed realities of groups and communities. The next sections examine the constructivist approach to risk located in Ulrich Beck's risk society theory.

Risk Society Theory

The social theory of a risk society emerged from the publication of Ulrich Beck's *Risk Society: Towards a New Modernity* in 1992, which he has continued to expand on and refine (Beck, 1991, 1996, 1997, 1999, 2000b, 2009; Beck et al., 1994; Beck & Beck-Gernsheim, 2002).⁸ To maintain analytical tightness, I focus primarily on the ideas expressed in *Risk Society*. Beck's work has generated much discussion around the nature of risk, thus contributing to the development of a theory of risk from those supporting his ideas (Abbott & Kelly, 2005; Mythen, 2007, 2018; Strydom, 2002; Zinn, 2008) to those who are critical of them (Alexander & Smith, 1996; M. Douglas, 1992; Elliot, 2002; Lupton, 1999). The central tenets of Beck's social theory are: the risk society thesis, reflexive modernization, and individualization. All of these concepts are unpacked in the following sections.

⁸ *Risk Society* was first published in German in 1986. The English translation was published in 1992. The 1992 edition of Beck's publication is used and referred to for the purposes of this dissertation.

Beck (1992, p. 21) characterizes the risk society as “a systematic way of dealing with hazards and insecurities induced by modernization itself. Risks, as opposed to older dangers, are consequences which relate to the threatening force of modernization and to its globalization of doubt.” Beck (1992, p. 183) explains what this systematic way is when he writes:

In contrast to all earlier epochs (including industrial society), the risk society is characterized essentially by a lack: the impossibility of an external attribution of hazards. In other words, risks depend on decisions, they are industrially produced and in this sense politically reflexive.

As such, risks faced by modern society have several characteristics that distinguish them from dangers in previous historical epochs. Beck argues that contemporary Western society is in the midst of a transition from older forms of ‘industrial society’ to a distinctively postmodern ‘risk society’. For Beck, this transition is directly related to modernization. Beck (1992, p. 50) defines modernization as:

surges of technological rationalization and changes in work and organization, but beyond that [it] includes much more: the change in societal characteristics and normal biographies, changes in lifestyle and forms of love, change in the structures of power and influence, in the forms of political repression and participation, in views of reality and in the norms of knowledge. In social science's understanding of modernity, the plough, the steam locomotive and the microchip are visible indicators of a much deeper process, which comprises and reshapes the entire social structure.

Beck (1992, p. 28) maintains that this process of transition and modernization has initiated a variety of unique human-made or ‘manufactured’ risks.⁹ The harmful effects of these manufactured risks go beyond political and geographical boundaries, giving rise to far-reaching changes in social and cultural structures and politics.

⁹ For a similar perspective, see Anthony Giddens (1998, p. 28).

Beck argues that some of these risks also emerge owing to the inability of institutions and scientific experts to address and confront the momentum of scientific and technological advancements and assess their implications and effects. From this perspective, Beck (1996, p. 27) characterizes risk society as:

a phase of development of modern society in which the social, political, ecological and individual risks created by the momentum of innovation increasingly elude the control and protective institutions of industrial society.

Additionally, Beck emphasizes that postmodernity is characterized by the increasing unknowability and unpredictability of risks. This characterization is based on Beck's view that unanticipated consequences associated with scientific and technical innovations have led to the production of risks on two grounds. First, these risks are restricted to the realms of scientific knowledge and expertise due to their implicit nature and complexities. Second, these risks cannot be easily calculated or assessed due to their unforeseen global and long term effects (Beck, 1992, p. 21).

For Beck (1995, p. 61), a range of social institutions and experts are responsible for defining risks, assessing risks, and informing the public of any risks (i.e., government, law, science, media, and so forth). As a result, public interpretations of risks hinge on information provided to them by social institutions and experts. According to Beck (1992, p. 30), the construction of risk meanings in risk society rest on what he calls 'relations of definition'. Beck (1995, p. 130) defines these relations as the:

basic principles underlying industrial production, law, science, opportunities for the public and for policy. Relations of definition thus decide about data, knowledge, proofs, culprits and compensation.

In the risk society, Beck prioritizes the central role of science to risk assessment and management. For Beck, science has always been central to the development of society across epochs as risk assessment shifted from nature to ethics to religion to scientific and

technical rationality. The central role of science has positioned scientific experts to both communicate risks to the public and to be responsible for any debates about risks. In this vein, Beck (1992, p. 4) states:

Risks are defined as the probabilities of physical harm due to given technological or other processes. Hence technical experts are given pole position to define agendas and impose bounding premises a priori on risk discourses.

The central position held by science and scientific experts concerning risk definition, assessment, and inquiry leads Beck to identify a shift in how information about risks is communicated by experts to the public. In this shift, the scientific rationalism associated with the technical and scientific discourses used by experts becomes detached from the social rationality associated with the social and cultural knowledge possessed by the lay public through lived experience. As a result of this detachment, the two sides are at odds, meaning that the public's questions go unanswered by risk experts at the same time that the experts provide information that misses the point of the public's inquiry and feeds into public anxiety about risks (Beck, 1992, p. 30). The risk society thesis stresses a growing divide between experts and the lay public.

The nature of risks in the risk society has resulted in risks now being beyond the control and capacity of institutions that are responsible for minimizing and managing manufactured risks. In the risk society, risks cannot be adequately regulated using the existing methods of risk assessment. As a consequence, expertise is no longer definitive on matters of risk (Beck, 2006, pp. 28, 61), leading Beck to be critical of experts. Beck (2006, p. 336) writes:

key institutions of modernity such as science, business and politics, which are supposed to guarantee rationality and security, find themselves confronted by

situations in which their apparatus no longer has a purchase and the fundamental principles of modernity no longer automatically hold good.¹⁰

According to Beck (2006, p. 336), in the risk society, institutions responsible for risk assessment and management “are no longer seen only as instruments of risk management, but also as a source of risk.”

In short, industrial society’s beliefs in technological progress and its benefits are now being replaced by concerns of risks that such technological advancements involve (Beck, 1992, pp. 5–6). According to Beck, these concerns have resulted in postmodern society becoming reflexive (not in a self-reflecting way) and critically questioning its own principles. Beck (1997, pp. 5–6) contends that, in the risk society, the pace of scientific and technological advancements has resulted in governments becoming reactive rather than proactive in matters concerning social risks. For Beck (1987, p. 156), a lack of control over the risks and uncertainties of manufactured risks, and a lack of visible responsibility for the outcomes of such risks have led consequently to traditional institutions such as government and science losing their legitimacy, and a growing public distrust of the rationality and motives of these institutions.

Beck’s conceptualization of the risk society becomes more lucid when read alongside Gabe Mythen’s (2004, p. 21, see also 2018) application of what are known as the three pillars of risk. These pillars are: “[1] transformations in the relationships among risk, time, and space; [2] the changing nature of risk; and [3] the breakdown of institutional mechanisms of insurance” (Mythen, 2018, pp. 3–4). Similar to Mythen, I use these pillars to structure this theoretical discussion of risk by highlighting their

¹⁰ See also Giddens (1999, p. 4).

implications for Beck's concept of the risk society and the processes of individualization and reflexive modernization.

Pillar #1—transformations in the relationships among risk, time, and space:

Beck's (1992) conceptualization for the risk society proceeds firmly from the perspective of modernity. Thus, the risk society has a temporal and spatial specificity to it.

Specifically, Beck (1992, 1996) argues that our current modern society is 'industrial' and it is in the process of transforming from 'first modernity' to what he calls the risk society, and that this transformation is a reflex to risk—that is, the changing nature of risks from pre-industrial and industrial societies to the postmodern risk society generated marked changes in attitudes towards risks. This transition is significant because our current, industrial, modern society is characterized by the production of wealth largely premised on the fast pace of scientific and technological advancements. And, as we move toward the risk society, the production of wealth is inevitably accompanied by risks (Beck, 1992, 1996). These risks are the unmanageable side effects and unintended consequences that result from the production and distribution of 'social good' (e.g., wealth, healthcare, and employment) (Beck, 1992, p. 42). Risks, much like wealth, are distributed unevenly in society and have an effect on the quality of life. Beck (1992, p. 28) calls this 'dis-embedding' of the industrial era and the 're-embedding' into another era 'reflexive modernization' (see also Beck, 1992, pp. 127–137). Beck (1992, pp. 127–137) describes three basic stages of the dis-embedding and re-embedding effects of modern risk on individuals. Stage 1 is the dislodging or 'liberation' of individuals from traditional bonds and support. Stage 1 leads to stage 2 which is a loss of stability and security. Through the

loss of these ‘precarious freedoms’ in stage 2, individuals would be incentivized in stage 3 to enter into new social relations.

The far-reaching implications and effects of manufactured risks have been responsible for heightening public awareness of risks. In reflexive modernization, members (subjects) of society are fully aware of the risks, and question their own actions and decisions in order to avoid what Beck characterizes as the ‘bads’ of modernity. According to Beck (1992, p. 165), reflexivity is ‘built-in’ in contemporary risks and it extends to skepticism concerning “the foundations and hazards of scientific work and science and is thus both generalized and demystified” (p. 14). The avoidance of the ‘bads’ (i.e., possible environmental and nuclear threats) demands new methods of continual risk assessment (p. 12). Beck (1992, p. 174) defines the elementary thesis of reflexive modernization as:

the more societies are modernised, the more agents (subjects) acquire the ability to reflect on the social conditions of their existence and to change them in that way.

Essentially, reflexive modernization is the idea that members of society examine their own actions and decisions and, in turn, society is transformed as a result of such reflexive forms of thought.

Beck’s understandings of shifts of threats in relation to the risk society are directly linked to his argument that societal transformations occur between three distinct epochs: (1) preindustrial society (traditional society), (2) industrial society (first modernity), and (3) risk society (second modernity). In his assertion that each epoch exhibits a different type of risk, Beck (1992, p. 98) argues that the pre-modern hazards (drought, famine, plague) were preordained, thereby locating their source with non-human forces such as gods, demons, or nature. In contrast, industrial society is able to

navigate such natural hazards through the application of science, medicine, and technology. Thus, the real dangers facing industrial society are the unwelcome phenomena of routinized accidents and disasters that result from routine aspects of daily life under advanced industrial, capitalist, techno-scientific developments (Beck, 1999, p. 9; see also Beck et al., 1994, p. 27).

Building on this transformational process, Beck's concept of individualization states that the social class structures of industrial society are replaced by the choices around which a risk society is structured. For Beck, individualization leads to understanding *how* individuals deal with risk through the formulation of individual identities and biographies. Beck (1992, p. 135) calls this formulation a "do-it-yourself-biography." Beck (1992, p. 137) argues: "Experts dump their contradictions and conflicts at the feet of the individual," meaning that the individual is required to make sense of these contradictions and conflicts, and, therefore, to choose their own behaviours and consequences. According to Beck (1992, p. 23), risk in late-modernity "completely evades human perspective abilities." From this view, he argues that we need to reexamine traditional notions of risk (Beck, 1992, p. 9). As a result, reflexive modernization has necessarily removed risk from the local context, thereby creating higher stakes with the potential for longer lasting, further reaching effects. It is important to note that Beck's emphasis is on manufactured risks which are the product of human activity (see also Giddens, 1990). That is, the technological advancements which created the previously mentioned 'social good' have led to unintended consequences which become unmanageable through technology and insurance and have significant effects on everyday life (Beck, 1992, p. 42).

Pillar #2—the changing nature of risk: Reflective of this focus on unintended, unmanageable consequences is the notion that risks are both catastrophic and uninsurable. Beck justifies this notion by identifying what he “habitually refers to [as] three ‘icons of destruction’: nuclear power, environmental despoilation and genetic technology (1992: 39; 1995a: 4)” (Mythen, 2004, p. 19). The claims Beck makes around these icons of destruction make his theory less relevant to this research study, but an important connection is the effects that such disastrous and unmanageable risks have on autonomous individuals. That is, people are presented with disastrous possibilities which are neither predictable nor avoidable. As a consequence, there is what Andrew Whiteford (2009, p. 158) notes as an absence of “a creed, or a dogma, or a set of cultural values held in an overcommitted way throughout entire populations.” Anthony Giddens (1990, pp. 92, 111) notes that a lack of security capable of being categorized may influence people in how they navigate the risk society as they are thrust into the risk society on their own and, more importantly, without the social safety net of traditional values. In the risk society, concerns of social risk situations supplant individuals’ and wider society’s concerns about socio-economic position, as was the norm in industrial society.

Beck (1992, p. 19) argues that this displacement results when “one historical type of thinking and acting is relativized or overridden by another.” In this case, older forms of class structure based “around the issue of how socially produced wealth could be distributed in a socially unequal and also ‘legitimate’ way” (p. 19), disappear in a modern, risk society. They are replaced by social risk positions that are accomplished by risk aversion; that is, a need to *control* risk through technological development and political stability. According to Beck (1992, p. 23),

risks of modernization sooner or later also strike those who produce or profit from them. They contain a *boomerang effect*, which breaks up the pattern of class and national society [...]. Even the rich and powerful are not safe from them.

These boomerang effects are widespread because those individuals creating risks will also be exposed to them. These conditions reveal both the significance of risks and how they extend beyond the boundaries of space because risk is not biased and can affect everybody, regardless of one's position. Nobody is safe from risk (Beck, 1992, pp. 23, 37).

The classification of individuals as 'at risk' is an unintended consequence of late-modernity whereby more responsibility falls to the individual to construct their own personal narratives and to choose their own behaviours and consequences. Beck (1992, p. 87) argues that this responsibility generates fear and anxiety in individuals, prompting amendments to public policy and a need for institutional control and, therefore, the precautionary principle (Boehmer-Christiansen, 2009). In essence, the precautionary principle is premised on social responsibility to protect the public from exposure to harm identified by scientific investigation. The precautionary principle defines actions to be taken in relation to issues determined to be uncertain, for example assessing risk. Lupton (2006, p. 12) notes that in the risk society "human responsibility is now attached to risk." This condition creates a situation where "lay people have become more and more suspicious of expert judgements on risk as they know that experts disagree, governments often fail to act and that science and other products of early modernity themselves often generate risks" (Lupton, 2006, p. 12). This situation highlights Beck's view that the classic institutions devoted to risk management in industrial society (e.g., insurance, stock markets, and governments) fail in the management of risks associated with the risk society. This failure brings about what Beck (1992, p. 50) calls 'organized

irresponsibility’—put simply, risks caused by society, in general, are not within the jurisdiction of these institutions.

Pillar #3—the breakdown of institutional mechanisms of insurance: As the dimensions of risk expand, the knowledge, definitions, and models of protection against risk build in significance. As a result of this ‘risk expansion’, governments and their institutions are less able to control emerging narratives and perspectives around risks and the autonomous public grow in influence. This rearrangement brings with it consequences for governance across social, economic, and political contexts (Beck, 1992, p. 24). Beck (1997, Chapter 3) argues that the public’s disillusionment with institutional politics leads to what he calls ‘sub-politics’ which operate on a different level, external to formal political processes. This concept helps explain how society is shaped *from below*:

the loss of enforcement power, the shrinkage and minimization of politics. In the wake of subpoliticization, opportunities to consult and participate are growing for groups which have so far not participated in the substantive process of technification and industrialization: citizens, the public sphere, social movements, expert groups, employees on the scene, even the opportunities for individuals with civil courage to ‘move mountains’ in the nerve centres of change (Beck, 1997, p. 107).

This quotation exemplifies Beck’s concept of reflexive modernization because he suggests that as society develops technologically and industrially, a new range of risks is created (Beck et al., 1994). Moreover, Beck argues that this transition has resulted in the breakdown of traditional values and that the processes by which social normality is defined become more individualized, and, thus, become detached from the social structure (Beck et al., 1994). Essentially, as more areas of life become detached from traditional forms of care and control in the risk society, more individuals come to consider risk at the personal level.

Rationale for My Theoretical Framework

This study employs a constructivist perspective to risk research—risk society theory—in order to understand how it contributes to modern understandings of risk in everyday life. Because this dissertation focuses on an empirical analysis of the phenomenon of police officers supervising high risk individuals in the community, this work necessarily demands an exploration of the contributions of this theory. Moreover, the logical development of this dissertation depends on how this theory is used pragmatically to produce a much richer and in-depth analysis and understanding of how risk is socially organized and how it is conceptualized and experienced by police officers in their everyday work with high risk individuals in the community.

The theoretical perspective utilized in this study provides insights into how ideas of risk are politically constructed and how knowledge regarding ‘risk’ is produced, both within society and within government institutions. Additionally, this theory is unique in how it characterizes the reactions of both individual citizens and government officials to risk. These interpretations are significant in relation to the following topics that emerged from my findings: (1) risk as a political construct, (2) expert or scientific knowledge, and (3) individual responsibility attached to risk. For instance, the dialectic between risk and expert or scientific knowledge leads to discussions concerning the ways expert or scientific knowledge and lay expertise contribute to a definition of risk which is generally viewed as a political construct. For example, Beck (1992, p. 72) sees risk as being determined and responded to by politics and political processes, such as assigning individual accountability.

From these views of risk as a political construct premised on expert or scientific knowledge emerges a related topic of individual accountability which is observed in features of the social structures and subsequent power relations. For example, Beck (1992, p. 72) sees not only technology as producing the ‘unintended consequences’ of risks which are not insurable. Beck also sees the role of political decisions to pursue the development and application of technologies as being related to capitalism and the shift towards modernity. These conditions lead to reflexive modernization which creates an absence of governmental accountability and general vulnerability to risk. In Beck’s view of risk there is a disillusionment with institutional politics including expert or scientific knowledge, leading the public to create risk narratives that are more autonomous.

As a result of Beck’s perspectives on risk, the use of his social theory of risk supports an in-depth examination of risk and its interplay with the social, economic, and political features of Canadian society in this study. In many ways, the risk society theory reflects the discovery and learning process I experienced during this research study because it encourages thought-provoking reflections on social conditions and phenomena. I retain this explanatory potential with grounded, localized empirical data to present a constructionist view that what we know about risks is influenced and informed by social structures and networks.

Using Risk Society Theory in this Study

In this section, I explain briefly how risk society theory is taken up in subsequent chapters. In Chapters 2 and 3, I apply risk society theory to highlight carceral interpretations of risk based on scientific or expert knowledge, including the assignment of individual responsibility and blame for risks posed to the public and institutional

controls requiring compliance with acceptable social behaviours, both of which allow the government to detach its responsibility from the social structure. In Chapter 4, the details highlighted in Chapters 2 and 3 using risk society theory are reflected in my analysis of ‘action in practice’ in policing using risk society theory in coordination with actor network theory (see actor network theory section below). In particular, I describe how carceral interpretations of risk that accompany an implementation of the Model are also taken up in policing in relation to policework where police officers replicate the work of the CSC by validating high risk classifications for certain individuals. By calling attention to where and when an awareness of an inapplicability of the Model emerges in the community context of policing, I move into Chapter 5 where my continued use of risk society theory in coordination with actor network theory (see actor network theory section below) enables the exposition of alternate social, economic, political, cultural, and historical factors captured by the community’s lived realities and how these factors contribute to alternate understandings and mitigations of risk in policework. These details are relevant to this case study because the work of police officers concerning the safe reintegration of high risk individuals into the community necessarily moves beyond traditional policework around law enforcement by altering practices to incorporate and innovate strategies from, for example, the field of social work. Through this work, these police officers, not the carceral experts or the government, are responsible for identifying risks in the community and developing responses to them.

Bridging Theory and Methods—Actor Network Theory

Building on the previous theoretical section, this section outlines the methodological basis of this study. Although the use of Beck’s risk society theory offers

a natural starting point for addressing my research questions, I explore here actor network theory (ANT) as a way to further understand the social dynamics related to the phenomenon of mandated implementations of the Model in action in multiple contexts within the Canadian criminal justice system. My empirical data is policework in action. I argue that implementations of the Model have both technical and social qualities at the same time and, therefore, that it is useful to try to overcome the distinction between technical and social to better understand the phenomenon under study. According to ANT scholars, neither built-in properties of a technology, nor some properties of a social context—such as user attributes and other actors—drive the success or failure of implementation (Callon, 1986a, 1986b). Rather, success or failure depends on the existence of the association(s) created between a technology and its surrounding actors; that is, actors that are both technical and social. Here, technology means some ‘thing’ that affects society through its application because it has an equal part to play in the system as do human actors. In this section, I describe ANT and its suitability to this study and then highlight how I use ANT concretely in my analysis of the case study.

The following details of ANT are derived from a combined reading of its creators, Michel Callon and Bruno Latour (Callon, 1986a; Callon & Latour, 1981; Latour, 1987), and of those who contributed to its further development (Harvey, 2003; Latour & Woolgar, 1979; Law, 1992; Voeten et al., 2015; Wei, 2014; Wolf & Fukari, 2007; Zheng, 2017). Drawing on core concepts and assumptions from the social influence of science and technology, Michel Callon and John Law (1989) employ the actor network approach to understand the heterogeneous and interrelated character of social and technical components. They argue that both social and technical determinism are flawed. Social

determinism assumes that social interactions and social constructs determine individual behaviours. Technological determinism assumes that changes in technology are the primary source for changes in society. Subsequently, ANT scholars press for a socio-technical account of processes and practices involving social and technical components in which neither the social nor the technical is privileged (Callon and Latour, 1981). Essentially, what appears to be social is partly technical and vice versa (Law, 1991). Thus, ANT differs markedly from perspectives arguing that exclusively technical and exclusively social relations are possible.

Actor Networks

Based on these views, ANT scholars are concerned with studying the construction and transformation of heterogeneous networks (Law, 1992). These networks are called ‘actor networks’ and each actor network “is made to exist by its many ties: attachments are first, actors are second ”(Latour, 2005, p. 217). These networks are made up of people, organizations, technologies, and many other ‘things’ that constitute the world, consisting of both humans and non-humans. In my application of ANT, I intentionally substitute the Model for a non-human actant. I retain the concept ‘actor’ for all humans in this study. This approach corresponds to Latour’s (2005, p. 10) characterization of non-humans: “[t]hey have to be actors and not simply the hapless bearers of symbolic projection.” ANT scholars refer to human actors and non-human actors jointly as ‘actants’; that is, any person or any ‘thing’ that can generate, intentionally or otherwise, an action (Callon, 1986a; Latour, 1987, 1996, 2005; Law, 1992; Voeten et al., 2015; Zheng, 2017). Additionally, ANT scholars consider the ways in which networks of relations comprised of actants are: (i) arranged, (ii) how they emerge and come into

being, (iii) how they are constructed and maintained, (iv) how they compete with other networks, and (v) how they are strengthened and sustain themselves over time. These networks are influenced by a wide range of factors, including social and technical factors, but also political, economic, cultural, and historical factors. Within these networks, humans interact with other humans and these interactions are mediated through non-human things of various kinds. That is to say, if material things in these networks disappear, so, too, would the social ordering of these networks. ANT scholars also explore how actors enlist other actors into their networks and how they confer qualities, desires, ideas, and motivations on these actors (Callon, 1986a; Latour, 1996; Voeten et al., 2015).

Methodological Principles of ANT

To further their objective to treat both human and non-human actors fairly and in the same way, ANT researchers rely on three methodological principles: (1) agnosticism, (2) generalized symmetry, and (3) free association (Callon, 1986a). In agnosticism, an ANT researcher neither censors nor judges the actants, whether they are human or non-human. Therefore, in this dissertation, my use of ANT prescribes analytical impartiality towards government officials, community partners, individuals with high risk classifications, and the Model.

In generalized symmetry, an ANT researcher is required to explain conflicting viewpoints of different actants in the same terms by use of an abstract, neutral, and consistent vocabulary.¹¹ This approach eliminates any privileged explanatory status to

¹¹ The methodological principle of generalized symmetry prevents communication variations (or what sociolinguistics refers to as change registers) when moving between the technical and the social aspects of a phenomenon being examined.

technical or social actants. Because of its multiple sites of implementation, the Model and the legislation governing the diverse institutions and the officials mandated to implement it lead to the ‘configuration’ of an actor network (Law, 1992). This configuration captures the principle of symmetry of conflicting viewpoints in ANT, including the symmetry between the objectivity of ‘things’ on the one hand, and the subjectivity of humans with their perceptions, opinions, and negotiations on the other hand. The context in which ‘things’ are taken up by humans is of sociological interest because new actants may be included in a network and existing actants may be excluded or driven out of a network. Through these actions of inclusion and exclusion, some voices are heard while others are silenced. As a result, some actor networks remain constant while other actor networks may either flourish or wither. This stability all depends on where networks are in relation to the original bounded space of action. For example, a financial market is a bounded space of action where calculations and norms of knowledge inside markets are networked. Through the principle of symmetry, a researcher is able to focus on the dynamics rather than on the stability of the relationships. ANT scholars view innovation as the result of a dynamic forming of alliances in which ‘things’ also play a critical role. Callon (1986a) and Latour (1987) emphasize that innovation must be studied in action.

In the principle of free association, while the natural and the social might be separated later as the result of analysis and understood as outcomes or effects, they cannot be divided *a priori*, assuming it is the given order of things (Callon, 1999, p. 183; Law, 1999). ANT has particular applicability to my doctoral research because the use of these three methodological principles—agnosticism, generalized symmetry, and free

association—in my case study analysis sheds particular insights about contemporary forms of carceral risk classification.

Five Strategies of ANT

Through the following five strategies, an actor network itself constitutes an actant: (1) appeal to the interests of others, (2) get others to follow our interests, (3) suggest a short diversion, (4) reassemble interests and goals by tactics such as inventing new ones and, therefore, new groups, and (5) become indispensable to others (Latour, 1987, pp. 108–121). Together, these strategies are called ‘black-boxing’ (Latour, 1999, p. 304; see also earlier section on classifications). A black-box, which is also a network in its own right, is a strategy offered by ANT whereby one can talk about the simplified points that are linked together in an actor network (Callon, 1986b). Thus, in the vocabulary of ANT, each actant is itself a simplified actor network and is, at the same time, part of other actor networks. According to ANT scholars, an actor network is formed when all the actant interactions are initiated, and there is a generally accepted understanding of the particularity and role of each actant. Thus, an actor network is an entity that inscribes world views (Latour, 1996, p. 7) because “[a]ctor networks do connect and by connecting with one another provides [*sic*] an explanation of themselves” (Latour, 1996, p. 11).

For ANT scholars, the concern is not whether the actants of a network are social or technical, but rather “which associations are stronger and which are weaker” (Latour, 1987, p. 140). This focus is because the particularity and the role of each actant is accomplished and maintained by way of a central group of human actors. This group claims, directly or indirectly, a central position in regulating a process. ANT scholars’ concern with the strength of associations links directly to their concern with power in

these networks and the effects of this power on broader social contexts (McLean & Hassard, 2004, pp. 495, 505). The concern emerges for ANT scholars when some key actors with authority to control and influence a network exert power and control, because this exertion may result in more self-interest and opportunism. Gerry Stoker (1998, p. 16) notes that this situation can result in broader circumstances being neglected—namely, social, technical, political, economic, cultural, and historical factors. More specific to this dissertation, the ANT analysis in Chapter 2 shows that one type of technology—risk assessment instruments—influenced the current risk classification and governance structure (the managerial model) by displacing the other type (the clinical model).¹² From an ANT perspective, these instruments (‘things’) are significant in the structuring of relations because they “provide receptacles for human knowledge and vastly enable the process by which facts become accepted” (Lowe, 2004, p. 82).

Through their constitutive nature, these things generate and spread ideas and they work to constitute social phenomena in particular ways, thereby structuring social relationships, identities, and knowledge. These processes lead to what Bruno Latour and Steve Woolgar refer to as the ‘construction of facts’ (Latour, 1987; Latour & Woolgar, 1979). A ‘fact’ is only established as such when: (a) it is “freed from the circumstances of its production” (Latour & Woolgar, 1979, p. 105), and (b) a network of actants is formed that uses such facts increasingly and without modification (Latour, 1993, p. 18). What becomes of these facts depends on how those who come later take up and make use of them. In other words, facts become more accepted or taken for granted, as they are inscribed and integrated into things such as instruments and technologies.

¹² This theoretical approach is helpful to this discussion because it is “particularly well adapted to the study of the role played by science and technology in structuring power relationships” (Callon, 1986a, p. 197).

Inscription, Irreversibility, and Framing

Inscription is central to ANT (Callon, 1999; Latour, 1999). “An inscription is the result of the translation of one’s interests into material form” (Callon, 1991, p. 143). In general, most things within a social system represent inscriptions of certain interests. The inscription of these interests allows for the construction and durability of actor networks. Essentially, any element of a heterogeneous network of instruments, practices, or institutional arrangements may provide the basis for how certain viewpoints, values, opinions, and rhetoric are inscribed into devices or materials such as reports, documents, or classifications (Bowker & Star, 1994, p. 135). The process of inscription further enables the practice of comparative, normalizing judgement (Chua, 1995, p. 116), because world views can come to be inscribed into things that reflect the social, economic, political, cultural, and historical contexts in which they were inscribed and released into a network. This practice, in turn, allows for action at a distance. Action at a distance describes what Bob Anderson and Wes Sharrock (2018, pp. 3–4) refer to as the “ability of social actors to cause others who are not immediately co-present with them to act in certain ways” and, in doing so, “create the organization of a consociate social structure”—that is, partnerships.

When considering *how* inscription occurs, ANT researchers need to consider that inscriptions establish a sequence of actions for other actors. The extent to which actors follow these actions depends upon the durability of the inscription (Latour, 1991, p. 104). Inscription can also refer to the way technical things embody patterns of use, including user programs of action. Woolgar (1990, p. 69) refers to the ability of an inscription to prescribe a user program of action as “configuring the user”—that is, an effort to “define,

enable, and constrain” the user. Woolgar argues that, within the design group of a particular technology, different participants possess various knowledge and assumptions about the users of a technology and their actions. Through a technology’s design process, designers ‘construct’ an idea of the user(s) for whom they are designing the technology. This configured user is then built into the technology via assumptions about the user(s)’s needs and capabilities and the division of responsibility between the user(s) and the technology. Of concern to ANT scholars is the degree to which these superimposed inscriptions actually succeed in configuring users and in prescribing patterns of use in order to determine the strength of an inscription. Once a collection of accepted ‘facts’ is deemed fundamental to a technical thing, the process is hard to reverse. This irreversibility results because these ‘facts’ become inherent in the: (i) roles of users; (ii) standardized, prescribed uses; and (iii) interests and values of the developers themselves.

Related to the ANT concept of inscription (and the concept of configuring the user) is the ANT concept of irreversibility. Irreversibility refers to specific circumstances in which it is not possible to revert to an earlier stage where alternatives existed (Callon, 1999). Irreversibility is frequently a result of the inscription of certain interests over others into technical things, by which those interests dominate and are often impossible to modify. The inscription of certain ideas into technical things becomes further entrenched as things (and ideas) spread in their relevant context(s) and beyond (Latour, 1987). The extent to which technical things are, in part, open or closed to interpretation or re-interpretation relates directly to the extent to which certain ideas and technical things achieve stability in the relevant networks in which they are implemented (Latour, 1991). In this way, these technical things assume the role of actors. As such, they can conceal

decision processes and become “frozen organizational discourse” (Bowker & Star, 1994, p. 187), whereby they may resist change and display signs of irreversibility.

The final concept of ANT is framing. Framing refers to inscribed patterns of use that fail when users are not configured; that is, when users are unable to achieve a prescribed program of action. Callon (1986a, p. 196) calls this process an “obligatory passage point: a series of processes by which the researchers sought to lock the other actors into the roles that had been proposed for them in that programme.” When implemented in practice, unexpected or unintended uses may emerge and altered functionality may be considered for some actants, leading to alternate views on what a technical thing *does* and is *expected to do*. Madeleine Akrich (1997, p. 209) notes that as researchers studying uses and users of technical things, “we have to go back and forth continually between the designer and the user, between the designer's projected user and the real user, between *the world inscribed in the object* and *the world described by its displacement*.” This recursive approach allows an ANT researcher to trace out the dynamic processes of negotiating the design of technical things. The concept of framing has significance at both macro and micro levels. At a macro level, framing refers to how central actors participate in activities to further certain ideas, missions, and configured patterns of action. Framing generates irreversibility. ANT scholars argue that the study of how actants frame the standards and basis for determining, designing, and embedding elements is necessary to understanding the inscription of, the irreversibility of, and the network dependent features of technical things (Callon, 1991).

ANT is frequently used to analyze the phenomena of social and technical practices. Explanations provided by social theories of risk to the research questions posed

in this study can be understood more thoroughly through the methodological lens of ANT. A particular appeal of this approach is my substitution of the Model for a non-human actor. Using this methodological lens, I am able to reveal interdependencies between actants and how processes of inscription, irreversibility, and framing actively sustain and constrain the dominance and maintenance of the Model and its practices. Because implementation of the Model is premised on the use of risk assessment instruments, I reveal interdependency by looking equally at the role of instrument developers and instrument users in these processes.

Related to this discussion of ANT as a method is how the position of a researcher in her or his role in identifying actants, defining obligatory passage points, investigating actor networks, and so forth, undeniably influences the results of an ANT study (McLean & Hassard, 2004). One possible way to address this critique is for the researcher to adopt a more reflexive approach within their study (Granovetter, 1973, 1983).

The use of ANT facilitates sense-making of the messy social world by simplifying complicated problems to an array of socio-technical relationships. The use of ANT as a device for interpreting and describing so as to improve understandings of sociological phenomena has long been employed by STS and sociological scholars such as Annemarie Mol (2010), John Law (2008), Steve Woolgar, Catelijne Coopmans, and Daniel Neyland (2009), Geoffrey Bowker and William Kaghan (2001), to name a few. Emulating the application of ANT by these scholars, I use ANT in this dissertation to better understand the mandated implementation of the Model in the social context of community policing.

Using ANT in this Study

In this section, I explain briefly how ANT is taken up in subsequent chapters. In Chapters 2 and 3, I apply ANT to locate and identify key actants, define their roles, and characterize the carceral actor network responsible for implementing the Model inside prisons and beyond. In Chapter 4, ANT allows me to: (1) reveal impositions of the carceral actor network on police officers who, in certain aspects of their work, replicate the work of the CSC; and (2) seek explanations as to why police officers reorient their work to achieve predetermined outcomes that emerge from the carceral system. In doing so, I capture how limitations of one actor network—the carceral one—create an opportunity for the formation of another actor network—the community one—for police officers. Essentially, I illustrate how actor networks create the potential that leads to innovation in human actions (Callon, 1986a, 1986b; Harvey, 2003; Latour, 1987; Latour & Woolgar, 1979). This potential for innovation is the focus of Chapter 5 where my use of ANT further enables the following critical details of the community network creation processes to become visible: (a) agendas of key actors, (b) types of innovation, (c) the informal community context, and (d) the formal institutional context. These details are relevant to this case study because the work of the Edmonton Police Service (EPS) with high risk individuals in the community is constantly evolving at the same time that police officers are linked to existing actor networks and actively joining new ones.

Relevant Views beyond the Scope of this Study

In the preceding pages, I have outlined the theoretical orientation of this dissertation. It is also important to clarify what this dissertation does not focus on. First, it does not focus on high risk individuals and their individual experiences with risk

classifications. Rather, the empirical data for this study focuses on the police and their experiences *only*. Because this dissertation does not empirically examine individuals who are controlled or governed by institutions implementing the Model, a discussion of risk in terms of relations of ruling, power, or governmentality falls outside of this study's scope. This subject, however, offers a site for further work to be done on the Model that allows for a consideration of a Foucauldian formulation of the risk society similar to that advanced by Richard Ericson and Kevin Haggerty in their seminal work *Policing the Risk Society* (1997). These scholars sought to shift the analysis of policing out of the narrow field of crime control, and into the field of governance. In this work, they examined the police as an entire institution being reshaped by risk, accepting Beck's risk society thesis and offering well-grounded empirical work (Sheptycki, 1998; Wells, 1998). While their work inspired me to draw out and illuminate aspects of conventional policing not addressed by previous studies, the empirical focus of my study necessitated a return to Beck's risk society theory augmented by original data collected from the field.

This approach allows me to present a rich description of the police's implementation of and response to the Model which moves beyond the defined and circumscribed risk communication originating from within the carceral system to consider the lived realities of the community in policework. These findings are distinct from the police's response to information technology and communication offered by Ericson and Haggerty who consider 'taylorization' and 'panoptic sorting' to be the hallmark of policing in the risk society whereby computerization and mechanization decrease the autonomy and discretion of police officers (Ericson & Haggerty, 1997, pp. 36, 40). Differently, my findings are more in line with those of Elaine Campbell (2004)

whose empirical study of police decision-making processes found that: (1) police narratives (and corresponding actions) were not rendered redundant (i.e., the ‘end-of-narrative’ thesis proposed by Ericson and Haggerty), rather they flourished and persisted even when they were prohibited and actively discouraged; and (2) “the policing function (both ‘real’ and ‘imagined’) cannot be reduced to that of ‘risk management’” (p. 710).

And second, while it is an obvious extension of critical race theory to address culture while making sense of persistent racial inequalities in our carceral system, I wish only to address it here and acknowledge that it falls outside the scope of this project due to the anonymization of both the individuals to whom risk classifications were applied in the documents I accessed and the police officers who validated risk classifications in their work. This subject, however, offers a site for further work to be done on the Model that brings together classification and culture. That is, on the basis of what Kelly Hannah-Moffat and Margaret Shaw (2001b, p. 59) call “des normes dominantes sur la culture et le genre.” These are the dominant white, Western, colonial, masculine ideals of normative behaviour.

On a related note to critical race theory and its relevant link to feminist theory, the research for this dissertation has also proven productive for where future work can look at uses for the Model as the genesis to unearth moments and spaces of carceral interaction through a more nuanced critique of risk classification practices through the lens of feminist theory. In addition to considerations of data anonymization in this study, I have intentionally neither initiated any critical race nor feminist relations critiques in this discussion for several reasons. First, the fragmentary nature of the documents I accessed for primary data did not allow me to conduct such a reading. Second, during my

conversations in the field, some police officers did not feel it was necessary to frame their work within a strictly critical race or feminist reading. Consequently, I did not pursue this line of theoretical inquiry actively and therefore could not make it the focus of this dissertation, and thus reserve this as an area for future research.

An additional reason why race and gender are not the focus of this dissertation is two-fold. First, that rather than concentrating upon racialized or gendered offender populations, I instead have been able to focus upon larger institutional, contexts, and processes of offender management and supervision in order to systematically trace out *how* the Model moves and *is moved* through, between, and across government institutions to foreground social limitations in prescriptive practices and processes within government institutions. It is obvious that all government institutions are, to a certain degree, gendered and racialized sites, and this is an intersection with the Model where future research potential resides. Some of the issues related to these sites include: female offenders; the overrepresentation of First Nations, Métis, and Inuit Peoples in certain prison populations; and Canada's rising Black inmate populations. Second, due to the need to anonymize my data as per the ethics research agreement with the EPS, all participants were anonymized for any identifying features, including race and gender.

Data Collection and Analysis

In exploring the complexities of the implementation of the Model in policing in Canadian communities, I employed two qualitative methods for investigation:

1. Textual analysis of documents about high risk individuals generated by institutions within the Canadian criminal justice system (most notably the CSC, the courts, and police agencies) and of federal legislation governing high risk offenders (most notably the *Criminal Code*, the *Corrections and Conditional Release Act*, and the *Corrections and Conditional Release Regulations*).

2. A series of in-depth, semi-structured, digitally recorded interviews with police officers from the EPS, all of whom are, or have been, involved in the management and supervision of high risk individuals in the community under section 810 orders.

I consider these two methods interrelated in the ANT sense because combining interviews and textual analysis enabled me to center the experiences, voices, and objectives of police officers while also tracing upward and outward to uncover actor networks within which carceral risk classification practices are situated.

Under this framework, the phases of my research bled into and informed one another. For instance, though technically I began the formal research process through archival work with the documents implicated in the Model which are housed in the EPS, I actively spoke with and learned from police officers at my field site. Through these interactions, I was able to generate ideas about which institutions are responsible for coordinating carceral risk classification in Canada. These ideas were shaped not only through a careful reading of the documents these police officers used and generated in their work, but through careful listening to what police officers themselves were saying. How police officers were representing the high risk individual issue in Edmonton became central to my investigation as well as my data collection. The experiences I gained at my field site became integral to my research process because they shaped and informed how I came to understand my topic, which individuals I chose to interview, what questions I asked, and how I have chosen to write about the findings of my study.

My field study is grounded in a municipal police service located in a region where its officers are responsible for supervising more than half of the high risk offenders released by the Correctional Service of Canada (CSC) to the province of Alberta.

While this study focuses on a major municipal police service in Canada, alternate police services exist in Canada that have jurisdiction over both small and large geographical areas that are possibly more rural and differently populated in nature compared to the City of Edmonton. These distinctions may affect other police agencies' implementations of and responses to the Model, such as how risk classifications are verified and what actor networks these police services participate in. Examples of these agencies include the Royal Canadian Mounted Police (RCMP), La Sûreté du Québec (SQ), and the Ontario Provincial Police (OPP).

A large part of how one observes this phenomenon is a matter of discovery, curiosity, and happenstance, coupled with networking. As a result of previous research experiences with the Edmonton Police Service (EPS), I was able to establish networks prior to going to the field. These relationships helped me manage my time effectively and organized my research, as well as to obtain security clearance and full ethics approval.¹³ Throughout the research process I developed an awareness of ethical issues related to my study and worked within an effective framework developed in consultation with Carleton University's ethics committee.

Positionality statement: To ensure confidence in research protocols, it is imperative for researchers to examine how their views and values could affect the research inquiry and its findings. As a female researcher, I am keenly aware of both my positionality and my role within the case study, and the nature of studying the police as an outsider. My motivation to deeply understand the experiences of police officers is

¹³ All research for this dissertation was conducted in accordance with: Carleton University's Ethics Policies, an Edmonton Police Service research agreement, and Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans.

facilitated by the professional relationships I have within policing and with the phenomenon of risk classification practices. As a citizen and social scientist, I wanted to understand more about what police officers experience due to the presence of high risk individuals in the community, how they understood carceral risk classifications and high risk individuals, and how they described their work concerning high risk individuals in the community.

As someone with experience working in the policing context, I understand and am aware of the roles and responsibilities that surround police agencies, that is, I have an insider perspective. However, I lack any understanding of what it is like to be a police officer and how police officers experience their day-to-day duties differently; thus, also having an outsider perspective. I also stand as an outsider due to my training as a sociologist. Sociologists and the police differ not only in training, but also in certain views about social phenomenon.

On the other hand, my passion and personal motivations towards this research may influence the way I view risk classification in action and motivation in the police officers I interacted with. Therefore, throughout this research, I engaged in reflexivity, field notes, data triangulation, theory triangulation, and methodological triangulation. (Saldaña, 2009). Specifically, I collected two distinct sources of data (documents and interviews) for this research study and I conducted my analysis of these data through a coordinated methodologically informed theoretical framework (risk society theory and actor network theory).

Considering the limited research into policework related to the management and supervision of high risk individuals in the community and my positionality as a

researcher in the policing context, I conducted a qualitative study using the key research questions outlined in the Introduction chapter and proceeded through the following three phases of my research.

Phase 1 – Document Analysis: In the fall of 2014, I applied to enter into a research agreement with the EPS to access records about high risk individuals under its jurisdiction. The research agreement was approved by the EPS in the spring of 2015. In the spring of 2016, I travelled to Edmonton to examine a document system housed inside the EPS that contained evidence spanning over ten thousand pages of official, confidential materials prepared by staff inside the CSC, contract employees to the CSC, members of Parole Boards, medical clinicians, psychologists, and police officers. During this period, I conducted textual analyses of documents provided by the CSC to the EPS for the purpose of determining and assigning risk classifications for individuals in or about to be released into the community by the CSC. The purpose of this research phase was to gain a deeper understanding of the kinds of information available on the research topic, to gain familiarity with the issue of risk classification, and to begin identifying key documents of interest and relevance.

My research focused on these documents by actively reviewing them and making research notes about them. While this close reading of the documents was useful in itself, it further proved helpful in the identification of key documents that were either highly referenced in the other documents or were explicitly identified as key documents in other documents or by police officers. During informal conversations with police officers, they would often refer me to further documents or show me documents that may have been saved on their computer or stored elsewhere and not in the archive that I was accessing.

Once I began conducting interviews, police officers often referred to the documents I had been analyzing. Within this phase, I identified three main groupings of documents that resulted from this process.

The first grouping of documents is those provided to the EPS by the CSC. These documents typically consisted of: an inmate's criminal profile; their Correctional Plan (including updates); records of their institutional behaviour; psychological and/or psychiatric evaluations conducted on them while incarcerated; and information about their perceived 'risk to reoffend' usually in the form of risk scores and risk classifications. The second grouping of documents is the risk assessment reports prepared by the EPS in order to secure a section 810 order. The third major grouping of documents is the publically accessible pieces of legislation: the *Criminal Code*, the *Corrections and Conditional Release Act*, and other relevant government policies and regulations including the *Corrections and Conditional Release Regulations*.

In going through the first two groupings of documents, my consistent approach was to take detailed notes of relevant material. These notes provided the basis of my subsequent analysis on the topic. The main criteria of my initial note taking were based on identifying documents that contained context-specific information. This information included any themes or important points that I was noticing as I was reading through the documents; connections with my research questions; and any discussions I had with police officers that spoke to the broad themes emerging from the data: (1) risk as a political construct, (2) expert or scientific knowledge, and (3) individual responsibility attached to risk.

During this stage of document analysis, I began reviewing and sorting through the documents by using methods associated with qualitative content analysis (Miles et al., 2014; Miles & Huberman, 1994; Saldaña, 2009). I used the broad themes and theories of this dissertation to guide my analysis, although I did not have all of these pre-defined prior to beginning my analysis. Rather, I was open and receptive to the configurations and meanings that these and other themes or theories were taking in this particular context, affording me flexibility to develop my theoretical understandings during and after field work.¹⁴ Thus, reflexivity was central to my analytical approach.

Very early on, during the first phase of my field work, when I was looking at the documents system alone, the logic to involve interviews emerged. As I immersed myself in the documents produced by the EPS, many inconsistencies and perplexing issues arose that could only be properly addressed by speaking with those who contributed to the content of these documents. These individuals were the police officers themselves. Speaking with document creators and those who assigned risk scores and risk classifications illuminated the varied actions of government agents, allowing me to capture what might be limitations of the Model and altered practices and innovations by the police.

Broadly, my work in this first phase prior to doing interviews was methodologically useful as it provided me with the opportunity to begin mapping out and contextualizing some of the key issues, actors, and challenges embedded in the practice of risk classification. This phase was also generative in guiding me towards the

¹⁴ My approach is quite distinct from a positivist methodological orientation where concepts are defined beforehand and then tested throughout the research process.

interviews because it provided insight into the kinds of questions to ask, identifying where I needed further clarity, and identifying which individuals I would interview.

Phase 2 – Interviews: In early 2017, I requested an amendment to my research agreement with the EPS to conduct interviews with members of the EPS. I was granted approval to proceed with interviews shortly thereafter. In the spring of 2017, I returned to Edmonton to conduct a series of in-depth, semi-structured interviews with police officers of the EPS responsible for the management and supervision of high risk individuals under section 810 orders in the community. A semi-structured interview format allowed for flexibility in my interview questions and for police officers to discuss what they perceived to be important and to reflect upon the experiences they encountered in their work. In concluding the interviews, I asked police officers if there was anything else that they would like to bring up or elaborate upon and whether they thought there were further questions I should be asking but had not raised during the interview. This provided police officers with the opportunity to address any points they viewed as important and wanted to discuss in more depth.

The overall rationale for my selection of participants was that their experiences could speak to the framework and purpose of the study. These individuals were well situated to speak about how risk is classified and managed, what key debates surround these practices, and what difficulties the police face as a result. In total, I interviewed fourteen individuals. Due to the nature of the work of these police officers, privacy has been honoured through coding techniques and textual redactions and their wish to remain anonymous has been respected. Throughout the dissertation, I identify the police officers I spoke with simply as ‘police officers’.

A critical part of my methodology was allowing time to synthesize and reflect on data collected throughout the course of the investigation. In transitioning between document research to interviews, I used this time to recalibrate my knowledge of emergent data I collected and of the space in which I was operating in order to resituate myself within existing networks that allowed time for formal introductions and expanding my research network.

Phase 3 – Data Analysis and Writing: The third phase of my study focused on analyzing the textual material (notes and transcripts) that resulted from the first two phases of the study, as well as writing the dissertation. Throughout the research process, I recorded my ideas, reflections, and questions. I coded the data manually by using different colours or notations for different themes as I went through the material several times. I considered the use of qualitative software (such as NVivo), but decided to code manually because it allowed me to gain a deeper familiarity with the research material. As a result of manually coding data, I was able to identify shifting conceptualizations, as well as specific dimensions of the phenomenon I was studying. Another main reason why I chose not to use coding software is that the majority of my document notes and field notes had been written out by hand as this was an integral part of my analytical process.

The writing of my dissertation occurred after the analysis of research materials, allowing me time and space to actively reflect on my assumptions and interpretations of the research materials and to continuously question how I was integrating my research findings into the writing.

Through my use of two qualitative methods for investigation—textual analysis and interviews—this study seeks to better understand the complexities of the

implementation of the Model in policing in Canadian communities. These methods offer multiple points of access into practices related to the implementation of the Model by the police because I was able to consider a broad range of documents, perspectives, and practices.

Having outlined this dissertation's theoretical and methodological framework in this chapter, next I set the context for further analysis by discussing the origins and framework of the Model and its legal challenges.

Chapter 2: Contextualizing the Risk Management Model

In this chapter, I describe the Risk Management Model and analyze it through the lenses of Beck's risk society theory and actor network theory (ANT). This contextual work establishes the basis for my subsequent presentation of the four stages of the Model that I identified from my field work. These four stages are: risk assessment, risk score, risk classification, and risk management plan.¹⁵ In the first half of this chapter, I provide a systematic, historical understanding of the Model from its starting location within Canada's carceral system. Through this contextualized focus, I spotlight how the Model is informed by actuarial, positivist understandings of risk that privilege expert accounts, and how this arrangement authorizes government officials to hold certain individuals accountable for the risks they are believed to pose. Specifically, I identify key actants involved in risk classification practices and demonstrate how they function in and contribute to the stability and maintenance of the Model in the carceral actor network. In the second half of this chapter, I examine the pivotal role of risk assessment instruments utilized in the four stages of the Model. Using these four stages, I demonstrate *how* and *where* the classification of high risk individuals is enacted within the prison and the community, and I reveal how these classifications are then used to make significant decisions about these individuals' futures. Through these findings, I identify the critical role of documents in authorizing and legitimizing risk classifications and the significance of expert or scientific knowledge guiding risk classification practices in the Canadian criminal justice system. I also include a short section addressing political, ethical

¹⁵ Within the Correctional Service of Canada (CSC), an offender's risk management plan is also frequently referred to as an offender's risk management strategy or as part of an offender's Correctional Plan. For consistency, I use only the term risk management plan in this dissertation.

considerations around the implementation of the Model in Canada more generally.

Through the comprehensive, systematic contextualization of the Model presented in this chapter, I demonstrate two of my study's main findings:

1. The way that risk comes to be identified, classified, assigned, and responded to by government officials is largely uncontested in the Canadian criminal justice system, with a strong emphasis on the views of officials positioned as experts in the Correctional Service of Canada (CSC) and Public Safety Canada.
2. Within the carceral system, risk classifications tend to be used as a mechanism to obscure the recognition of a connection between risk and the individual. This practice results in the denial of individual identities and their social conditions. These risk classifications are the result of institutionally organized mechanisms for regulating behaviours and, through their reliance on instruments and documents for widespread use, are entangled in relations of control.

The Model and its Origins, Construction, and Implementation

In this section, I describe the origins, construction, and implementation of the Model in Canada's carceral system during a pivotal moment in the 1980s. I demonstrate how the Model was created for a political purpose—to give power to government institutions and legitimize their social control over certain populations—and how it came to be an integral feature of the work conducted within the Canadian carceral system. By tracing out how the Model was constructed and implemented, I illustrate how certain actants and actor networks within government institutions established persistent carceral understandings of risk that both privilege realist, expert accounts of risk based on psychology and statistics, and emphasize individuals' accountability for engaging in non-normal behaviours—that is, what the Model defines as risks.

To begin, a visualization of what I identified during field work as the four stages of the Model and the role of risk assessment instruments is needed as this image also doubles as a roadmap for how this chapter is organized. In Figure 3, I illustrate these four stages: (1) risk assessment—the consideration of all information documented about an

individual while incarcerated; (2) risk score—a number generated through an instrument that converts knowledge about an individual into a numerical output; (3) risk classification—the translation of a risk score into a classification of low, medium, or high risk individual; and (4) risk management plan—strategies that will be enforced by the CSC to manage and mitigate the risk posed by a high risk individual in the prison and then by the police upon their release into the community. Central to all four stages is the use of risk assessment instruments. These instruments are, at their basic level, a series of check lists used to create the documents that move between the four stages of the Model and that eventually reside in the CSC’s records system called the Offender Management System (OMS); in short, an individual’s correctional file (Correctional Service Canada, 2012a; Corrections and Conditional Release Regulations, 1992, sec. 133). These documents are a critical part to how the Model functions as an actant, and are detailed later in this chapter and are further discussed in relation to this study’s empirical findings in Chapters 4 and 5.

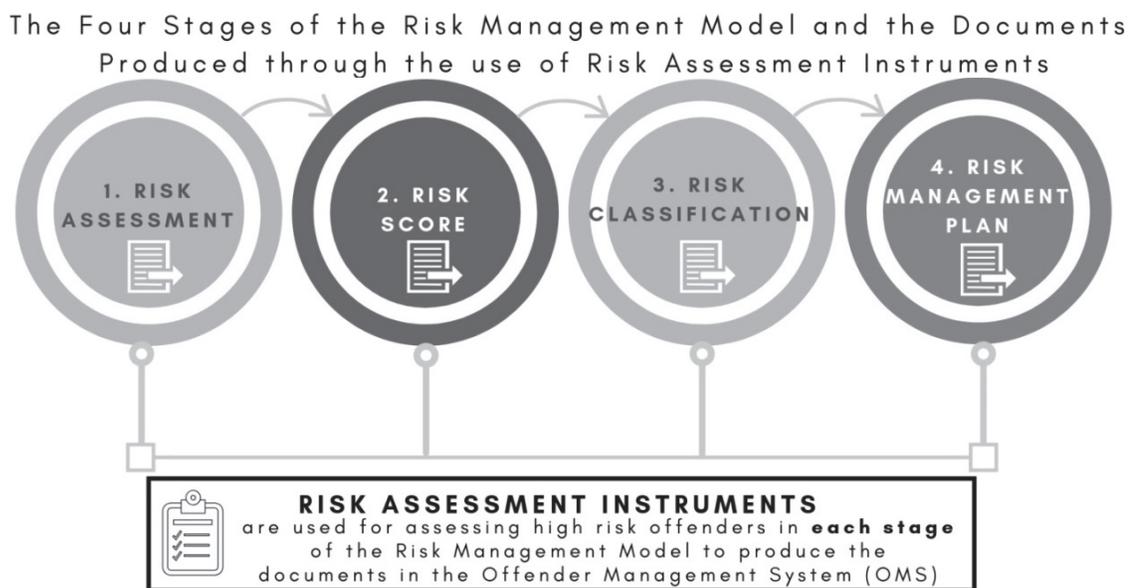


Figure 3. Illustration of the Risk Management Model and its Stages, Instruments, and Documents

All of these features and stages of the Model are discussed at length as the contextual basis of this chapter unfolds in a progressive, chronological manner. To begin with, I provide the necessary details about the origins of offender risk classifications that came to inform different carceral approaches to risk classification practice including the use of risk assessment instruments and, later, to inform the formalized legislation and implementation of the Model in Canada's carceral system.

The History of the Model

The history of the *thing* known as the Model is a story rich with actants and peppered with divergent implementations that have captured its endurance across the Canadian criminal justice system for nearly forty years. In 1979, just before the moment in time when this story begins, the Correctional Service of Canada (CSC) was established following the original 1976 merger of the Canadian Penitentiary Service and the National Parole Service. This story starts right after this moment in 1980 and traces the history of the Model, the structure of the Model, the function of instruments used in the Model, and the various interpretations of risk associated with human behaviour more generally in the Canadian carceral system.

The history of the Model emerges from the longer history of offender risk classifications within Canada's federal carceral institutions. Knowledge about these classifications is captured in an exhaustive literature review on this topic by Carl Clements (1996) who foregrounds them as 'systems'. Clements maps out the major developments and trends in offender classifications between the mid-1970s and the mid-1990s. He writes:

Somewhere between the extremes of 'all offenders are alike' and 'each offender is unique' lies a system (or systems) of categorization along pertinent dimensions

that will prove to be of value in reaching correctional goals. Classification systems aggregate individuals into subgroups that share common symptoms, etiology, behavioral attributes, or other relevant characteristics (1996, p. 123 as cited in Bartol & Bartol, 2008, p. 611).

The propositions offered by Clements have remained unchanged within the Canadian carceral system through the 1990s to today, specifically the aggregation of individuals into groups classified by levels of risk (Bonta & Wormith, 2007; Hanson et al., 2014; Hart et al., 2007; Nafekh, 2015; Wandall, 2006; Wollert et al., 2010). Clements’ observations reflect the carceral system’s reliance on actuarial science and the central role of ‘good enough for government use’ standards in policy making noted by Bowker and Star (1999, p. 15) in their consideration of wide scale standardized measurement systems relied on in everyday life.

Further, the ‘behavioral attributes or other relevant characteristics’ on which these classifications are based are guided by social norms; that is, they are normative and formalized and are intended to act as a form of social control (Bowker & Star, 1999). These aggregation-based classifications around human behavior further highlight that simplification under the Model allows for a hypothetical reduction of individuals who are behaviourally and physically distinct into one of three universal classifications of risk—low, medium, or high—based on the likelihood and the consequence of the risk posed.¹⁶ This reduction all stems from legislation and regulations in Canada that ensure risk classifications are directly linked to informing decision making processes of government

¹⁶ For example, the two-dimensional risk matrix below shows the universal classifications of risk based on risk calculated as a product of likelihood and consequence. Based on the universal acceptance criteria, low risk is decided to be acceptable and high risk is decided to be unacceptable.

Likelihood	Consequence			
	Small	Moderate	Severe	Catastrophic
Low	Low	Low	Low	Medium
Medium	Low	Medium	Medium	High
High	Low	Medium	High	High

officials (i.e., correctional staff, psychologists, parole officers, and police officers) when determining supervision levels for high risk individuals (Corrections and Conditional Release Act, 1992; Corrections and Conditional Release Regulations, 1992).

In seeking out the history of the Model in Canada, I as well as other scholars before me have been unable to gain access to classified information about the mechanics of operation concerning the Model (specifically, risk assessment instruments and practices) to better understand it from a sociological perspective (for example, see Donaldson & Abbott, 2011; Franklin, 2012; Waggoner, Wollert, & Cramer, 2008; Wollert, 2006; Wollert, Cramer, Waggoner, Skelton, & Vess, 2010).¹⁷ What is known, however, is that the Model was introduced in the 1980s into the CSC as a way to address internal dissatisfaction with the existing rehabilitation ideal of the 1960s and 1970s known as the clinical model (Bérard et al., 2013). The clinical model was deeply committed to a social component for rehabilitation where only medical psychiatrists could assign risk classifications to offenders. As the literature shows, unidentified administrators within the CSC viewed the clinical model as a significant time-burden on the carceral system (MacGuigan, 1977; Martinson, 1974). The clinical model of the 1960s and 1970s was challenged within traditional punitive institutions as having “produced ambiguous results” (Martinson, 1974, p. 30) and as exhibiting ambivalence

¹⁷ David Cooke’s (2016) effort to gain access to and conduct an assessment of an instrument called Risk Matrix 2000 (RM2000) and other actuarial risk assessment instruments widely used in England, Scotland, and Wales is noteworthy as it truly underscores the magnitude of expert testimony before courts and parole boards about whether or not an individual is likely to reoffend.

(MacGuigan, 1977, p. 156).¹⁸ This challenge gave rise to the adoption of what is known as the managerial model of the 1980s.

In the recommendations included in the *1977 Report to Parliament by the Sub-Committee on the Penitentiary System in Canada*, the recommendation that most accurately captured the intent of the then-emerging managerial model is Recommendation 19. In reference to the *Commissioner's Directive No. 106*, which defined the roles of institutional, regional, and national administrations (this directive is obsolete today), this Recommendation stated that:

The major role of institutional administration is in the determination of methods of implementation; implementation of activities; continuous assessment of operations; development of personnel for career progression; supervision of operation and assessment of inmates. The directive states that the director is responsible to the regional director for the operation and administration of [their] institution (MacGuigan, 1977, p. 71 at para 357).

Since this moment, the managerial model laid the ground work for the Risk Management Model as we know it today. The Model was fundamentally designed to foreground efficient, bureaucratic order for the classification of individuals under the jurisdiction of the CSC, rather than focusing on processes of punishment and clinical rehabilitation for these same individuals.

The initial implementation of the Model was one with “a view to ‘rehabilitating rehabilitation’” (Bérard et al., 2013, p. 252). This view meant redefining what rehabilitation meant to the CSC through the lens of the managerial model. CSC administrators and a new sort of risk assessment professionals (mostly psychologists)

¹⁸ The history of the demise of the clinical model falls outside the scope of this study, which focuses predominantly on a timeline from 1992 to the present. For a detailed review of the demise of the clinical model and the rehabilitation ideal, see David Garland (1990, 2001), Stanley Cohen (1985), and Jonathan Simon (1993).

were the Model's main proponents in the 1980s. These actors saw the clinical model of assessment for rehabilitation purposes as arbitrary, especially in the context of offender 'risk'. This administrative perspective was sustained within the CSC and led to the development and promotion of statistical-based prediction instruments for the purpose of generating risk scores that informed offenders' risk classifications and, subsequently, how offenders were managed inside prisons.

Thus, how offenders were assessed by the CSC migrated from interpretations by medical clinicians (i.e., psychiatrists) to calculations by psychologists and other carceral staff. This shift coincided with the development of psychology and statistics-driven instruments intended to facilitate such calculations. Developers of these instruments, such as James Bonta, R. Karl Hanson, Robert Hare, Vernon Quinsey, Grant Harris, Marnie Rice, Catherine Cormier, Kevin Douglas, and Stephen Hart (all Canadian professionals trained in psychology, some of whom work or worked for the CSC and Public Safety Canada, the federal agency that ensures coordination across all federal departments and agencies responsible for the safety of Canadians), along with corrections administrators, collectively viewed these new instruments as a suitable replacement for the clinical model (Davies & Dedel, 2006; Groves & Meehl, 1996; Hanson et al., 2014; Phenix et al., 2017; Public Safety Canada, 1999; Tully Forensic Psychology, n.d.). These same arguments endure today.

The rise of the managerial model of the 1980s also emphasized the role of the expert—that is, the bureaucratic, scientific professional (not the medical practitioner, the psychiatrist). This unified adoption of the managerial approach by the CSC reconfigured the parameters of offender management and supervision practices in how it more-or-less

displaced the therapeutic philosophy of rehabilitation and reintegration. In doing so, this new model came to be centered on a statistically driven science concerning human behaviour and a cost-driven administrative logic of the carceral system's present-day demands. Thus, the notion of risk as presented by the Model and the legislation related to it is a political construct because the Model was created for a political purpose—to give power to government institutions and legitimize their social control over certain populations.

From an ANT perspective, the replacement of the clinical model by the managerial model captures the processes of inscription and irreversibility. Those actors within the CSC who were critical of the clinical model generated the inscription of their values and interests over other competing interests into the managerial model. This inscription was successful because the managerial model led to a reconfiguration of *who* could now classify risk by expanding the pool of candidates from medical psychiatrists to psychologists and correctional staff in general. By removing the interactive nature of the clinical model and demanding the use of risk assessment instruments in its place, the managerial model further prescribed patterns of use in *how* risk classifications were assigned. Through these processes, these central actors established an obligatory passage point. Essentially, these actors locked the managerial model in place by: (1) redefining the roles of actants, (2) establishing standardized and prescribed uses of the managerial model, and (3) establishing the values and interests of those promoting the managerial model as 'fact'. Through the establishment of this obligatory passage point, these actors strengthened and sustained their dominant position within the carceral actor network while the CSC embraced the managerial model. As a result of their actions, this

obligatory passage point made it impossible for staff within the CSC to continue to engage in the practices associated with the earlier clinical model where alternatives existed (Callon, 1999). In ANT terms, the actions of this central group of actors generated irreversibility. In 1992, out of this willful reconfiguration emerged the formalized implementation of the Model inside the CSC and its corresponding legislation.

The Model and Canada's Carceral System

Legislation concerning criminal risk behaviours is often enacted in an attempt to protect individuals from engaging in behaviours deemed to put themselves or others at risk of serious physical harm. This section discusses control concerning risk as interpreted by the Model; more specifically, how implementations of the Model create situations where risks are defined, and how strategies to control risks are constructed.

Since 1992, interventions available to government officials managing offenders within Canada's carceral system are primarily guided by risk classification strategies that are anchored around practices and processes of control-based decisions that prioritize rationality, effectiveness, efficiency, and compliance concerning offender behaviour (Bérard et al., 2013, p. 253). But rather than striving for self-governing and apparent law abiding behaviour on the part of offenders, the Model demands compliance with societal measures of acceptable behaviour (Bérard et al., 2013, p. 256). The role of social norms and their establishment are particularly relevant to understanding the development and maintenance of acceptable behaviour and the process of how social control has implications for how government institutions understand and define risk, and how they respond to risk.

Arbitrary boundaries between acceptable and unacceptable behaviours are interesting and add to the complex nature of risk explored in this study. The carceral system's distinction between acceptable and unacceptable behaviours supports the notion of an idealized norm of conduct whereby the Model allows government officials to hold those who deviate from these norms responsible for their behaviours. Essentially, those individuals who conform to the norms are normal; those individuals who do not are abnormal, subject to exclusion, marginalization, and dehumanization. The abnormal group is further divided on the basis of amenability to 'treatment and moral reengineering' with those amenable persons being diverted to so-called reintegrative and rehabilitative interventions and those who are not amenable remaining contained through incarceration and/or intensive programs of monitoring and surveillance (Kemshall, 2008, p. 40). In the context of this study, by implementing the Model, government institutions are perpetuating an understanding that non-normal behaviours, characterized as 'risk', are amenable to control.

The Model's reliance on this distinction between acceptable and unacceptable behaviours is in line with Beck's thesis whereby more responsibility falls to the individual to construct their own personal narratives and to choose their own behaviours and consequences. Because, as Beck (1992, p. 87) argues, this responsibility generates fear and anxiety in individuals, it leads to amendments to public policy and a need for institutional control to protect the public from exposure to harm identified by scientific investigation. Similar to the precautionary principle (Boehmer-Christiansen, 2009; Ewald, 2002), the Model, in essence, is premised on the idea that "human responsibility is now attached to risk" (Lupton, 2006, p. 12). A paradox is found in the construction of

the responsible citizen as defined by Beck (1992) where this type of individualization focuses on the individual while neglecting to examine the structural and contextual constraints within which such responsibility needs to be exercised. The responsible, acceptably behaving individuals hold a privilege position within society while others are the ‘problem of’ or ‘risk to’ society—one that must be identified, managed, and marginalized. Thus, the paradox is evident in that citizens in constantly changing social dimensions of everyday life are both expected to be in charge of their own lives but also controlled and regulated to the extent that they are marginalized. This situation aligns with Beck’s view that the classic institutions devoted to ‘risk management’, for example, the CSC, fail in the management of risks, bringing about what Beck (1992, p. 50) calls ‘organized irresponsibility’—put simply, the responsibility for risks caused by certain individuals, in general, are not within the jurisdiction of this CSC. Rather, acceptable behaviours are identified for citizens and compliance is demanded by the government.

Alongside the Model’s subtle demands for compliance with societal measures of acceptable behaviour emerged an unprecedented amount of official guidance by the Government of Canada to institutions of the criminal justice system.¹⁹ This guidance concerned the assessment and management of high risk offenders through a series of white papers and manuals concerning public safety (for example, see Bonta & Yessine, 2005; Pacific Region NJC, 2005; Public Safety Canada, 2009) (see also Table 1). The federal government’s involvement foregrounds how the Model is legislated for use in Canada through the creation of criminal law and policy on the basis that threats to public safety are always a worry for policy makers. Through the lens of public safety, risk was,

¹⁹ At the federal level, these institutions fall under the following five branches of the Canadian criminal justice system: (1) Legislative, (2) Criminal Courts, (3) Corrections, (4) Parole, and (5) Police.

and continues to be, constructed by policy makers (and experts) for government institutions based on a distinction between acceptable and unacceptable behaviours through which normative principles of risk and risk management are understood. In this way, public safety illustrates the government's adoption of the precautionary principle (Ewald, 2002, p. 286), because the government's position is that action must be taken to protect the public from risks; in particular, risks posed by certain populations. And, by approaching risk from a detached position based on a 'gain versus risk' logic, the government has tended to err on the side of caution by significantly reducing its level of responsibility with respect to social risks, and, at the same time, by making individual citizens more accountable for social risks (Beck, 1992; Ewald, 2002).

These strategies are the result of an expert or scientific knowledge informing policy making and these strategies are administered by government institutions and actors. Through implementations of the Model outside the carceral system, these strategies have become widespread and pervasive. This diffusion means that strategies related to the carceral system are exercised outside carceral institutions by government officials in other government institutions and other contexts. For example, a reliance on carceral risk classifications to inform decision making practices by other government institutions, for example, the police in the community context, means that strategies and responses to risk linked to carceral risk classifications are also relied upon in these practices. As a result, similar responses to and decisions about risks posed by certain individuals and how they are to be managed, mitigated, and controlled are arrived at without the interaction of officials located inside and outside of the carceral system. This condition allows for action at a distance, meaning the ability of carceral actors to cause

other actors in other spaces or at other times to act in certain ways without the need for immediate social interaction (Anderson & Sharrock, 2018, pp. 3–4).

Thus, certain ‘facts’ that were constructed within carceral institutions (i.e., facts about risk, facts about certain populations believed to pose risks, and facts about how to mitigate such risks) are brought into association with practices of other actors through institutional ties (actor networks) that are exercised over space and time in an invisible way. For example, inside the prison, the spatial and temporal freedoms of certain individuals are controlled through incarceration practices. In the community, spatial and temporal freedoms of certain individuals may be controlled by enforceable practices of surveillance and monitoring by parole agents or the police. In both contexts, the same facts and ideas of risk influence similar responses to risk by different institutions that are guided by the same principles of control and regulation. This pervasive influence is sociologically significant because it blurs the administrative functions of distinct and supposedly autonomous institutions such as the CSC and the police. And, as I explore further in Chapters 4 and 5, this blurring can have significant implications for both police services and for those individuals residing in the communities they police.

The adoption of processes and practices centered around the Model for the management of certain groups of convicted and incarcerated individuals came to be formalized across the country in 2001 following the publication of the *Compendium 2000 on Effective Correctional Programming (Compendium 2000 on Effective Correctional Programming, 2001)*.²⁰ Staff inside the CSC contributed to the *Compendium* to critique the existing empirical literature in the field of ‘corrections and behaviour change’ at that

²⁰ See also Bérard et al., 2013, p. 253.

time. This critique included information related to any available correctional programs and their perceived effectiveness in Canada. The purpose of this report was to offer correctional administrators guidelines for evaluating operations and policy moving forward in the Model.

Through the strategies formulated and established within the CSC described in this section, the values, opinions, and rhetoric of those constructing and advocating for the Model were further inscribed into it. In the following section, I describe how the actions of these individuals established a carceral actor network in which their voices were heard and other voices were silenced (e.g., proponents of the clinical model). I illustrate how this network construction led to the establishment of a central group of actors comprised mainly of carceral administrators and psychologists whose actions led to the development and adoption of actuarial risk assessment instruments in the Model.

The Model and its Instruments and Documents

In the previous section, I detailed the origins of carceral risk classifications, demonstrating how risk classifications are the result of politically organized controls emerging from a significant shift within the Canadian carceral system in the 1980s around specific understandings of risk and strategies to respond to risk. In this section, I describe the instruments that are used to assign risk classifications to individuals under the jurisdiction of government institutions. These instruments are informed by the specific understandings of risk and strategies to respond to risk detailed in the previous section. In describing these instruments, I capture not only the Model's reliance on them but the realist, positivist understandings of risk seen to be posed by certain groups of actors that inform the work of the government officials who must use these instruments

regularly in their work. To describe this regularity of use, I present the four stages of the Model that I identified from my field work: risk assessment, risk score, risk classification, and risk management plan. By tracing out the work involved in these stages of the Model, I reveal how risk classifications that result from these instruments tend to be used as a mechanism to obscure the recognition of a connection between risk and the individual. Through this work, I reveal how this obfuscation can lead to the denial of individual identities and their social conditions from consideration by those mandated to work in the Model. I further show how all of these processes and their outputs are recorded in document systems as ‘facts’. These findings are significant for the function and stability of the various implementations of the Model when these documented ‘facts’ are accessed by those actors in other locations within the Canadian criminal justice system who come later take up and make use of them. Thus, just as the Model is contingent on the use of instruments to establish risk classifications, the establishment of risk classifications across multiple sites within the Canadian criminal justice system is contingent on the widespread practice of documenting ‘facts’ generated by the Model. Through this analysis, I capture how all of these processes and practices are entangled in relations of governance. I begin this section with details about the Model’s instruments.

The Instruments

The Model’s actuarial risk assessment instruments were designed and intended for use inside prisons. These instruments, which are widely used to predict future risk of violent and/or sexual reoffending (both against and by adults and children, males and females, strangers and non-strangers), typically consist of a rudimentary scale used to rate the presence, or not, and extent of what is seen by those inside the carceral system as

factors most commonly associated with reoffending (also referred to interchangeably by some as recidivism). These factors are commonly referred to by psychologists, carceral administrators, instrument developers, and some instrument users as criminogenic risk factors. Criminogenic risk factors are attributes of human behaviour determined through psychological research to be linked to reoffending (Andrews et al., 2006; Butters, 2014). There are eight criminogenic risk factors referred to consistently in the correctional and psychological literature as ‘the big eight’ (Andrews & Bonta, 2010). These eight factors are: (i) antisocial personality or temperament; (ii) antisocial cognition; (iii) antisocial companions; (iv) family and/or marital stressors; (v) substance abuse; (vi) lack of employment; (vii) lack of education; and (viii) lack of pro-social leisure or recreation. Psychologists who work within the CSC, Public Safety Canada, the for-profit private sector, and academia tend to draw on these eight factors when developing and promoting risk assessment instruments and, in particular, the scales they apply to classify behaviour in adult offender populations (Andrews et al., 2006, 2006; Andrews & Bonta, 1995; Bonta & Wormith, 2007; Campbell et al., 2007; Copas & Marshall, 1998; Nuffield, 1982).

From this perspective, carceral administrators claimed, and continue to claim, that these instruments produce ‘standard offender risk profiles’ from which they identify reliably which offenders are *likely* to reoffend (Bourgon et al., 2017; John Howard Society of Alberta, 2000; Solicitor General Canada, 1998). As noted earlier, the construction of standardization of risk profiles based on a distinction between acceptable and unacceptable behaviours is problematic because it assumes that those individuals who resemble a standard most closely are normal and those who do not are abnormal and,

in doing so, perpetuates the belief that non-normal behaviours, characterized as ‘risk’, are amenable to control.

The obligation of correctional staff to use these instruments in their regular duties is captured by section 5(c) of the *Commissioner’s Directive Number 700*: “correctional interventions are anchored in professional judgement and actuarial instruments to justify, support and explain decisions or recommendations” (Correctional Service Canada, 2017a). In this *Directive*, the reference to ‘professional judgement’ and ‘actuarial instruments’ reflects a preference inside the administration of the CSC for instruments developed by psychologists and statisticians that are easy for staff to use and produce reasonably consistent findings of offender risk regardless of which staff are using the instrument(s).

There are upwards of one hundred risk assessment instruments available globally. The majority of risk assessment instruments used today in Canada, and around the globe, were developed in the 1990s by Canadian officials working within the carceral system, specifically the CSC and Public Safety Canada.²¹ According to Public Safety Canada (2003), Canada is “a recognized leader in the field of offender assessment.” In Canada alone, there has been a large growth in the number and type of risk assessment instruments (and associated credentials) offered by a wide variety of professionals and organizations over the past thirty years. Inside the CSC, there is a preference for twenty to thirty instruments. With the police officers at my field site, there were one to three preferred instruments that they used to achieve their objectives in the Model (see Chapter

²¹ For example, an instrument called Static-99 was developed in Canada by individuals who work(ed) for the CSC and Public Safety Canada. According to the Static-99 web page, “Static-99/R is the most widely used sex offender risk assessment instrument in the world, and is extensively used in the United States, Canada, the United Kingdom, Australia, and many European nations” (*Static-99*, n.d.).

4). These instruments increasingly take the form of for-profit, pre-packaged, off-the-shelf, rudimentary, pen-and-paper check lists or score cards.

A summary of the most commonly used instruments in Canada’s carceral system is included in Table 1 below.

INSTRUMENT TYPE & NAME*	NO. OF ITEMS	POPULATION	OUTCOME	CURRENT MANUAL CITATION(S)
Actuarial (psycho-statistical)				
LSI-R	54	Adult offenders	Criminal offending	Andrews & Bonta (1995)
PCL-R†	20	Non-specific	Not applicable‡	Hare (2003) ²²
SORAG	14	Sexual offenders	Sexual offending	Quinsey, Harris, Rice, & Cormier (2006) ²³
Static-99§	10	Sexual offenders	Sexual offending	Harris, Phenix, & Hanson (2003) ²⁴
VRAG	12	Mentally disordered patients	Violent offending	Quinsey, Harris, Rice, & Cormier (2015) ²⁵
Structured Professional Judgement				
HCR-20	20	Psychiatric patients	Violent offending	Douglas, Hart, Webster, & Belfrage (2013) ²⁶
SVR-20	20	Sexual offenders	Sexual offending	Boer, Hart, Kropp, & Webster (1997)
SARA	20	Spousal assaulters	Violent offending	Kropp, Hart, Webster, & Eaves (1999) ²⁷
SAVRY	24	Adolescent offenders	Violent offending	Borum, Bartel, & Forth (2003) ²⁸
† Psychopathic patients (score >30) considered high risk group, non-psychopathic patients (<30) considered low risk group. PCL-R scores are included in SORAG, VRAG, HCR-20, and SVR-20, and thus the predictive validity of these instruments designed for different outcomes is correlated. ‡ The PCL-R was designed as a personality assessment. It started to be used as a risk instrument to predict criminal offending from 1988 onwards. § Moderate-low and moderate-high risk categories combined to make moderate risk classification. * List of instrument acronyms: LSI-R – Level of Service Inventory-Revised; PCL-R – Hare Psychopathy Checklist Revised; SORAG – Sex Offender Risk Appraisal Guide; Static-99 – named for consideration of static factors only; VRAG – Violence Risk Appraisal Guide; HCR-20 – Historical Clinical Risk Management-20 (20 item checklist); SVR-20 – Sexual Violence Risk-20 (20 item checklist); SARA – Spousal Assault Risk Assessment; SAVRY – Structured Assessment of Violence Risk in Youth.				

Table 1. Characteristics of Commonly Used Risk Assessment Instruments in Canada. Adapted and updated from Fazel, Singh, & Doll (2012).

²² See also Hare (1991).

²³ See also Quinsey, Harris, Rice, & Cormier (1998, 2006).

²⁴ See also Hanson & Thornton (1999).

²⁵ See also Quinsey, Harris, Rice, & Cormier (1998).

²⁶ See also Webster, Eaves, Douglas, & Wintrup (1995) and Webster, Douglas, Eaves, & Hart (1997).

²⁷ See also Kropp, Hart, Webster, & Eaves (1994, 1995).

²⁸ See also Borum, Bartel, & Forth (2002).

This table captures the range of behaviours these and other risk assessment instruments are trying to predict (e.g., sexual assault, assault, homicide, viewing pornography, child sexual abuse, to name a few) (Cooke, 2016, p. 88).

Some of these instruments have fallen out of use due to what some government officials and instrument developers deemed to be disappointing rates of predictability (Fazel et al., 2012; John Howard Society of Alberta, 2000).²⁹ Yet, other instruments, even those that remain un- or under-researched and even challenged in the courts, continue to dominate carceral practice in Canada.

In this study, I do not review all of the risk assessment instruments noted above individually, as this work has been extensively done elsewhere (Fazel et al., 2012; Kemshall, 2001, 2003; Kemshall et al., 2006; Yang et al., 2010). Instead, I do two things to highlight the significance of instruments in the Model. First, I provide an example of a fictitious risk assessment instrument score card and explain how it is used to assign a risk classification to an individual. Second, I discuss two of the more commonly used risk assessment instruments in Canada, the HCR-20 and the Static-99.³⁰ I do this work to

²⁹ Some instruments, such as the PCL-R and the HCR-20, were developed for profit by psychologists in academic positions, many of whom were at Simon Fraser University and the University of British Columbia. Other instruments were developed for profit by government officials, some of which were adopted for applications not originally intended by their developers. For example, Static-99 has been in a near-constant state of mutation as successive, albeit unsuccessful, iterations of the instrument have been released over the past twenty years by its team of developers, including a senior research officer at Public Safety Canada. Another instrument, VRAG, was initially developed primarily to assess risk to reoffend among mentally disordered offenders. However, the instrument was found to be more useful in assessing risk to reoffend presented by sex offenders, but high VRAG scores were correlated only to violent, but not to sexual, reoffending among sex offenders. And, the PCL-R was not designed to assess risk and predict recidivism, but, according to its developers, that is exactly what it is used to do with “pretty darn good results” (Haag et al., 2016; Olver et al., 2013).

³⁰ The current version of the HCR-20 is version 3 (HCR-20V3), but for consistency throughout this dissertation I use the HCR-20 as this is the most commonly used acronym in the literature. The Static-99 has been revised many times and these iterations are characterized in the literature as ‘the Static-99 family’: Static-99, Static-99R, Static 2002, and Static-2002R. The metaphor of ‘family’ applied in this context is

accentuate: (1) the information on which users of these instruments rely to generate risk scores and risk classifications; (2) the simple, unsophisticated, black boxed nature of these instruments that function as rudimentary check lists to identify what their developers view as ‘typical’ or ‘standard’ criminogenic behaviours in order to make significant decisions about the individuals to whom they are applied; and (3) a lack of formal regulation around their use.

I created the fictitious example of a carceral risk assessment instrument score card shown below in Figure 4 because reproducing the content and format of the more commonly used risk assessment instruments in the Model is prohibited by their developers.³¹

This fictitious score card is presented to capture the simple, standardized format of most risk assessment instrument score cards and to illustrate how a user of an instrument conducts their work in the Model.³² By utilizing an instrument score card, a user must accomplish three main tasks: (1) to assess, (2) to score, and (3) to classify the level of risk posed by an individual.

possibly misleading because it allows instrument developers and users to conceptualize shared relations in the function and language of the instruments without the requirement of a unifying formula.

³¹ Due to copyright issues and budget limitations preventing me from purchasing some of the dominant instruments and their materials, I am unable to include the risk assessment instrument score cards in this dissertation. But a quick internet search will allow one to view many of them. Some of the more widely used risk assessment instrument score cards can be completed online. For example, the Competence Network of Forensic Psychology in Switzerland (Kompetenznetzwerk Forensische Psychologie AG) hosts a website that allows visitors to apply the instruments SORAG and VRAG (see Table 1) with the following caveat:

In order to properly apply the instrument, it is recommended by the authors that all practitioners obtain professional training on the application of the instrument prior to administration, scoring and interpretation of it (*Kompetenznetzwerk Forensische Psychologie*, n.d.).

³² Accompanying this score card would be a manual or user guide of sorts.

FICTIONAL RISK ASSESSMENT INSTRUMENT SCORE CARD												
Individual's Name: _____		Assessor Notes:										
Institutional File Reference: _____												
Check the box that is relevant for each of criminogenic risk factors 0 = does not apply to this individual 1 = applies moderately to this individual 2 = applies fully to this individual												
8 Criminogenic Risk Factors	0	1	2									
Legal Problems & Criminal Behaviour												
Education & Employment												
Family & Marital												
Leisure & Recreation												
Antisocial Associates												
Substance Abuse												
Antisocial Attitudes												
Antisocial Personality Patterns												
TOTAL RISK SCORE				TRANSLATING THE TOTAL RISK SCORE INTO A RISK CLASSIFICATION								
				<table border="0"> <tr> <td><u>Score</u></td> <td>=</td> <td><u>Risk Classification</u></td> </tr> <tr> <td>0 to 5</td> <td>=</td> <td>Low</td> </tr> <tr> <td>6 to 11</td> <td>=</td> <td>Medium</td> </tr> <tr> <td>12 to 16</td> <td>=</td> <td>High</td> </tr> </table>	<u>Score</u>	=	<u>Risk Classification</u>	0 to 5	=	Low	6 to 11	=
<u>Score</u>	=	<u>Risk Classification</u>										
0 to 5	=	Low										
6 to 11	=	Medium										
12 to 16	=	High										

Figure 4. A Fictitious Carceral Risk Assessment Instrument Score Card for Illustrative Purposes

The top portion of the fictional score card requires a user to fill in administrative details about an individual to whom the instrument is applied (i.e., name and file reference). Along the right hand side of the score card there is a section for a user to write notes related to their use of the instrument. After filling out the administrative section at the top of the score card, a user is directed down the score card to a matrix. This matrix consists of the earlier discussed eight criminogenic risk factors (rows) and three possible scores (columns). The matrix highlights the information a user needs to know about an

individual to complete the score card. This information then becomes a document that is typically added to the individual's correctional file in the CSC's records system called the Offender Management System (OMS). For each of these eight risk factors, a user is required to check the box to the right of the risk factor that corresponds to the score they assign to each risk factor. Here, the scores available are '0', '1', and '2' and their meanings are described above the matrix.³³ The matrix guides a user down and through the list of risk factors so that they assign a score for all of the risk factors corresponding to an individual being assessed.

Next, a user adds the individual risk factor scores together. The resulting number is called a 'total risk score' and it is entered in the large empty box at the bottom of the matrix. This is the risk score for an individual being assessed. To convert the individual's risk score into a risk classification, a user applies the translation guide located at the bottom right of the score card. If an individual's 'total risk score' is between 1 and 5, a user would assign that individual a risk classification of 'low'. If an individual's 'total risk score' is between 6 and 11, a user would assign that individual a risk classification of 'medium'. If an individual's 'total risk score' is 12 or higher, a user would assign that individual a risk classification of 'high'. Now the individual has their risk classification assigned.

To relate this fictitious instrument to carceral practice, I now discuss the HCR-20 and the Static-99.

³³ If the risk factor does not apply to the individual being assessed, then the user is instructed to check the box under the '0' column for that risk factor. If the risk factor applies moderately to the individual, then the user is instructed to check the box under the '1' column for that risk factor. If the risk factor applies fully to the individual, then the user is instructed to check the box under the '2' column for that risk factor. If no information is available about a risk factor, this item should be scored as a '0'—i.e., as if the risk factor does not apply to the individual being assessed.

HCR-20 (Historical Clinical Risk Management-20)

Since its introduction in 1995, the intention of the HCR-20 has been to integrate what was seen at that time by its developers as “the almost separate worlds of research on the prediction of violence and the clinical practice of assessment” (Webster et al., 1995, p. v). Over the years, the terminology has shifted in the literature and with this instrument from ‘prediction’ to ‘estimation’, reflecting a shift in the carceral language associated with risk assessments more generally.³⁴ Thus, the developers of the HCR-20 claim that it does not provide a definite prediction of violence. Rather, they claim that “[p]redictions based on the HCR-20 are estimates of the likelihood of violence, and should be presented in terms of low, moderate, or high probability of violence” (“Historical, Clinical, Risk Management-20,” 2019).

Additionally, the HCR-20 is not intended to be used as a stand-alone instrument for the measurement of the likelihood of violence because it does not cover all possible risk factors. Rather, its developers note that someone using the HCR-20 “should use supplemental test measures and investigate any unique patterns of violence and its [*sic*] triggers in the person's history” (“Historical, Clinical, Risk Management-20,” 2019). During my field work, it was observed in the documents generated by users of the HCR-20 that there were multiple occasions within the CSC and the Edmonton Police Service (EPS) of the HCR-20 being used on its own (n = 6), or in conjunction with an older risk score or risk classification generated from a different instrument used by a different official (n = 6), to assign a risk classification to an individual.

³⁴ For example, with the introduction of the Model in the CSC in the 1980s, a change in vocabulary was used to signal new carceral legitimacy. Concepts like ‘actuarial’, ‘risk assessment’, and ‘risk assessor’ were given symbolic value as indicators of proficiency and expert or scientific knowledge related to the Model and its instruments.

The two claims made by the HCR-20's developers—that it provides estimates of likelihoods of recidivism and that its results need to be supplemented with other test measures—highlight the discretionary nature of the HCR-20, its uses, and its users.

The findings that result from the use of the HCR-20 are summarized and presented on a one-page or two-page version of a score sheet called a 'rating sheet'. This sheet (or sheets) consists of three main areas to be scored: (i) historical, (ii) clinical, and (iii) risk management. These three main areas reflect dominant carceral understandings and constructions of risk based on the criminogenic risk factors detailed earlier and their relationship to the carceral distinction between acceptable and non-acceptable behaviours.

The historical area consists of ten domains.³⁵ The historical area is claimed by those who developed the HCR-20 to anchor the instrument. This area cannot be scored unless the user completes (or relies on another assessor to complete) another check list known as the Hare Psychopathy Checklist (PCL-R), a twenty-criteria check list that claims to determine an individual's psychological makeup. The clinical area consists of five domains and requires the person using the instrument to use her or his judgement when scoring these domains.³⁶ The risk management area consists of five domains.³⁷ All

³⁵ The ten domains of the historical area are: (i) previous violence; (ii) age (youth or adult) at first violent incident; (iii) relationship instability; (iv) employment problems; (v) substance use problems; (vi) major mental illness, such as schizophrenia or bipolar disorder; (vii) psychopathy, which can be defined as personality traits that deviate from social norms, such as manipulating and exploiting others for personal gain; (viii) early maladjustment, or exposure to family and social disruptions during childhood that lead to coping problems (could be abuse or divorce, for example); (ix) personality disorder, such as paranoia; and (x) failure to respond to clinical supervision or treatment in the past—may be related to noncompliance to treatment, such as refusing to take medications or attend therapy sessions ("Historical, Clinical, Risk Management-20," 2019).

³⁶ The five domains of the clinical area are: (i) lack of insight, or difficulty understanding cause and effect—for example, people with poor insight might not understand why they do what they do and why their actions matter; (ii) negative attitudes; (iii) active symptoms of major mental illness; (iv) impulsivity; and (v) unresponsiveness to treatment ("Historical, Clinical, Risk Management-20," 2019).

twenty of the HCR-20 domains are coded with a rating of 0 (not present), 1 (possible or less serious), or 3 (definite or serious). There is not a rating of 2. Similar to the fictitious example above, these scores are tallied by hand on the rating sheet(s).

Like most risk assessment instruments in use in the Canadian carceral system, training on the use of the HCR-20 is not mandatory for its users, including government officials. Rather, it is recommended that users of the HCR-20 have some former training in conducting individual assessments and have a background in using assessment instruments, or, if they do not, they should consult someone who does (“Historical, Clinical, Risk Management-20,” 2019).

Static-99

The Static-99 instrument (Hanson & Thornton, 1999) and various reiterations of it made available between 1999 and 2016, including those that were deemed inaccurate and subsequently abandoned (e.g., Static-99R, Static-2002, Static-2002R), assess an individual’s risk for sexual recidivism. The Static-99’s output is reportedly based on ten static risk variables with “suggested nominal risk categories” (Hanson & Thornton, n.d.-b). Risk scores between 0 and 1 are translated as low risk, and scores between 6 and 12 are translated as high risk. The use of the Static-99 is uncomplicated, requiring a user to score the following ten questions about an individual: (1) aged 25 or older?; (2) ever lived with lover for at least two years?; (3) index non-sexual violence—any convictions?; (4) prior non-sexual violence—any convictions?; (5) prior sex offences?; (6) prior

³⁷ The five domains of the risk management area are: (i) the person's plans lack feasibility; (ii) exposure to destabilizers, which means that family or social supports are missing, or that alcohol and drugs are available; (iii) lack of personal support; (iv) refusal to attend counseling sessions or take medications; and (v) stress (“Historical, Clinical, Risk Management-20,” 2019).

sentencing dates (excluding index)?; (7) any convictions for non-contact sex offences?; (8) any unrelated victims?; (9) any stranger victims?; and (10) any male victims? (Hanson & Thornton, n.d.-b). Questions 1 to 4 and 6 to 10 accept ‘yes’ or ‘no’ responses only. Question 5 is scored based on the number of charges and convictions an individual being scored has on record for prior sex offences. Scores on the Static-99 are computed by hand using an individual’s file information only, meaning that the person doing the scoring does not interview or interact with the person being scored. This practice raises a similar concern noted earlier with the HCR-20 around the possibly unethical use of this instrument and its outputs.

Training on the Static-99 is also not mandatory in the Canadian carceral system for the government officials who use it. Rather, the developers of the Static-99 and its various reiterations *recommend* that “[c]urrent users of Static-99R should receive training on the manual updates before using it in practice” (Static-99, n.d.). The developers also note that:

During audits of Static-99R scoring sheets the most commonly identified error is mechanical (e.g., incorrect summing of item scores). Consequently it is strongly recommended that evaluators sum the item scores and check the total at least twice. A mechanized process, such as specialized scoring software or an excel spreadsheet into which item scores may be entered and then summed electronically can be helpful to minimize mathematical errors (Hanson & Thornton, n.d.-a).

For choosing among the available versions of the Static instruments, the developers’ advice is vague and, thus, problematic. For example, on the Static-99 website, developers offer the following advice: “We recommend evaluators use Static-2002R instead of Static-2002” (Static-99, n.d.). For those using the Static instruments in non-English speaking and writing settings, the coding rules for Static-99R were revised in 2016 in

English only. However, all non-English coding rules are from the 2003 revision with the following caveat noted by the developers:

Please note that there is a new 2016 version of the coding manual, which should replace previous versions of the manual. In assessment reports, we recommend evaluators report which version of the coding manual was used. Translations of the coding manual follow the 2003 version (in the archived section below), and should eventually be replaced, following the new coding rules (Hanson & Thornton, n.d.-a).

Similar to concerns raised around the HCR-20's potential for unexpected and unintended uses, the Static-99 raises another critical issue around not only how to score an individual with the instrument, but what version of the instrument should be used to do so.

Many of the items captured by these and other rudimentary instruments relate to behaviours that are stereotypical, 'dangerous' activities, such as consuming alcohol and using illicit drugs. However, the intended regulation of risk based on risk classifications generated by risk assessment instruments is not only concerned with illegal or immoral activities. Rather, everyday happenings and social, economic, and cultural conditions are also controlled by government institutions based on the inputs and outputs of these instruments in the name of public safety. Three examples of these include: one's conjugal living arrangements; whether one is a child of divorced parents; or whether one has received a mental illness diagnosis, even if from childhood. By their design, these instruments ignore the inability of some individuals to achieve what instrument developers deem to be normalized goals because of structural constraints. Thus, the science behind these instruments does not address broader social, cultural, and economic characteristics of some individuals' lives outside of the dominant criminogenic risk factors. These constraints may lead risk to be realized based on the instruments' limited parameters because of the implications of socioeconomic status, for example. In

presenting details about these two instruments I have demonstrated their rudimentary design and simple use and how determinations of risk classifications are often contingent on the use of more than one instrument, possibly by more than one person.

This discussion highlights the fact that, in the implementation of the Model and these instruments in multiple contexts in Canada, there is no systematic oversight of their use, direct or otherwise. This lack of oversight has created a scenario in Canada where government officials are left to determine on their own what instrument(s) to use on a case by case basis. This lack of oversight has also led to circumstances where government officials use more than one risk assessment instrument at a time to arrive at a risk classification for an individual. From the perspective of instrument developers and users, this practice increases the authority and legitimacy of risk classifications due to the widely held belief in the Canadian criminal justice system that these instruments are premised on expert or scientific knowledge.

I refer to this observed practice of using more than one instrument as ‘bundling’. Bundling means the use of multiple instruments during a single risk assessment, whereby multiple risk scores are ‘combined’ and a corresponding risk classification is generated. In these instances, a user of multiple instruments must make a final decision about an individual’s risk classification. Bundling is a common practice within the CSC (Babchishin et al., 2011) and in carceral systems globally (Thornton et al., 2003).³⁸ As a

³⁸ For example, Static-99 (Hanson & Thornton, 1999) considers only ten static risk factors to ‘moderately’ predict accuracy for sexual reoffending and violent reoffending among sex offenders. One of the Static-99 instrument creators went on to develop a sex offender need assessment rating instrument known as SONAR (Hanson & Harris, 2000). Issues with accuracy have overshadowed SONAR, leading it to be promoted as an instrument best used to prop up or bolster risk assessment instruments that consider static factors only, namely, Static-99 and another instrument called VRAG, rather than to be used as a stand-alone instrument. VRAG also requires a PCL-R score in order to generate its own score (Quinsey et al., 2006). Due to their

result of bundling, one or more instruments may be used to prop up results from another instrument or instruments because they are all based on the same criminogenic risk factors that are simultaneously derived from psychology and statistics. I refer to this two-fold basis for these instruments as a psycho-statistical logic. When used in combination like this, these instruments have a higher likelihood of generating more instances where a certain risk level (e.g., high risk or low risk) is verified, as opposed to instances when one instrument is used in isolation. This likelihood is because risk classifications can be adjusted either to a higher or a lower risk classification based on the judgements, opinions, and interpretations of instrument users. Such an adjustment requires a simple modification to the rating assigned to a particular domain of an instrument's check list or its final risk score and corresponding risk classification.

In both the prison and the community, classifications of the level of risk posed by certain individuals to the public may be changed at the discretion of government officials (Correctional Service Canada, 2018b). Inside the CSC, the process of adjusting risk classifications at one's discretion is known as "cascading" up or down the risk classification ladder (Correctional Service Canada, 2008). 'Cascading up' the risk classification ladder refers to an individual being reclassified to a higher risk classification. 'Cascading down' the risk classification ladder refers to an individual being reclassified to a lower risk classification. As one anonymized CSC staff member relayed to me during my field work, often within their team there are risk-averse leanings by some staff that result in disparate risk classifications. This observation means that it is

use in combination, some instruments like VRAG and SORAG are labelled in the literature as a "family" (Thornton et al., 2003, p. 233).

common practice for some staff inside the CSC who, when exposed to uncertainty about how to classify an offender due to the opacity of the instruments and in an attempt to lower uncertainty, for example, apply a higher classification of risk to an individual. This practice means that certain individuals are, possibly, more likely to cascade up the risk classification ladder rather than down it. This practice reflects the earlier noted tendency of government institutions and agents to err on the side of caution (i.e., precautionary principle) and the dominant public safety discourse in the Canadian criminal justice system prompting institutional controls to risk.

From the observations presented here, these instruments are not as neutral as was originally argued in the 1980s within the CSC when it was transitioning from the clinical model to the managerial model. Rather, this study has shown that personal values and opinions may be embedded in processes and practices of implementing the Model, and that instruments may be circumnavigated or excluded by government officials who are either unaware of or who may choose to ignore other risk factors—social, cultural, economic, or otherwise.

Moreover, by their design, different instruments may lead to different outcomes in terms of a risk score, a risk classification, and a risk management plan. These varied outcomes raise urgent concerns around the applicability of the Model more generally, and from where the expert or scientific knowledge to create and to use these instruments is derived. Examples of these concerns include: how a risk management plan reduces or does not reduce risk; how a risk management plan will be delivered; how it will be enforced; and how it will be assessed and by whom. Thus, these instruments play an important role in many carceral system activities and, by their utilization and the nature

of their outputs, have the potential to create their own narratives. This potential emerges because these instruments have a limited number of outcomes to capture the complicated lives of the individuals they are used to classify. In presenting the role played by these instruments, I have demonstrated their susceptibility to user error and their vulnerability to manipulation, intended or otherwise. Thus, it is not the story of the real lived experiences of the individuals being classified that is told by these instruments and their outputs; rather, it is the built-in assumptions of instrument developers about 'standard' risk profiles based on criminogenic risk factors derived from psychology and statistics. These narratives become visible when these instruments are used in practice.

Testing the Numbers

The widely debated, black boxed nature of these instruments and the reality that 'bundling' happens, made me curious to use some of these instruments on myself. My original attempt at risk classification proved relatively simple. Yet, this action yielded some troubling results when I was assigned a 'medium risk' classification. This outcome promoted me to rerun the instruments many times to convince myself that the resultant risk scores and corresponding risk classifications were not insignificant. These results confirmed the crude nature and the predetermined, built-in assumptions that instrument developers possess about offenders that come to be inscribed into their instruments at the same time they are concealed by way of black boxing strategies (Latour, 1999, p. 304). My experience raises serious concerns around the expert or scientific knowledge informing these instruments and, more significantly, the consequences of the outputs of these instruments for those who are governed by these classifications inside both prisons and communities. This experience led me to wonder if any instrument developers had ever been subjected to their work. It also captured the problematic use of these

instruments on such a regular and widespread basis by, and on, an equally wide range of individuals.

The far-reaching consequences of these instruments are further compounded when access to the instruments, the data, and the psycho-statistical science behind them is rigidly bounded-off by their developers from government officials using them and from independent researchers. Who created these instruments and who administers them today are where a larger social phenomenon emerges to show a considerable inconsistency in governance and understanding around policing and carceral risk management at a community level in Canada because it also relates to notions of expert or scientific knowledge. This connection is established because (a) risk is a political construct premised on determinations made by those actors in positions of authority who claim to possess expert or scientific knowledge; and (b) for the most part, these same actors developed the risk assessment instruments currently used, inscribing their opinions and values about risk and about offender populations, which are both positivist and reducible to a ‘standard’ risk profile, in them. This understanding emerges because, as two instrument developers, R. Karl Hanson and L. Maaike Helmus, have argued, the scientific foundations of risk assessment on which instruments currently in use in Canada’s carceral system are based on “generalizations of cumulative knowledge [about] individuals” (Haag et al., 2016).

Thus, the ‘qualities’ of cumulative knowledge about offender populations more generally come to be inscribed on an individual through classifications generated by the use of instruments that rely absolutely on these generalizations. In this way, these instruments detract from an “almost unlimited number of possible differences between

people” in how they “only consider differences that make a difference;” that is, differences from the perspective of instrument developers and carceral administrators (Haag et al., 2016). As a result of the inscription of this perspective into instruments, an individual comes to be seen by those using the instruments as a simple, uncomplicated, psycho-statistical representation. For example, in the case of the earlier discussed instrument called the Static-99 (an instrument Hanson helped to develop and on later versions of which Helmus worked), an offender is understood to be captured by ten risk factors related to sexual recidivism.³⁹ Based on the instrument called SONAR (another instrument Hanson helped to develop), an offender is understood to be captured by nine risk factors.⁴⁰ Based on the instrument called VRAG, an offender is understood to be captured by nine risk factors related to violent recidivism, plus two official mental disorder diagnoses and the score from another instrument called the PCL-R⁴¹ (Hanson & Harris, 2000; Hanson & Thornton, 1999; Hare, 2003; Helmus, 2009; John Howard Society of Alberta, 2000; Nuffield, 1982; Phenix et al., 2017; Webster et al., 1994).

But an underlying concern for those subjected to these instruments has emerged in Canada concerning how these narrowly prescribed ‘risk factors’ are turned into outputs to

³⁹ For Static-99 these ten factors are: (1) age at release, (2) ever lived with a lover for at least two years, (3) current conviction include non-sexual violence, (4) prior convictions for non-sexual violence, (5) prior sexual charges and/or convictions, (6) the number of prior sentencing dates, (7) convictions for non-contact sex offences, (8) unrelated victims, (9), stranger victims, and (10) male victims.

⁴⁰ For SONAR these nine factors are divided between stable and acute domains. The five stable factors are: (1) intimacy deficits, (2) negative social influences, (3) attitudes tolerant of sexual offending, (4) sexual self-regulation, and (5) general self-regulation. The four acute factors are: (1) substance abuse, (2) negative mood, (3) anger, and (4) victim access.

⁴¹ For VRAG, these nine factors are: (1) lived with both biological parents to age sixteen except in cases where parent is deceased, (2) elementary school maladjustment, (3) history of alcohol problems, (4) marital status, (5) criminal history score for convictions and changes for previous nonviolent offences as determined by an instrument called the Cormier-Lang System, (6) failure on prior conditional release, (7) age at time of current offence, (8) victim injury, and (9) any female victim. The other items include whether the individual meets the criteria outlined in the *Diagnostic and Statistical Manual of Mental Disorders* (DSM) for any personality disorder or schizophrenia, and a score from the PCL-R.

inform decision making processes. In particular, there is an emerging concern about how generalizations of aggregated data related to mostly non-First Nations, non-Métis, and non-Inuit offender populations are applied to First Nations, Métis, and Inuit individuals, and how such applications might be insensitive to the cultural diversity of Canada's offender populations. As a result of this unease, several risk assessment instruments regularly applied to offenders by the CSC are now being challenged in the courts. More importantly, because these instruments are applied globally, these concerns have implications and significance beyond the CSC, beyond First Nations, Métis, and Inuit individuals, beyond the police, and beyond Canada.

A sociologically interesting point about carceral risk classification practice emerges from a fundamental distinction between individualized knowledge and knowledge based on aggregations of data about individuals. This distinction is clearly established when instrument developers attempt to cordon off risk classification practices inside the CSC from the rest of the justice system's practices. As noted earlier, this separation is accomplished by instrument developers' use of strategies such as black boxing and making claims of a proprietary nature to close off their work from external scrutiny. But, the same distinction between aggregated and individualized knowledge about an individual is obscured, if not dissolved, when the Model and its instruments are taken up by government officials located in various agencies outside corrections. This circumstance allowed instrument developers to establish with authority actions of other actors in other spaces and at other times to act in certain ways without the need for these instrument developers to be immediately, physically present. That is, these instrument developers 'act at a distance' from instrument users and those to whom instruments are

applied (Anderson & Sharrock, 2018, pp. 3–4). These detached conditions of operation reveal that there may be unintended consequences resulting from the use of their instruments that some instrument developers are not aware of, or have not been made aware of by the CSC. Thus, the interactions of actors within alternate actor networks are mediated through instruments inscribed with certain ‘facts’ that were constructed within carceral institutions (i.e., facts about risk, facts about certain populations believed to pose a risk, and facts about how to regulate and mitigate such risks).

Questioning the Data

Since offender populations are not homogenous, it is necessary to question how and why instruments used to classify the risk to reoffend posed by these populations are alike. For example, most of the instruments included in Table 1 above (while not an exhaustive list) were never significantly modified from their original design in the 1980s. Of the few instruments deemed to be flawed and subsequently revised (e.g., the Static-99), many were promptly abandoned by developers and users, or developers and users reverted to an earlier or original version, albeit one considered to be flawed previously. Yet, these instruments, unreliable or otherwise, are routinely applied by correctional staff to entirely different populations than the ones making up the data on which developers relied to design their instruments. In what was seen by instrument developers as an attempt to eliminate significant time and monetary expense, sample populations consisting of both offender and non-offender populations were chosen from multiple countries including Canada (i.e., the United States, England, Austria, Denmark, and Sweden) during the 1970s to comprise their data sets (K. Douglas et al., 2003; Helmus, 2009; Sreenivasan et al., 2010; Static99.org, n.d.; Webster et al., 1997).

As a result of these disparate sample populations, many of these instruments were developed for and validated by studies not only about offenders, but also about residential psychiatric patients, and about predominantly non-Indigenous, adult, male populations. Such data are not representative of the current offender populations in Canada where First Nations, Métis, Inuit individuals, and Black Canadians are increasingly overrepresented (*A Framework for Sentencing, Corrections and Conditional Release—Directions for Reform in Sentencing, Corrections and Conditional Release*, 1990; Sapers, 2015, 2016; Zinger, 2017, 2018). Despite the unrepresentative nature of these out-of-date data sets and categories of offenders based in multiple countries' legal system's creations of offenses, instrument developers went on to, and continue to, design their instruments based on these data for use in contemporary Canadian offender management and supervision practices.⁴² Going back to Clements' (1996) quote introduced earlier in this chapter, by rendering classifications into aggregate groups these instrument developers and, subsequently, instrument users, participate in the erasure of the heterogeneity of offender populations.

This form of erasure creates conditions for the applicability of certain instruments that neglect and negate, intentionally or otherwise, contemporary social norms, cultural diversity. These conditions allow institutional reform to act as 'receptacles for knowledge' and lead to the establishment of instrument developers' values and opinions about risk and offenders as 'facts' (Lowe, 2004, p. 82). These facts are perpetuated by

⁴² For example, the Static-99 (even the less-in-use revised versions of it) was developed using data sourced nearly two decades ago from four groups of sex offenders ($N=1,208$), including three groups from Canada and one from the United Kingdom (and none from the United States). The Static-99's risk scores and corresponding classifications are based on recidivism patterns among these groups of sex offenders, most of them released from prison in the 1970s. Other versions of this instrument rely on equally outdated data sourced from Canada, the United States, England, Austria, Denmark, Sweden, and other countries, each with their own distinct social, economic, political, and cultural conditions.

those implementing the Model, and those using instruments in their work in the Model. This observation is significant from the lens of ANT in that the carceral actor network is influenced and informed by those actants located and operating within it. Within the carceral network, government officials interact with other government officials and with offenders and these interactions are mediated through the Model and its instruments. That is to say, if the Model and its instruments disappear, so, too, would the social ordering and function of this network. The synergistic roles of these people and these things are significant to understanding the structure and operation of the CSC and how its staff accomplish their work in the Model.

The Four Stages of the Model

In this section, I present details of the four interdependent stages within the Model accomplished by government officials that emerged from my field work captured in Figure 3 at the outset of this chapter.

Stage 1 – Risk Assessment

Risk assessments are conducted by the CSC whereby levels of risk are assigned to all federal inmates when they first arrive in prison to serve out their court ordered sentences.⁴³ This initial risk assessment is referred to by the CSC as an Offender Intake Assessment. Risk assessments continue to be conducted throughout an individual's period of incarceration until a final assessment of risk is determined upon their release from prison. Thus, between the time an individual enters and exits prison, various risk

⁴³ Unique to the Model is a classification system that is used by government officials to determine the conditions for the duration of an offender's stay in prison. This classification is also used to determine other provisions for access to treatment (e.g., substance abuse, sex offender, medical and mental health) and programs (e.g., educational, social, and vocational) that address criminal behaviour while the offender is in prison and once released under some form of community supervision by the CSC (e.g., parole).

assessments occur, mainly to inform decisions rendered by the Parole Board of Canada about an inmate’s release date and conditions of release (Correctional Service Canada, 2018a). These risk assessments are performed by various correctional staff using risk assessment instruments that were listed in Table 1 above as well as other administrative instruments specific to the CSC, which include: the Custody Rating Scale, the Statistical Information on Recidivism-Revised 1 scale, the Criminal Risk Index, the Static Factors Assessment, the Dynamic Factor Identification and Analysis-Revised, a Correctional Plan, and an Aboriginal Social History, to name but a few (see Table 2 below).

RISK ASSESSMENT INSTRUMENT	DESCRIPTION
Custody Rating Scale (CRS)	Determines the level of security for the placement of an inmate (i.e., minimum, medium, or high security) inside the prison.
Statistical Information on Recidivism-Revised 1 (SIR-R1) scale	Creates an estimate of the probability of an individual re-offending within three years of their release from prison into the community.
Criminal Risk Index (CRI)	Functions to assign program intensity levels (no/low, moderate, or high) to mitigate recidivism upon release from prison into the community. Programs such as education and vocation training are offered to individuals based on the CRI.
Static Factors Assessment (SFA)	Used by correctional staff to determine what interventions are appropriate for each individual based on what is known as static factors; that is, factors about an individual that cannot be changed. These factors include an individual’s criminal history record and the severity of these offences under the law.
Dynamic Factor Identification and Analysis-Revised (DFIA-R)	Determines what interventions are appropriate for each individual based on what are known as dynamic factors, that is, factors that can be altered, such as one’s level of employment or education, marital or family status, substance abuse, community functioning, and personal attitudes.
Correctional Plan	Prepared by correctional staff to document the level and type of programs and interventions required to manage an individual’s risk as well as institutional objectives for an individual’s behaviour (i.e., demonstrating respect for prison rules, for others, and for property).
Aboriginal Social History	Used by the CSC to document the unique characteristics of First Nations, Métis, and Inuit individuals to ensure that culturally appropriate and restorative options are given due consideration when correctional staff make decisions about them.

Table 2. Summary of Risk Assessment Instruments. Adapted from the CSC *Commissioner's Directive Number: 705-6.*

With the exception of ‘Aboriginal Social History’, the inputs for these instruments and plans vary, but typically include information extracted from an inmate’s correctional file and their criminal offence history, such as an individual’s age at first offence and/or conviction; an individual’s relationship to their victim (e.g., known or stranger); an individual’s prior conviction(s); an individual’s family and marital status, including cohabitating practices and with whom an individual associates (e.g., if they have criminal friends); an individual’s level of education and employment status; an individual’s personal and emotional attitudes; and whether an individual has substance abuse issues and/or any related mental health diagnoses.⁴⁴ These instrument inputs are derived from common offender attributes that emerge from the eight most common criminogenic risk factors captured in the above fictitious score card (see Figure 3). These instruments generate two outputs—a risk score and a risk classification.

It is neither necessary for correctional staff to consider the internal complexity of these instruments or, more significant, to address the cultural, social, or mental health diversity of the individuals to whom they are applied, nor are they encouraged to do so. Rather, the use of these instruments allows for straightforward risk classification, and allows inscribed values, opinions, and rhetoric of developers captured by the instruments to exert influence across the Canadian criminal justice system. This second outcome

⁴⁴ According to the *Commissioner’s Directive 702*:

Aboriginal Social History considers the various circumstances that have affected the lives of most Aboriginal people. Considering these circumstances may result in alternate options or solutions and applies only to Aboriginal offenders (not to non-Aboriginal offenders who choose to follow the Aboriginal way of life). These circumstances include the following (note that this is not an exhaustive list): effects of the residential school system; sixties scoop into the adoption system; effects of the dislocation and dispossession of Inuit people; family or community history of suicide; family or community history of substance abuse; family or community history of victimization; family or community fragmentation; level or lack of formal education; level of connectivity with family/community; experience in the child welfare system; experience with poverty; loss of or struggle with cultural/spiritual identity (Correctional Service Canada, 2013a).

emerges because these instruments are applied by a wide range of users, allowing both the developers and the instruments themselves to ‘construct facts’ about certain individuals from a distance (Latour, 1987; Latour & Woolgar, 1979). Through the widespread use of these instruments, the values, ideas, opinions, biases, and rhetoric of those who developed these instruments and those who designed the Model exercise influence at sites far removed from their positioning in the Canadian carceral system. For example, when the Model is implemented by the police in the community, ‘facts’ constructed about high risk prisoners by those governing populations inside prisons come to inform practices of police officers who are addressing public safety concerns presented not by high risk prisoners, but by high risk individuals who are essentially free.

Referring back to Figure 4, the majority of instruments require some confirmation of the prevalent criminogenic risk factors that have been recorded about an individual. These inputs are typically presented on a numerical scale. When a government official uses these instruments, an individual to whom an instrument is applied is compared to some aggregated, sample population that was used when designing the instrument. These inputs aggregate to a total number that generates a risk score for the individual to whom the instrument was applied.

Stage 2 – Risk Score

This is the shortest and most static stage in the Model. The output of a risk assessment instrument is known as a risk score. A risk score is only valid for the instrument that was used to generate it. This score is read alongside the same instrument’s possible risk classifications to select a risk classification that corresponds to the risk score.

Stage 3 – Risk Classification

A risk score is then used by an assessor to propose a risk classification for an individual. Inside prisons and in community supervision settings, risk classifications are used to make decisions about when an individual will be released from prison; what community an individual will be located in; and how closely an individual will be supervised in the community. A risk classification also informs what treatment(s), intervention(s), program(s), and/or rehabilitation service(s) will be offered to an individual who was or is classified as low, medium, or high risk.

Risk assessments, risk scores, and risk classifications have serious implications for an assessor, for a person being assessed, and for a community. For an assessor, these items affect their ability to manage and control an individual's behaviour. For a person being assessed, these items determine the timing and conditions under which they are released from prison and the CSC's jurisdiction, but do not necessarily determine the end of the authority of the Model. For a community, a combination of a risk assessment, a risk score, and a risk classification may influence decisions as to whether a potentially dangerous individual will be released into the community or not, and, if the individual is released, how they will be supervised to ensure public safety. Errors inherent in risk prediction processes may result in longer or indefinite periods of incarceration for certain offender populations and this consequence may be continued under community-based supervision or recognizance orders following an individual's release from prison. Or the opposite can occur, where an alternate outcome in risk prediction may result in a shorter period of incarceration and an unconditional release into the community for an individual. These consequences of a possible failure of the Model to predict reoffending

highlight valid concerns about the problem of prediction, or, more precisely, about claims of prediction.

In tracing out the work of government officials in Stages 1, 2, and 3 in the Model, this description captures how their work is ‘defined, enabled, and constrained’ by the instruments they use. In their mandated obligations, these government officials follow a prescribed pattern of use and program of action; that is, what Woolgar (1990, p. 69) calls “configuring the user.” By black boxing how these instruments work, instrument developers demonstrate their knowledge and assumptions about the users of their instruments and their actions to be limited to a series of simple inputs (i.e., eight criminogenic risk factors) and outputs (i.e., an equally limited number of risk scores and risk classifications). Through the development of unsophisticated score cards and check lists as detailed earlier (see Figure 4), instrument developers have constructed an idea of the users for whom they develop instruments. These assumptions have led to the development and adoption of instruments that ignore or do not consider the needs and capabilities of those within the Canadian criminal justice system mandated to interpret risks posed by individuals under their jurisdiction. Due to their distant social positioning from end users, instrument developers have further made instrument users take accountability for the applications and outcomes related to the current, widespread use of these instruments because the implications for these instruments’ outcomes reside at the local level of their usages.

The extent of the inscription of these superimposed ideas and assumptions developers possess about users has led to the near-total configuration of instrument users and prescribed patterns of use. As noted earlier, with the replacement of the clinical

model by the managerial model, these instruments are a reflection of a collection of accepted facts within the carceral system and their fundamental embeddedness within these instruments, and the Model more generally. The processes by which these facts were established (namely, leaving the clinical model behind) have made it impossible for government officials to revert to an earlier time when alternatives existed to how risk was understood and responded to. The widespread use of black boxed instruments and their closure to scrutiny by users and other interested persons to reveal possibly their decision making processes allowed these instruments to achieve and maintain stability in the relevant networks in which they are implemented (Latour, 1991). Further demonstrating their irreversibility by preventing government officials from engaged in altered practice aligned with the earlier clinical model, the Model and its instruments become part of as Bowker and Star (1994, p. 187) refer to as a “frozen organizational discourse.” This discourse is legitimized by a system wide deference to those who claim to possess the expert or scientific knowledge on which these instruments and the Model were based.

Stage 4 – Risk Management Plan

In Canada, “the management of the offender's risk commences the day the offender receives a federal sentence and remains to the day the warrant expires;” that is, when the individual has served their entire court ordered sentence and is released from prison and the authority of the CSC (Correctional Service Canada, 2012a).⁴⁵ As such, an individual’s risk management plan is an evolving record modified over time as the result of the physical location of an individual (i.e., inside the prison or the community), and changes in a risk classification (as determined based on Stages 1 to 3 in the Model) due to

⁴⁵ This end date is known as an individual’s warrant expiry date (WED).

any reported *and* recorded outcomes resulting from an individual's participation in treatment or programming (e.g., treatment for drug addictions, programming for anger management, and so forth). The priority within the Canadian criminal justice system towards ensuring public safety means that a risk management plan typically involves restrictions on the movements, actions, and behaviours of individuals classified as high risk. These restrictions can range from conditions such as prohibited neighbourhoods, prohibited social associates, and so forth (McDonald, 2015).

Staff inside the CSC (i.e., institutional parole officers and members of case management teams) produce a risk management plan which is essentially a document that outlines a risk management strategy including interventions and programming for each individual under the jurisdiction of the CSC. A risk management plan also requires a commitment from a high risk individual to participate in what the CSC calls "constructive activities" (Correctional Service Canada, 2012b). Examples of such constructive activities include paid employment, vocational programs, and therapeutic treatments. The CSC's logic to include constructive activities in a risk management plan draws on its "underlying assumption [...] that people usually turn to crime because of problems in their lives, such as lack of job skills, substance abuse and poor control of feelings" (Correctional Service Canada, 2012b). There is an assumption on the part of carceral officials that when high risk individuals engage with community supports and are properly motivated, positive, law abiding changes in behaviour are possible for these same individuals.

From this description, these strategies are revealed to be based on an idealized norm of conduct premised on the earlier demonstrated distinction between acceptable and

unacceptable behaviours. These strategies of normalization are further based on the logic that conformance to this normative ideal is the responsibility of the individual, and not the responsibility of the government (Beck, 1992, p. 50). Thus, this carceral logic neglects or negates the possibility of conditions or circumstances which may limit or prevent certain individuals from participating fully, or at all, in these prescribed, constructive activities. Through these strategies, government institutions enforce this idealized norm of conduct through the calculated administration of blame. Blame is observed in how the government assigns responsibility to the individual citizen to construct their own personal narratives and to choose their own behaviours and consequences (Beck, 1992, p. 137). Through this administration, the government further detaches its responsibility from the social structure.

Every detail about individuals under the jurisdiction of the CSC, resulting from the four stages of the Model, is documented. With the mandated use of risk assessment instruments for correctional staff and police officers to move uninterrupted in the four stages in the Model, each outcome is recorded as a discrete document. These documents live within the Offender Management System (OMS) inside the CSC and within the record system of the police.

Central to all four stages of the Model is the use of risk assessment instruments. These instruments are used to create documents that move between the four stages of the Model and that eventually reside in the CSC's OMS: in short, an individual's correctional file (Correctional Service Canada, 2012a; Corrections and Conditional Release Regulations, 1992, sec. 133). These documents are a critical part of how the Model

functions as an actant, and are detailed in the next section and further discussed concerning this study's empirical findings in Chapters 4 and 5.

The Documents

Based on data accessed for this dissertation and on conversations I had with police officers, the synthesized output of the four stages in the Model is presented in what they call a 'risk assessment report'. A risk assessment report is understood by these police officers to be an official document. The fixing of events, behaviours, and individuals in ink allows government officials to gather together, in one place, a large number of things about which some officials or some institutions wish to talk. Documents have a constitutive function; that is, documents work to constitute social phenomena in particular ways, thereby structuring social relationships, identities, and knowledge. Through their constitutive nature, documents come to have a significant effect on what Latour and Woolgar call the "construction of facts" (Latour, 1987, p. 25; Latour & Woolgar, 1979, p. 113). They argue that a fact is constructed "when a statement [becomes] transformed into a fact and hence freed from the circumstances of its production" (Latour & Woolgar, 1979, p. 105). In the context of the Model, statements made by those individuals seen to possess, or who claim to possess, expert or scientific knowledge based on results generated by risk assessment instruments accumulate and gain strength by being documented in record systems that widely inform practices related to social control.

The recording of 'facts' is a form of ownership and control, affording the ability to authorize what happened in a certain place or time (Bowker & Star, 1999; Lampland & Star, 2009). Significant to the functions and stability of the various implementations of the

Model is what becomes of these constructed and documented ‘facts’ when those who come later take up and make use of them. ‘Facts’ generated by the CSC are required by the EPS to secure section 810 orders for the supervision of high risk individuals in the community. As part of a prescribed pattern of use throughout the four stages of the Model, police officers must make sense of and incorporate documented judgements rendered by those located in institutions or in fields in which police officers claim no expert or scientific knowledge. Yet, the police rely on these documented ‘facts’ to do their work and meet their mandated obligations in the Model. Consequently, these are the documented ‘facts’ upon which significant decisions are based across Canada’s criminal justice system.

In the Model, the documented ‘facts’ used by government officials to determine the level of risk posed by an individual under their jurisdiction are, for the most part, numerical measurements of the presence or absence of certain actions, behaviours, traits, attitudes, and associates. The presence or absence of these characteristics allows government officials to identify an individual’s accountability, responsibility, and reintegration potential. In the context of this study, records prepared by staff inside the CSC about high risk offenders that are routinely shared with the police make up what is known as a Warrant Expiry Date (WED) notification package.

In this section, I describe four of the CSC’s reports most commonly included in a WED notification package that I observed during field work. These four reports are: (1) Static Factors Assessment, (2) Dynamic Factors Assessment, (3) Psychological Assessment, and (4) Correctional Plan. I provide these descriptions to demonstrate that these reports exhibit the intention of the Model by including information necessary to

assess the risk posed by an individual using risk assessment instruments systematically and simply. Except for a few psychological assessment reports, information about individuals being assessed other than that which is required to apply a risk assessment instrument is absent from the CSC's reports. The exclusion of information believed to be extraneous to the function of the instruments and of the Model, in general, makes it easy for government officials to do their work.

Static Factors Assessment

A Static Factors Assessment report is a numerical measurement of an individual's documented criminal history (e.g., number of convictions, prison sentences, forms of community supervision), including the severity of their offences (e.g., use or threat of violence, level of physical or psychological harm inflicted, number of victims that were males or females, adults or children). The final tally of these factors applies to all events going back as far as what has been documented by the courts, the police, the CSC, and the Parole Board of Canada. A Static Factors Assessment report is prepared by an institutional parole officer who relies on documents housed in the CSC's OMS and on their personal knowledge and opinions about an individual being assessed. A score for each item is populated by the parole officer using a predetermined set of indicators. The more indicators the parole officer selects based on their interpretations of the documents they access about an individual they are assessing, the higher the score. The higher the score, the higher the risk and, thus, the higher the level of intervention needed to manage an individual's risk. The opposite outcome is also possible for lower risk scores.

Dynamic Factors Assessment

A Dynamic Factors Assessment report is a numerical measurement of an individual's documented history in relation to the following seven areas: (i) education/

employment, (ii) marital/family, (iii) substance abuse, (iv) personal emotional, (v) attitude, (vi) associates, and (vii) community functioning. This report considers whether or not an individual has previously been referred to programs to address what the CSC views as ‘deficits’ in these seven areas; that is, the documented presence of non-normal behaviours, attitudes, and/or associates. This report is also prepared by an institutional parole officer, usually the same officer who prepared the Static Factors Assessment report. An institutional parole officer relies on documents housed in the CSC’s OMS and on their personal knowledge and opinions about an individual they are assessing. This report is prepared by an institutional parole officer who only ever interacted with or observed an individual being assessed inside the prison. This point is significant because an institutional parole officer has no firsthand knowledge of that same individual in contexts outside the prison. The numerical scores for each of the seven areas are populated by an institutional parole officer using a predetermined set of indicators. The more indicators the parole officer selects based on their interpretations of the documents they access about an individual being assessed, the higher the score. The higher the score, the higher the risk and, thus, the higher the level of intervention needed to manage the risk determined to be posed by an individual based on the ‘observations/ impressions’ of the parole officer. The opposite outcome is also possible for lower risk scores.

Psychological Assessment

The Psychological Assessment reports I accessed varied significantly in terms of their length and content. This variation was dependent on who prepared the report and whether they held a position within the CSC or were on contract to the CSC (e.g., psychologists in private practice). Those officials employed by the CSC typically prepared shorter, circumscribed reports. Some reports included significant biographic and

demographic details about an individual being assessed. In these cases, narratives were offered that included social, economic, cultural, and historical factors about an individual being assessed. In all reports, however, the focus was on ‘psychological testing’; that is, on the risk assessment instrument(s) used to determine the level of risk posed by an individual. In these reports, the authors provided extensive details about: (a) the instrument(s) she or he used; (b) the risk score generated by each instrument; (c) the translation of each risk score into a risk classification; and (d) her or his interpretation of what this classification suggested for the potential of an individual to reoffend. The use of instrument(s) precluded the incorporation of information about an individual’s social, economic, cultural, and historical factors. The exclusion of such information is significant because it highlights how information included within the carceral risk classification system forms an authorized doctrine. As a result, any information that is excluded is not considered to be true or relevant to the matters at hand. Departures from the information necessary to the use of the instruments are not permitted because they are considered false or irrelevant.

Correctional Plan

A Correctional Plan report is essentially a restatement of the findings of the previous three reports—Static Factors Assessment, Dynamic Factors Assessment, and Psychological Assessment. This summative information is used by an institutional parole officer to identify an individual’s level of accountability, motivation, responsivity, engagement, and reintegration potential concerning programming and treatments inside the prison system. This information is also used by an institutional parole officer to describe objectives and expected gains on the part of an individual being assessed, and to

analyze any current carceral requests, for example, an annual detention review of an individual by the Parole Board of Canada.

The interdependency of these four reports and their quantitative emphasis do not capture contexts in which and conditions under which certain individuals committed her or his crimes. This approach thereby detaches a person writing the report not only from an individual being assessed but also from the social context in which they offended. And, as a result, this approach further detaches the CSC's responsibility from the social structure. This detachment significantly reduces the CSC's level of responsibility concerning social risks and, at the same time, it makes individual citizens more accountable for social risks (Beck, 1992, p. 50). The CSC enforces its idealized norm of conduct on the part of the person being assessed through the calculated administration of blame, by assigning responsibility to that individual to be accountable for their own behaviours and consequences of those behaviours (Beck, 1992, p. 87; Lupton, 2006, p. 12).

For the CSC to prepare a Warrant Expiry Date (WED) notification package for the EPS often requires distilling hundreds of reports and records about an individual into a sole document. This separate document is expected to stand alone as an official account about an individual. Thus, government officials inside the CSC face the challenge of selecting from thousands of pages of records and reports about individuals to produce what is seen by their administrators and carceral staff in general to be a reasonable and manageable record of those individuals. On its own, a WED notification package is seen by those preparing, disseminating, and using these documents in their daily duties to

capture only the pertinent and relevant information about a high risk individual that is necessary for an institution like the EPS to meet its legislated obligations in the Model.

Culling reams of records to generate what was seen by those advocating for and administering the Model in Stage 1 as a more manageable, condensed set of documents involves two processes. These two processes are: (1) determining what to include and exclude, and (2) rewriting reports produced by others. In the first process, through actions of inclusion and exclusion, some voices are heard while others are silenced. A significant advantage of risk assessment instruments in achieving this end goal is that their simple outputs can easily be made part of a written record. In this way, the outputs of the four stages of the Model and, correspondingly, the opinions and decisions on which they are based, become further legitimized in the document systems to which they contribute.

In the second process, rewriting reports produced by others allowed government officials to assemble a workable set of documents that can be shared among and understood by staff in other government institutions. “Workable” means that these documents were standardized, consistent, and applicable to multiple contexts. These two processes reveal how inscription was involved in the creation of WED notification packages, because these packages may provide the basis for how certain viewpoints, opinions, and biases are inscribed into reports, further establishing the practice of comparative, normalizing judgement about an individual to whom the documents related (Chua, 1995, p. 116).

The production of these documents in a standardized, consistent, and substitutable format reflects the earlier characterization of risk assessment instruments as simple, easy to use, and replicable. The uniform nature of these documents in both form and content is

significant. This characterization was observed by myself and also pointed out by police officers at my field site not only within documents prepared by staff inside the CSC but also within those produced by the police officers themselves. The sameness of documents produced by distinct and autonomous government institutions and actors appears to capture a sense of the invariability inherent in implementations of the Model more generally that I observed during field work, and that I have been demonstrating in this section. Significant to these observations is that the Model becomes operationalized in contexts outside the prison through these documents.

From an ANT perspective, the operational nature of these documents relates to their materiality within the carceral actor network because the carceral actor network is influenced and informed by those actants located and operating within it. Within the carceral network, government officials interact with other government officials and with offenders and these interactions are mediated through materials such as reports, documents, or classifications. That is to say, if these material things disappear, so, too, would the social ordering and function of this network. The synergistic roles of these people and things are significant to understanding the structure and operation of the CSC and how certain individuals have come to be positioned within the carceral network.

One of the dominant features of the Model's document system is the professional authority granted to document creators. This professional authority is exhibited in the ways officials established with authority what information about an individual was relevant or irrelevant to the end products they generated.⁴⁶ This legitimacy of facts was

⁴⁶ Michael Bhaskar (2016) refers to the simple act of selecting information to form the basis for critical decision making processes as 'the power of selection'. Similar to the observations I make in this

enhanced when, as one police officer noted, the documents they relied upon to secure a section 810 order were produced predominantly by individuals whom they referred to time and again as “the experts inside the CSC”—in particular, psychologists.

The Model and Expert or Scientific Knowledge

In the previous section, I identified two main things on which the function and stability of the Model is contingent—(1) the use of instruments in the four stages of the Model to assign risk classifications, and (2) the creation of documents based on the outputs of these instruments that move between these four stages and across institutions within the Canadian criminal justice system. These two things were constructed within government institutions by a central group of actors who claimed to be experts in the field of risk classification. Through these claims, this group of actors established an authoritative position from which they influenced carceral practice related to the control and regulation of certain groups of people. In this section, I illustrate the agency of those who claim to possess such expert or scientific knowledge within the Canadian criminal justice system, and I highlight the implications this authority has for how risk in certain populations is responded to based on this knowledge and for the work of those who are seen not to possess this knowledge at the same time as they are required to implement the Model.

Stevi Jackson and Sue Scott (2000) note that both formal and informal social control are based around expert or scientific knowledge and advice. The Model and related pieces of legislation and regulations are not only the product of formal sources

dissertation, Bhaskar notes that the consequences of these decisions in, for example, government policy, is increasingly and broadly experienced by those to whom it relates.

and policy makers but are in keeping with expert or scientific advice. The purpose of the Model is to equip government officials with the instruments and the knowledge required for them to make efficient, practical choices when faced with risk decisions. Rose and Miller (2010) understand this approach to be a form of regulation. Expert or scientific knowledge is used in the Model as a basis for risk avoidance (i.e., the precautionary principle).

Examining the roles of government officials in relation to practices and processes attributed to the Model presented thus far in this chapter allows me to present the ways those who claim to possess expert or scientific knowledge within the Canadian criminal justice system came to have ‘agency’ (Latour, 1986, p. 5). This agency is captured by the assignment of a risk score and a risk classification and the development of a risk management plan on which significant decisions about the individual to whom they relate and that individual’s future are made. The effects of such practices and processes by these government actors are sociologically significant because they resonate beyond the institutions making up the criminal justice system and into communities where everyday citizens generally play the role of upholding the framework for normative behaviours against which certain populations are measured (Young, 2008).

In the Model, expert or scientific knowledge is closely tied to its architects and the developers of risk assessment instruments and, to a lesser degree, users of these instruments. Skills associated with expert or scientific knowledge related to these instruments are seen as the product of training offered neither by the government nor by the various government institutions that are mandated to use these instruments. Instead, training is offered by the instrument developers and their surrogate trainers. Some

instrument developers offer training directly (*The Hare PCL-R Training Program*, n.d.), while others simply *recommend* that the users of their instrument(s) obtain training from a list of ‘certified trainers’ before scoring real cases (*Static-99*, n.d.).

Even though these instrument developers and other training providers *recommend* that instrument users obtain some form of professional training related to the instruments, proof of training is not a prerequisite to gain access to the instruments’ manuals and score cards. While one only needs score cards and, to a lesser degree, manuals to complete one’s work in the Model, four police officers viewed training offered by instrument developers and private agencies, along with the credentials they received upon completion of such training, to be indicative of the specialized training they sought to claim they had the expert or scientific knowledge necessary to fulfill their obligations as instrument users. Not all officers I spoke with had attended training or received these credentials, but these forms of training factored largely into their ongoing skill development plans.

The most common forms of instrument training are the manuals, guides, or sets of instructions that accompany each instrument. These materials are expected to guide an instrument user through the steps necessary to fill out an instrument’s score card. These manuals, guides, and score cards must be purchased directly from the instrument developers, usually over the internet through online shops hosted by instrument developers or proxies. In addition to these resources, training in the form of fee-based webinars, distance learning modules, in-person seminars, and conferences are offered by instrument developers and, more increasingly, by those who claim a high degree of skill with the instruments. These claims have led these individuals to situate themselves in

Canada and globally as professional trainers (*Static-99*, n.d.; *The Hare PCL-R Training Program*, n.d.). Other for-profit, stand-alone agencies offer in-person, in-house, and web-based training run by instrument developers or on their behalf.⁴⁷ As noted earlier, many of these instrument developers are psychologists who work, or worked, within the CSC, Public Safety Canada, academia, and the for-profit private sector.

Through the location of some instrument developers inside government institutions, these individuals are well-positioned to maintain the legitimacy and dominance of their instruments and of the Model more generally. Many of the positions held by risk management experts, instrument developers, and some of the more expert instrument users (i.e., psychologists) have seized on shifts and tensions within Canada's criminal justice system to promote a pragmatic, managerial approach to offender risk classification as highlighted in earlier discussions. Through the lens of ANT, this central group of actors possesses both the authority and control to exert power over decision making processes related to their instruments resulting in more self-interest and opportunism. This situation is problematic because it has led to broader circumstances being neglected—specifically, cultural factors (Stoker, 1998)—by instrument developers and, thus, by instrument users. These issues are discussed in more detail concerning recent court rulings in Chapter 3.

One strategy pursued by self-labelled experts and by more 'experienced' instrument users (i.e., psychologists employed by or under contract to the CSC) across the carceral system is the construction of their claims about scientific validity and

⁴⁷ For example, web-based and in-person training are offered by Protection International Risk and Safety Services, formerly ProActive ReSolutions, in Canada; Concept Professional Training in the United States; and Global Institute of Forensic Research in France.

credibility (Haag et al., 2015, 2016; Kropp, 2008; Otto & Douglas, 2010; Quinsey et al., 2006, 2015). Scientific credibility reflects the extent to which science, in general, is recognized as providing reliable information about the world in a way that is reproducible (Bocking, 2004). Scientific credibility concerning risk assessment is typically associated with the fields of psychology, statistics, and actuarial science as the trustworthiness and expert or scientific knowledge of the person providing the information (Schweitzer & Ginsburg, 1966). Scientific credibility is commonly based on the acquisition of scientific competence such as credentials, certification, or quality of information, namely where an individual's work has been published (i.e., reputable, academic, peer-reviewed journals). The conditions for the emergence of such perfunctory understandings of expertise can, possibly, be connected to issues concerning the exclusionary power of instrument developers in terms of the black boxed nature of their instruments. Black boxing is practiced by developers who make proprietary claims about the retention of authority over the 'data' and the 'science' behind their instruments.

Due to proprietary claims and the withholding of data, methods, and science on which instruments used in the Canadian criminal justice system are based, ascertaining the validity of claims around expert or scientific knowledge is much more difficult for those not regarded as capable of generating the knowledge on which their mandated objectives rest. Further, end users are not able to scrutinize these instruments under the current conditions where data are routinely "cleaned" and aggregated, and where the protocols used to do so are intentionally concealed by instrument developers (Hanson et al., 2016, 2017, p. 588; Helmus et al., 2009, p. 2). In the Model, then, the acquisition, maintenance, and dominance of expert or scientific knowledge are revealed in this study

to deny other actors, such as the police, from actively participating in the processes and practices they are mandated to follow.

This denial of active participation is important for those mandated to use these instruments because the psycho-statistical approach to offender classification is significantly more closed to scrutiny and social interaction than its clinical counterpart. As a result of this denial of active participation, front line officials inside the CSC and the police operate at a further remove from the architects of the Model and instrument developers. Because of the distance generated by this shift, front line officials inside the CSC and police officers are unable to inquire about, examine, or challenge certain processes or practices and, more significantly, to offer their knowledge, experience, and opinions about critical matters related to their work. As a result of this positioning, these officials are also operating at a further remove from high risk individuals. In this way, through the Model, users who have an ethical responsibility to be critical of the processes and practices thrust upon them essentially circumvent this responsibility when they accept the judgements of the experts and the outputs of the instruments.

Due to their configured actions and experiences related to the repetitiveness of their duties in the Model, instrument users do not know *how* risk classifications are arrived at, only what they are. This point reveals the ambiguity of expert or scientific knowledge concerning the Model. Meanwhile, the Model is used by those in positions of authority to make life-altering decisions for certain groups of people. This current reality further removes the possibility for the establishment of a critical positive feedback loop or of a space for reflexivity that can, possibly, enhance understandings and evaluative capabilities of the Model, its implementations, and its users (Bourdieu, 1980; Bourdieu &

Wacquant, 1992). These considerations highlight the influence of political views which emphasize the adoption of more controlling approaches to risk premised on a 'gain versus loss' logic. As Lupton (1999, p. 85) notes, in managing and controlling risk, risk is created. These new risks are significant because they capture how the Canadian government's willingness to err on the side of caution when controlling risks through strategies of governance related to the Model can, possibly, lead to injustice. This possibility is taken up in Chapter 3.

Through its design derived from a psycho-statistical, carceral, administrative logic, the Model articulates problems in the contexts, opinions, and modes of its architects and instrument developers, thereby prioritizing what these actors, not the Model's end users, deem to be necessary. Evidence of this influence was observed in the field when police officers would defer to the judgements of other government actors, namely instrument developers, based on the other individuals being viewed as more experienced in risk assessment and risk classification. In this way, these police officers saw themselves as separate from or not as a part of a specific group of actors (i.e., instrument developers and architects of the Model). Rather, the police saw themselves as concretely situated in the carceral actor network of 'instrument users'.

From this observation, the Model comes to be understood sociologically through the lens of ANT as a form of exclusion and inclusion (Bourdieu, 1991; Bowker & Star, 1999, 2000; Kemshall, 2008; McCann, 2011). The Model excludes those outside the expert corpus from actively participating in instrument development, testing, or evaluation. This exclusion highlights the Model's monopoly of professional authority and resources. This exclusion is also captured by the fragmentation of work across

professions in the Model, with a preference for psychology and statistics. The dialectical relationship between inclusion and exclusion further leads to thinking about a difference between a classification and its subsequent application in practice. This difference is important to understanding classifications related to offender management and Canada's criminal justice system more generally, because "even when everyone agrees on the way the classifications or standards should be established, there are often practical difficulties about how to craft their architecture" (Bowker & Star, 2000, p. 161).

Political, Ethical Considerations

This comprehensive contextualization of the Model and its related instruments, practices, and processes in the Canadian context alerts us to the importance of certain political, ethical considerations.

First, the unclear guidance offered by instrument developers to instrument users, in general, leads to ethical issues about the outputs of risk assessment instruments and their applications for making life altering decisions about certain populations and their futures. Second, the associated practice whereby certain information about an individual to whom a risk classification is assigned is excluded, intentionally or otherwise, through the application of these instruments by government officials raises concerns about the ethical obligations of these same government officials to question their processes and practices as they relate to the lived realities of individuals under their jurisdiction. Thus, it is an ethical, political issue as to whether something can be found or not found in the documentation concerning carceral risk classification systems in practice.

Finally, the issue of production for profit as it relates to proprietorial risk assessment instruments is sociologically significant for two reasons. First, instrument

developers are positioned to promote their instruments and, thus, to profit from their use as they accumulate wealth both financially and professionally. The profits generated by the sale and use of these instruments are appropriated by the instrument developers, not the government institutions who are funding them through their ongoing commitment to purchase and demand their staff use them. The reinvestment of this capital is, therefore, at the discretion of instrument developers. Second, through the use of instruments purchased by government institutions from the private sector (i.e., privatization), certain government institutions have delegated significant power to private actors. This delegation is sociologically significant because certain powers given to the private sector, for example, risk assessment and risk management share an element of coercion. A constitutional concern is raised here because the private delegation of governmental powers can create risks to democracy, accountability, and human rights. Thus, governmental controls on delegation of powers are necessary to provide a balance between possibly competing interests (Donnelly, 2009).

These political, ethical considerations relate not only to the implementation of the Model inside Canadian prisons; rather, they have far reaching consequences for a range of government officials who rely on its outputs and for certain individuals governed by these outputs as they are taken up outside Canadian prisons and outside Canada.

Conclusion

Contextualizing the Risk Management Model currently in use in Canada's criminal justice system through the lenses of the risk society and ANT allowed me to render visible larger processes and practices at work in carceral risk classification. Tracing out the roots and history of the Model allowed for its four stages (risk

assessment, risk score, risk classification, and risk management plan) to be articulated as they relate to the Model's instruments and documents, and to be framed within its varied contexts of use inside the prison and the community. By treating each of these features of the Model individually, a clear picture emerges of the role the Model plays in how decisions are made about high risk individuals and, more substantively, how knowledge produced in documents generated by the Model's instruments inform the practices, processes, and claims of expert or scientific knowledge possessed by staff inside prison as well as by the police in the community in very distinct ways. By describing activities of these actants and actor networks, I demonstrate not only that distinct understandings of risk constructed nearly forty years ago continue to be maintained by a specific group of actors within the carceral system, but also that these understandings of risk remain largely uncontested in the Canadian criminal justice system more broadly.

As the result of laying this contextual ground work, I addressed how the dominant realist perspective of risk in Canada's carceral system—privileging expert accounts and holding the individual accountable for risks they are believed to pose—creates conditions for managing risk to possibly be used as an instrument of control which could unjustifiably contribute to disparities in outcomes for certain individuals and/or groups. This potential for injustice draws attention to the extent to which several of the Model's instruments are now being challenged before the courts in Canada and the United States. These legal challenges are examined in the next chapter through three major, related cases in Canada.

Chapter 3: Legal Challenges

The previous chapter discussed the Risk Management Model in significant detail, presenting how a dominant realist perspective of risk (based on expert or scientific knowledge) in Canada's carceral system and corresponding responses by government institutions to risk are politically constructed, and how individual responsibility is attached to risk. From these contextual details, I identified a possibility that the Model could be used by government officials as an instrument of control. I argued that such implementations of the Model could contribute to disparities in outcomes for government officials in their mandated work (i.e., risk classifications) and, consequently, for certain individuals and/or groups governed by these same government officials. In this short chapter, I further contextualize the Model by illustrating how some individuals inside the carceral system who claim to possess expert or scientific knowledge and status, and, more important, the instruments they have developed to classify risk in individuals within correctional institutions, have recently been challenged in Canadian courts and elsewhere.

In June, 2018, the Supreme Court of Canada ruled that the Correctional Service of Canada's (CSC) use of five of the more widely used risk assessment instruments (PCL-R, VRAG, SORAG, Static 99, and VRS-SO) to assess levels of risk for First Nations, Métis, and Inuit inmates violated section 24(1) of the *Corrections and Conditional Release Act*. This section of the *Act* requires the CSC to conduct studies on the tests that psychologists use to assess offenders under its jurisdiction (*Ewert* SCC at para 91). As a result, the CSC is prohibited from using these five instruments to assess First Nations, Métis, and Inuit inmates.

The legal challenges and related decisions rendered by the courts that led to this Supreme Court ruling are discussed through an examination of three major, related Canadian legal cases in succession. By exploring these legal cases through the lenses of the risk society theory and actor network theory (ANT), I illustrate a growing concern around cultural insensitivity exhibited by several risk classification instruments currently used by the CSC. Through this examination, I spotlight the CSC's position in relation to the use of impugned instruments. I also spotlight a lack of research into these issues on the part of the CSC, a concern raised repeatedly by those external to the CSC going back to the year 2000, and the implications this failing has for those working in the Model and those whom it regulates.

Legal Challenge Round One – Federal Court⁴⁸

My field work began in 2016, just after the landmark Canadian Federal Court ruling, delivered by Justice Michael L. Phelan, in *Ewert v. Canada*, 2015 FC 1093 (*Ewert* FC). This case allowed an action against the CSC for an unjustified violation of a plaintiff's 'right to life, liberty, and security of the person' under section 7 of the *Canadian Charter of Rights and Freedoms* (1982). The plaintiff in this case was a fifty-three-year-old Métis prisoner named Jeffrey Ewert. Ewert is currently serving two concurrent life sentences for second-degree murder and attempted murder for strangling and sexually assaulting two women in two separate incidents in 1982, with time added to his prison sentence for escape from custody.

In this action against the CSC, Ewert alleged that five risk assessment instruments used by the CSC were (and are) not culturally appropriate for First Nations, Métis, and

⁴⁸ It is not the intention here to debate the technicalities of these and other similar rulings, as such issues are taken up by others (Franklin, 2012; Matychuk, 2016; Native Law Centre, n.d.).

Inuit prisoners like himself. Ewert argued that these instruments were not culturally appropriate because they did not take his cultural uniqueness into account.⁴⁹ In *Ewert FC*, the following five risk assessment instruments were challenged: (i) PCL-R (Hare Psychopathy Checklist Revised, to evaluate the presence of psychopathic traits); (ii) VRAG (Violence Risk Appraisal Guide, to evaluate risk of future violence); (iii) SORAG (Sex Offender Risk Appraisal Guide, to evaluate risk of sexual violence/offending); (iv) Static 99 (to evaluate risk of sexual violence/offending); and (v) VRS-SO (Violence Risk Scale-Sex Offender, to evaluate risk of sexual violence/offending) (see also Chapter 2, Table 1).

Specifically, Ewert claimed that the CSC's use of these instruments had an adverse effect in relation to his eligibility for parole. Ewert had been consistently classified by the CSC as an 'undue risk to society'. This classification rendered him unlikely to be granted parole in future hearings. Ewert consistently opted out of parole hearings for over twenty years because "his high score meant likely rejection and once rejected, subsequent parole applications would be difficult, if not impossible" (*Ewert FC* at para 60).⁵⁰

In this legal case, both the individual instruments themselves and the notion of expert or scientific knowledge in relation to testimonial evidence about these instruments

⁴⁹ Similar challenges have been raised by inmates in *R. v. Haley*, 2016 BCSC 1144, and in *R. v. Awasis*, 2016 BCPC 219.

⁵⁰ The court rulings use the terms 'tests' or 'psychological tests' to describe the risk assessment instruments used by the CSC. For clarity in the context of this dissertation I consistently use the term 'instruments'. The court rulings also interchange the terms 'Indigenous' and 'Aboriginal'. I acknowledge the term 'Indigenous' here in order to show respect for how the individuals I encountered in case files identified themselves and in acknowledgement of Canada's role under the *United Nations Declaration of the Rights of Indigenous Peoples*. However, in Canada it is important that we consistently, when possible, refer to Indigenous peoples of this land as First Nations, Métis, and Inuit, and I do so throughout this dissertation as appropriate to the discussion (Younging, 2018).

were directly challenged. This legal challenge called attention to the ordinarily invisible, common practice of classifying individuals under the jurisdiction of the CSC. Because these instruments have become an object of contention, they have been rendered visible through this and other legal challenges as exhibiting an ethical dimension in relation to those who create them, those who mandate their use, those who use them, and those to whom they are applied (Bowker & Star, 1999, pp. 2, 3, 5).

The validity of claims made by certain actors within the carceral system was directly challenged in this case when the Court largely dismissed testimony offered by two defence witnesses for being too narrow and for lacking objectivity (*Ewert FC* at paras 52 & 70). These defense witnesses were Marnie Rice (1948-2015), a clinical psychologist who had conducted research with the CSC and other government agencies; and Laurence Motiuk, former Director General of the Research Branch of the CSC and current Assistant Commissioner of Policy for the CSC. Both Rice and Motiuk had contributed to the development and implementation of risk assessment instruments currently in use by the CSC. Thus, Rice and Motiuk were members of a central group of actors in the carceral actor network whose ideas, values, opinions, and rhetoric had been inscribed into these instruments.

During her testimony, Rice failed to disclose to the Court that she was involved directly in the development of two of the instruments under challenge, SORAG and VRAG. The Court deemed this concealment as further grounds for dismissing her testimony (*Ewert FC* at paras 42 to 52). The Court claimed to have “put little weight on the evidence of Dr. Rice,” adding that “Dr. Rice’s evidence was so infirmed [*sic*], so inconsistent with the role of [the] CSC and so infused with a singular narrow view that it

was not helpful to the Court or even to [the CSC]” (*Ewert FC* at para 24). In its dismissal of Rice’s testimony, this Court confronted a dominant, “frozen organizational discourse” (Bowker & Star, 1994, p. 187) of the Canadian criminal justice system centered around actuarial, positivist understandings of offender risk that are both premised on and legitimized by a central group of actors who claim to possess the expert or scientific knowledge on which these instruments and the Model were based.

This confrontation is significant because it calls into question not only the black boxing strategies that have allowed the Model to achieve and maintain stability over an extended period of time, but also the people and institutions behind these strategies. These people and institutions comprised a central actor network with a primary intention to ensure the maintenance of a particular understanding of risk and responses to risk within the Canadian criminal justice system. These understandings emerged through the construction of ‘facts’ based on these central actors’ world views (Latour, 1987; Latour & Woolgar, 1979). In interrogating these instruments, the Court was interrogating not only the ‘facts’ on which these instruments are based, but also the basis of these ‘facts’ in assumptions and assertions made by people who claim to possess expert or scientific knowledge on the topic of risk assessment and risk classification.

During Motiuk’s testimony, he attempted to de-emphasize the role of the impugned instruments and the use of risk assessment instruments in general (*Ewert FC* at paras 69-70). Motiuk admitted, however, that an inmate’s test scores which are generated by the use of these instruments must be taken into account by relevant decision makers inside the CSC in determining an inmate’s overall security rating (*Ewert FC* at para 70). While this practice of using instruments on inmates by the CSC is common knowledge,

Motiuk's attempt to de-emphasize the extent to which the CSC relies on outputs of risk assessment instruments in practice is revealing because, as seen in Chapter 2, these instruments and their outputs are central to the Model which has been guiding carceral practice formally since 1992. Though unintended, Motiuk's testimony directly supports this study's findings which highlight that the mandated use of psycho-statistical-derived risk assessment instruments is not only common and pervasive in our carceral system, but that extensive use of these instruments markedly influences serious decisions related to individuals under the jurisdiction of the CSC, and other government institutions such as the police.

In contrast to this Court's dismissal or minimization of evidence offered by Rice and Motiuk, it accepted evidence presented by the plaintiff's expert witness, Stephen Hart, a psychologist formerly employed by the CSC. Hart is the creator of an instrument called HCR-20, one of the more prevalent psycho-statistical risk assessment instruments used by the CSC (see Chapter 2), yet this was not one of the instruments under challenge in this specific legal case. According to this Court's ruling, Hart's testimony was deemed credible when compared to that of the earlier noted two defense witnesses on two grounds. First, the Court declared:

Hart is a professor of psychology at Simon Fraser University in Burnaby, British Columbia; a visiting professor of psychology at the University of Bergen, Norway; and a threat assessment specialist at ProActive Re Solutions [*sic*] Inc in Vancouver. He was qualified to give opinion evidence in the area of the development, design, application, evaluation, validity and reliability of actuarial and psychological instruments used by [the] CSC, including the PCL-R, VRAG, SORAG, VRS-SO, Static 99 and their variants (*Ewert FC* at para 25).

Second, the Court characterized Hart's expert evidence as credible, noting that it was "balanced, objective, [...] despite the defendant's criticism that [Hart] cited no studies" (*Ewert FC* at para 26). The Court did, however, concede that evidence offered by Hart

and Rice as “expert witnesses” and by Ewert and Motiuk as “fact witnesses” was “a thin record on which to decide whether certain psychological tests administered by [the] CSC infringe prisoner rights” (*Ewert FC* at para 3).

The Court’s characterization of expert testimony, as it relates to central actors in the carceral actor network like Rice, Motiuk, and Hart, highlights an important point emphasized in Chapter 2, that carceral understandings of the notion of expert or scientific knowledge remain ambiguous in our judicial system. From the vague characterization offered by this Court of what *is* or *is not* an expert witness, it remains unclear whether or how the norms that the Court relied on to render its judgements around the notion of expert or scientific knowledge were different from, or similar to, those informing and regulating the instruments in question. All three expert witnesses were part of a central group of actors in the carceral actor network that privileges the dominant realist perspective of risk of future offending and holds individuals accountable for risks they are believed to pose. All five instruments under challenge in this case were informed by this central group’s views. The only observable distinction by the Court amongst these three witnesses was that credibility was attributed to one instrument developer, Hart, whose instrument was not under challenge in this case.

On the basis of Hart’s testimony as credible evidence, the Court accepted the five instruments under challenge as being susceptible to cultural biases. As a result, these instruments were deemed unreliable predictors of risk of future offending for First Nations, Métis, and Inuit inmates. The Court ruled that Ewert raised a reasonable challenge in relation to the use of these instruments on him by the CSC. From this ruling, the Court determined that the burden shifted to the CSC to show it had taken reasonable

steps to fulfill its statutory duty to ensure the accuracy of the instruments it used on individuals under section 24(1) of the *Corrections and Conditional Release Act*. The Court further noted that the CSC's problematic use of culturally biased instruments on certain offender populations was not a new phenomenon:

This is not an issue which [the] CSC missed inadvertently. It has been a live issue since 2000, has been on [the] CSC's 'radar screen', and the subject of past court decisions where the Court contemplated that some similar type of confirmatory research was being conducted. It is time for the matter to be resolved (*Ewert FC* at para 84).

The Court further noted that the CSC had failed to take appropriate action to address this ongoing issue of concern with the use of instruments in relation to all offender populations (see Correctional Service Canada, 2013b, 2013a, 2017a).

Recounting a Federal Court ruling from ten years earlier, Justice Phelan noted that there "was no evidence that [the] CSC had completed the research referred to by Justice Beaudry in *Ewert v Canada (Attorney General)*, 2007 FC 13, 306 FTR 234, and anticipated by the Federal Court of Appeal in the appeal of Justice Beaudry's decision (*Ewert v Canada (Attorney General)*, 2008 FCA 285, 382 NR 370)" (*Ewert FC* at para 72). Thus, the CSC had failed to, and continues to fail to, conduct any research into the use of these instruments, specifically with respect to First Nations, Métis, and Inuit offenders, and sex offender populations (*Ewert FC* at para 3). These are the offender populations in which *Ewert* was classified. The Court noted that the CSC had failed to take "all reasonable steps" to ensure that information about such offender populations were "accurate, up-to-date and as complete as possible" (*Ewert FC* at para 81).

The Court ruled that until the CSC assessed the fairness of the five instruments under challenge, the CSC could not use those instruments on First Nations, Métis, and Inuit inmates. The Court stated this ruling was in effect until, "at minimum, the [CSC]

conducts or has conducted a study that confirms the reliability of those tools in respect to adult Aboriginal offenders” (*Ewert FC* at para 114). Further to the results of this research being made available to the Court, the CSC was “enjoined from using the results of the assessment tools in regards to [Ewert]” (*Ewert FC* at para 116).

Testimonies offered in this case highlight the significance of unfulfilled research plans by the CSC related to outcomes of individuals under its jurisdiction. When addressing an absence of research conducted by the CSC into the instruments in question, Motiuk stated he “was aware of concerns about cultural bias in assessment tools” (*Ewert FC* at para 73). The Court noted, however, that Motiuk had “shifted responsibility in regard to these tools to the psychologists retained by [the] CSC—a shifting of responsibility not countenanced by the legislation,” that is, the *Corrections and Conditional Release Act*. It is not countenanced by the legislation because the CSC remains accountable for the use of these instruments on individuals under its jurisdiction (*Ewert FC* at para 71). The Court also ruled that this lack of research is not countenanced “by budgetary concerns,” as claimed by Motiuk (*Ewert FC* at para 72).

Anxieties raised by this Court around an absence of research by the CSC in the past two decades or more spotlight concerns about the wider applicability of the Model and its instruments as a result of both their mandated implementations and their appeal to a wide range of users as easy to use. These issues were largely ignored previously inside the CSC, with attention instead focused on achieving a complete adoption of the Model’s perspective across Canada’s criminal justice system. This concern was also raised in subsequent court rulings and I address the issue of a lack of research and implications for

actors who use the instruments and to whom they are applied in the section following this examination of court rulings.

Legal Challenge Round Two – Federal Court of Appeal

The story with these five instruments and expert testimony, however, did not end in the Federal Court, as the CSC appealed the Federal Court's decision before the Federal Court of Appeal (FCA). In *Canada v. Ewert*, 2016 FCA 203 (*Ewert FCA*), Federal Court of Appeal Justice Eleanor R. Dawson overturned Justice Phelan's decision. The basis for Justice Dawson's ruling was two-fold.

In the first part of her ruling, Justice Dawson found that Justice Phelan had failed to require the plaintiff (Ewert) to meet the necessary burden of proof. According to Justice Dawson, Ewert had to establish his claims on a balance of probabilities that the instruments suffered from cultural bias. Therefore, a ruling requiring the CSC to ensure the five instruments' fairness was not required. Further, Justice Dawson dismissed Ewert's social and cultural experiences as anecdotal or unreliable, since they were deemed not to offer the Court evidence in line with the current psycho-statistical, scientific paradigm.

With this opinion, Justice Dawson revealed her deference to the earlier discussed 'frozen organizational discourse' of the criminal justice system around offender risk that is centered around actuarial, positivist understandings of offender risk that are premised on and legitimized by a central group of actors who claim to possess expert or scientific knowledge related to these instruments. This Court's finding further inscribed this discourse into practice in the carceral system where these instruments are widely used to make life altering decisions for certain individuals.

From this perspective, in order for Ewert to be able to present the Court with the additional evidence which Justice Dawson deemed necessary to support his claim, Ewert would require an assessment of the psycho-statistical risk assessment instruments under question to be conducted. But, as Hart testified in the previous case, no such research exists (*Ewert FCA* at para 23). Hart further testified that “[i]t is hardly practical for an individual litigant to engage in this type of analysis. Given the CSC’s legislated mandate [...] it is an activity more appropriately commissioned by [the] CSC” (*Ewert FC* at paras 34 and 35).

Under this appeal ruling, Justice Dawson placed the burden of proving institutional bias related to the use of these instruments with Ewert (the prisoner), not with the CSC (Matychuk, 2016). Determining either the presence, or the absence, of cross-cultural bias requires critical assessments of instruments that, as Hart’s testimony highlights, only the CSC is capable of commissioning and providing to the Courts. This observation also relates to the discussion in Chapter 2 concerning claims of a proprietary nature and black boxing practices on the part of instrument developers which have prevented anyone from placing their data, methods, and science under scrutiny. This observation is also in line with Beck’s thesis that individual responsibility is attached to risk and the calculated administration of blame (Beck, 1992, p. 87; Lupton, 2006, p. 12). This detachment significantly reduces the CSC’s level of responsibility concerning social risks and, at the same time, it makes individuals like Ewert more accountable for risks (Beck, 1992, p. 50). This is significant because it further reduces the CSC’s level of responsibility concerning its risk classification practices which have far reaching effects for those individuals under its jurisdiction. It is also significant because public

interpretations of risks hinge on information provided to them by social institutions and experts which are critically involve in the assessment and classification of risks (Beck, 1992, pp. 30, 161).

For Beck (1992, 1997), science has always been central to the development of society. As a result, those who claim to possess scientific or expert knowledge have become the mouthpiece through which risks are communicated to the public. Scientific and governmental experts therefore not only define risks, but are also responsible for any debates about risks. In keeping with this perspective, under this Court's ruling, for an inmate such as Ewert and his legal team to engage fully with overdue critical research on the CSC's use of risk assessment instruments two things would need to happen. First, they would need to undergo a form of metamorphosis to become a type of carceral 'expert'. They would need to be able to speak credibly in the language of current experts. Second, they would need to be able to pull back the veil within all stages in the Model in order to see and become adept at the psycho-statistical data, methods, and science behind the instruments that determine an individual's classification and decide their future.

Having identified science and scientific experts as the center of risk definition, assessment and inquiry, Beck sees information about risks as moving unidirectionally from the experts to the lay public. Consequently, Beck (1992, p. 30) argues that social movements raise questions that are not answered by the risk experts at all, and the experts answer questions that miss the point of what was really asked and what feeds public anxiety. Yet, in direct opposition to Beck's claims, evidence of laypersons transforming themselves into field experts exists, as seen in Steven Epstein's study of AIDS activists (1995) and Emma Whelan's study of endometriosis patients (2000). Both of these studies

examine the mechanisms and tactics by which non-scientific and non-medical laypersons (e.g., activists and patients) have come to lay claim to the realm of science, have constructed their credibility in the eyes of scientific and medical researchers and government officials, and have become important players in scientific and medical research communities. While examples like these exist, the likelihood that an individual who has spent more than thirty years incarcerated inside Canada's correctional facilities would be able to qualify and quantify the validity of instruments used to predict risk for First Nations, Métis, and Inuit offenders is questionable. This unlikelihood is more pronounced after decades of intentional concealment and a lack of research and testing required to fulfill the CSC's obligations under the *Corrections and Conditional Release Act*.

Inmates likely have little faith in this decision. This speculation is in line with Beck's (1992, p. 156) contention that as a consequence of failure of government institutions to demonstrate how they calculate and control risks, individuals come to distrust the rationality and motives of these institutions. The CSC's lack of an ongoing commitment to research related to the instruments it uses is significant because it allows the CSC to circumvent responsibility with respect to social risks related to reoffending. Beck (1992, p. 50) calls this circumvention 'organized irresponsibility'. The CSC circumvents responsibility by making certain individuals accountable for these risks, and, more generally, individual citizens more accountable for social risks (Beck, 1992; Ewald, 2002; Lemke, 2001).

In the second part of Justice Dawson's ruling, she held that evidence was still required to support Ewert's claim adequately by showing that "cultural bias affected or is

more likely than not to affect test usage or the reliability and validity of the resulting test scores in a material way” (*Ewert* FCA at para 27). Justice Dawson required proof not only that bias existed in the instruments, but that the bias was substantial and affected First Nations, Métis, and Inuit inmates in a negative way. Unlike Justice Phelan, Justice Dawson was not persuaded by expert evidence offered by Hart. Once again, the basis for this Court’s ruling reveals ambiguity surrounding understandings of expert or scientific knowledge experienced in our judicial system. These varied understandings are problematic for two reasons. First, they reflect the influence of a central group of actors inside the carceral actor network that has informed and guided actions around risk and responses to risk. Second, these interpretations are relied upon to determine and legitimize practices and processes around which significant decisions about certain groups of individuals and their futures are made, both inside prisons and communities.

The Model and its instruments gained significant support from the Court through this ruling on two grounds. First, the notion of bias related to these instruments was seen by this Court to be inconsistent with the dominant discourse around risk to reoffend within statistics and psychology; that is, the view that risk can be calculated and regulated. This Court accepted the psycho-statistical logic of these instruments and the Model to be ‘fact’ (see Chapter 2’s discussion on the ‘construction of facts’). This acceptance meant that the Court allowed no room for the consideration of other factors, such as cultural or historical factors about an individual to whom the instruments are applied. Rather, as noted earlier, this Court deemed such particular, individualized information and experiences to be anecdotal and/or unreliable on the basis that they do not conform to the current psycho-statistical, scientific paradigm of carceral risk

classification practice. Thus, with this Court's consent, the lived reality of an individual to whom these instruments are applied is not captured by these instruments. Rather, these personal, individual factors continue to be excluded from discourses and practices related to carceral risk classification practice on the whole. Through this Court's sanctioning of the regular use of these instruments on certain populations to make significant decisions about their freedoms and futures, these instruments and the science on which they are based gained considerable support from this ruling.

A second way that the Model and its instruments gained significant support from this ruling was observed in how government agents inside the CSC were able to enlist allies from a central group of actors responsible for establishing and maintaining the dominant discourse around risk to reoffend within statistics and psychology. From the lens of ANT, the participation of these allies spotlights how processes and practices related to government actors and instruments within carceral actor networks are strengthened and maintained. Within these networks, government actors interact with other actors, both inside and external to the CSC, and with those individuals under the jurisdiction of the CSC. These interactions are mediated through the use of instruments (non-human things). This configuration provided the basis for a socio-technical account of processes and practices involved in risk classification inside the CSC. Further, the removal of either the social (government actors, other actors, or individuals under the jurisdiction of the CSC) or the technical (instruments) from these actor networks would lead to a disappearance of the networks and of the social ordering of these networks. Thus, this Court's ruling prevented any possible destabilization of practices and processes related to the use of risk assessment instruments in the Model inside the CSC that have

dominated for nearly forty years. Following this ruling, these five instruments continued to be used by the CSC for all incarcerated offenders, including First Nations, Métis, and Inuit offenders.

But, the practices of construction of these and many more risk assessment instruments applied to distinct individuals has yet to be revealed to their users, to the individuals to whom they are regularly applied, and to the general public. As a result of this Court's ruling, Ewert and other similarly categorized First Nations, Métis, and Inuit inmates continue to find themselves in a state of uncertainty and subject to court sanctioned uses of potentially culturally biased instruments in determining their futures. Without a court order, the CSC has very little motivation to perform research into these instruments. To do so might call into question the integrity of the entire Model.

Such a pivotal, far-reaching inquiry may reveal potentially unjust effects for certain individuals resulting from implementations of the Model. Such a negative revelation could, possibly, bring long-standing practices and processes across the Canadian criminal justice system to a halt. But, as I demonstrated earlier and in Chapter 2, such a discovery has a potential to usher in collective and collaborative participation by actors both inside and outside dominant carceral actor networks. More significant, this cooperative approach could provide an opportunity for the system more generally to begin to address, and perhaps to begin to modify, outmoded, positivist carceral understandings of risk and of certain groups of people that guide much work towards controlling risk and these groups of people within the system.

Legal Challenge Round Three – Supreme Court of Canada

In 2017, Ewert appealed Justice Dawson’s ruling and the case was heard before the Supreme Court of Canada (*Ewert v. Canada*, 2017, SCC 37233). Overturning the Federal Court of Appeal ruling with a seven-to-two judgement delivered on June 13, 2018, the Supreme Court of Canada found that the CSC’s use of psycho-statistical risk assessment instruments “may overestimate the risk” posed by First Nations, Métis, and Inuit inmates. This Court found that this overestimation “could unjustifiably contribute to disparities in correctional outcomes in areas in which Indigenous offenders are already disadvantaged” (*Ewert* SCC at para 65). The Court further found that the use of these instruments could also “contribute to reduced access to rehabilitative opportunities [...] and] could bar an inmate from participation in Indigenous-specific programming [...] or being eligible for an escorted temporary absence” (*Ewert* SCC at para 65). Although not addressed by this Court, or the lower two Courts, the opposite outcome is also possible where the use of these instruments could contribute to increased access to rehabilitative and treatment program opportunities for some offender populations. The two dissenting Justices claimed that they “did not interpret s. 24(1) of the *Corrections and Conditional Release Act*, S.C. 1992, c. 20 (“*CCRA*”), as requiring the Correctional Service of Canada (“CSC”) to conduct studies on the tests that psychologists use to assess offenders” (*Ewert* SCC at para 91). Further, they were “not persuaded that it was Parliament’s intent to hold the CSC to account on this issue pursuant to s. 24(1) of the *CCRA*” (*Ewert* SCC at para 92).

This Court explained that its decision resulted from the fact that, in Ewert’s case, the CSC repeatedly failed to fulfill its obligation under the legislation of the *Corrections*

and Conditional Release Act to ensure it uses the most accurate and relevant information possible to make decisions about inmates. This information includes social, cultural, and historical factors about an individual not adequately considered by the instruments. This Court's ruling is significant because it provides a clear account of expert knowledge not as 'scientific' only, but also as socially and culturally relevant. This view challenges conventional hierarchies of knowledge inscribed in the Model and the instruments used to assess and define risk in the Canadian justice system more generally. This Court also found, however, that the plaintiff (Ewert) failed to prove that his Canadian *Charter* rights had been violated as a direct result of the CSC's recurrent use of instruments on him.

As a result of the Supreme Court's ruling, the CSC was assigned an immediate obligation to conduct considerably overdue research to determine the validity of these five instruments when applied to First Nations, Métis, and Inuit inmates (*Ewert* SCC at paras 63-67). Following this Court's ruling, research by the CSC (that had not yet started at the time of my field work) will now need to assess what risk assessment instruments will be used, if at all, to determine classifications of risk for First Nations, Métis, and Inuit inmates, and to what extent these instruments will be applied under the *Corrections and Conditional Release Act* (Shepherd & Lewis-Fernandez, 2016).⁵¹

⁵¹ In their timely examination of how culture informs the entire risk assessment process with an emphasis on Canada's First Nations, Métis, and Inuit offender populations, Shepherd and Lewis-Fernandez (2016, p. 434) conclude:

Culture determines behavioral norms and expectations, acceptable responses to threat, emotional presentation, modes of communication, goals, and motivations as well as explanations or remedies for illness, dysfunction, and delinquency. Moreover, culture helps to define what *is* a disease or harmful behavior. Risk assessment instruments are often crafted within the precepts of one cultural group, ignoring the broad experiential variability across diverse populations. Prediction estimates are often less accurate for ethnic minority groups, yet the notion of "close enough is good enough" enables the field to maintain current standards of risk assessment practice. This is unfortunate for some overrepresented, disadvantaged ethnic minority groups with histories of injustice and mistreatment by both criminal justice and mental health systems.

Depending on the response by administrators inside the CSC, this ruling could affect more than just First Nations, Métis, and Inuit individuals inside Canadian prisons. From this ruling, it may also be speculated that if the instruments were to be ratified, as the Court's ruling suggests, their effects would similarly need to be assessed appropriately in order to determine implications, positive or negative, when cultural relevance is inscribed into them as a means to respecting the diversity of Canada's population more generally, as well as to decolonize the dominant, Western, psycho-statistical logic on which contemporary carceral risk classification hinges (Hannah-Moffat & Shaw, 2001b). Rather than presenting unreasonable demands on the CSC and instrument developers, this highest Court ruling presents what Stephane Shepherd and Roberto Lewis-Fernandez (2006, p. 434) characterize as "an opportunity to review and perhaps modify measures that may be unjustly impacting a portion of their clientele."

Absent from these recent court rulings is a discussion regarding *who* uses these challenged instruments in order to arrive at risk classifications and to render decisions about the timing and the conditions of an individual's release from prison and their future as a free individual in the community. Thus, the emphasis in these court cases has not been on *how* the instruments are used per se and how they contributed, for example, to Ewert's ineligibility for parole. Rather, the emphasis has been on who has been deemed to possess expert status to speak about these instruments. I argue that this emphasis spotlights a possible lack of awareness within the Canadian criminal justice system as a whole about just how entangled these instruments really are in its operations. This emphasis has also precluded the courts from examining the instruments themselves and the conditions of their production, meaning these instruments remain black boxed under

claims of a proprietary nature. As demonstrated earlier, if the Model and its instruments were to disappear from this system, so, too, would the social ordering and function of it. The mutual dependency of these people and things are significant to understanding the structure and operation of the Canadian criminal justice system. However, by focusing on judgements about expert testimony, these important matters continue to go unaddressed.

An interesting paradox emerges from the *Ewert FC*, *Ewert FCA*, and *Ewert SCC* rulings in terms of *who* within the system are deemed to be experts about risk and reoffending. These three rulings produced subsequent debate among risk assessment professionals, with some individuals claiming their position within the expert community to be ‘more valid’ or ‘more scientific’—that is, more quantitative—than other risk assessment professionals (*Ewert SCC* at para 13; Haag et al., 2016; Haag, Hart, Hanson, & Olver, 2015). This paradox is evident when one considers that, on the one hand, risk assessment experts assert that risk assessment instruments yield aggregated rather than individualized knowledge, and, on the other hand, they argue that risk assessment instruments are essential to correctional functions used to manage distinct individuals. Fundamentally, as demonstrated in Chapter 2, risk estimates are attributable to an obscure composite individual who is purported, more-or-less, to reflect dominant characteristics of a larger, albeit obscurely or not at all defined, sample population. Thus, a classification that emerges through the use of these instruments is not about a particular individual as a distinct human, rather it is about characteristics of behaviour that a particular individual presents, or is believed to present, that allow aspects of that individual to be classified.

The issues raised in these three major, related Canadian legal cases are not unique to Canada. Other similar challenges have been brought before courts in the United States

and England. For example, challenges have been raised concerning: (a) the admissibility of expert testimony (*Brian Wilson and Iain Murray v. HMA*; [2009] Appeal No: HCJAC 58; *State of New Hampshire v. Thomas Hurley*. Case No. 07-E-0236. 2009), (b) the scientific validity and the algorithmic nature of risk assessment instruments (*Loomis v. State of Wisconsin*, 16-6387. 2016; *State of Wisconsin v. Loomis*. Case No. 2015AP157-CR. 2015; *State of New Hampshire v. Thomas Hurley*. Case No. 07-E-0236. 2009; *State of New Hampshire v. William Ploof*. Case No. 07-E-0238. 2008), and (c) the proprietary claims related to statistical methods and instrument developers' failure to release data for analysis (*State of Wisconsin v. Homer L. Perren Jr.*, La Crosse County 2010-C1000003).

In *Wisconsin v. Perren*, for example, the Court for the State of Wisconsin dismissed instrument developers' claims pertaining to ownership of the instrument called the Static-99R (see Chapter 2) and of the data and the science on which it was based. This Court ruled that any testimony or evidence pertaining to the Static-99R without the disclosure of the instrument's data (that had been withheld deliberately from the Court by one of the instrument's developers) for independent analysis "would violate the respondent's due process rights, specifically, his right to present a defense" (*State of Wisconsin v. Perren Jr.*, Order Excluding Actuarial Instrument Static-99R, p. 1).

In both Canadian and American legal cases, the use of some of the widely applied risk assessment instruments within the CSC and other carceral systems is prohibited until the full substance of the instruments in question is revealed and their effects are explored.

Lack of Research by the CSC

The literature related to risk assessment instruments in general has ballooned in recent years with contributions by those in the private sector and in academia interested

in seeing these instruments endure. Research and studies concerning the possibility of cultural insensitivity related to the five impugned instruments (PCL-R, VRAG, SORAG, Static 99, and VRS-SO), and other widely used instruments on certain individuals or groups is scarce (Hannah-Moffat, 2005; Martel et al., 2011; Rugge, 2006). No publicly available studies have been generated by the CSC directly since these court rulings.

It was easier to focus on the use of the instruments inside the CSC than to negotiate with the findings of the courts. After all, these court rulings, including those going back to the early 2000s, meant facing up to the dilemma of having to qualify the validity of existing instruments and, possibly, having to develop new instruments or techniques that meet the varied social, cultural, economic, and historical realities of a large body of individuals under the jurisdiction of the CSC. These actions did not materialize and the CSC and the central actors and architects of the Model remain steadfast in the view that offenders exhibit similar attributes, at least in relation to the design and use of the Model's instruments.

While the CSC continues to require its staff to use these instruments and to take into account risk classifications generated to make decisions about the individuals to whom they are applied, the CSC does not have in its possession the data and science on which these instruments were based. These data and science are retained by those who developed the instruments. Only those who possess this knowledge can interrogate the data upon which the design of these instruments is based in order to determine the presence or absence of bias contributing to culturally insensitive outcomes for certain populations.

As the above court rulings indicate, the CSC has a legislated obligation under the *Corrections and Conditional Release Act* to know *how* individuals under its jurisdiction are classified, and not just *what* the classifications are. When some instrument developers defy court rulings by failing to disclose their data and science for independent analysis, a significant concern emerges for the CSC as it is unable to fulfill its legislated obligations without such information. Further, it would be inappropriate under these court rulings for the CSC to rely on instrument developers to conduct research on its behalf as has been common practice since the 1980s.

The observed and court recorded practice of concealment in relation to risk assessment instruments suggests that the protection of instrument developers' position and authority may be a primary intention in withholding these data and science. Through its silence on the matter for the past two decades or more, the CSC has contributed to the protection of instrument developers, and, in the process, has further participated in the protection of itself. A conflict of interest looms large under these conditions. Further research into these instruments may not serve the purposes of these instruments' developers or the CSC; rather it may serve to disrupt them.

An absence of empirical evidence showing that the instruments exhibit significant cultural insensitivity towards certain individuals or groups has allowed their use to persist with the CSC's acknowledgement and authorization since before the 2000s. This lack of evidence, however, does not mean that cultural bias is exhibited by the instruments. It simply means that we do not know. Yet, currently, these instruments are an individual's

only pathway to consideration for release from prison and from the authority of the CSC and, to a certain extent, the Model.⁵²

Conclusion

Through the lenses of the risk society and ANT, I explored three major, related Canadian legal cases and rulings to capture a pivotal, contemporary moment where correctional processes and practices related to assessing and classifying risk posed by individuals in the Model through the use of instruments based on a dominant psycho-statistical logic are called into question. I illustrated a growing concern around a potential cultural insensitivity exhibited by several instruments currently in use inside the CSC. Through this analysis, I revealed the CSC's position in relation to its ongoing use of impugned instruments despite legal sanctions, and its position in relation to a repeatedly raised concern around the lack of research into these issues on the part of the CSC for the better part of twenty years. I also addressed some of the implications this failure has for those working in the Model and those to whom its instruments are applied. By association so, too, are the practices and processes of other government agents who use these instruments called into question through this analysis; for example, the police who take up the Model and its instruments in their work managing and supervising high risk individuals under section 810 orders in Canadian communities. These practices and

⁵² Many of the decisions made by the CSC and the Parole Board of Canada stem directly from the outputs of these instruments. The Parole Board members do not themselves use these instruments, rather they rely on the findings and recommendations of officials inside the CSC related to the risk classifications they generate using instruments (*Ewert FC* at para 70). The Parole Board of Canada's acceptance of risk classifications and recommendations tendered by the CSC further reinforces and legitimizes risk classifications, and the use of risk assessment instruments more generally. As part of their decision making authority, the Board *may* take into consideration clinical assessments of mental health professionals in determining the date an individual is to be released from prison and the conditions and intensity of community supervision following their release from prison.

processes are the focus of the next chapter where I investigate the Model in relation to policework in Edmonton.

Chapter 4: Policework in the Model

The previous two contextual chapters discussed the foundations of the Risk Management Model for assessing risk inside the Canadian carceral system, its related processes, practices, and instruments, and their contentious nature. In this chapter, I shift the discussion to explore important issues that emerged when the Model was implemented outside Canadian prisons. Specifically, this chapter looks at empirical evidence collected during my field work about the implementation of the Model in policework in Edmonton, Alberta. This alternate implementation occurred at a moment in time when individuals classified as high risk to reoffend were released by the Correctional Service of Canada (CSC) into the community and when the CSC no longer had jurisdiction over the supervision and management of these individuals. I present the Edmonton Police Service (EPS) as a case study for understanding this shift in supervision and management practice related to high risk individuals. In this empirical investigation, I focus on policework that, for the most part, replicated the work of the CSC. This was the work of police officers oriented towards validating high risk classifications assigned to individuals by the CSC for the EPS to determine if those individuals were eligible for *Criminal Code* (1985) section 810 orders. This work consisted of human actions that contributed to and maintained the Model and its practices and instruments and their applications both inside and outside the carceral system.

To augment and enrich some of the findings presented in previous chapters, I employ actor network theory (ANT) and risk society theory to this empirical investigation. Through ANT, I make sense of how various social actors' interests and objectives are reflected in non-human things (i.e., instruments and documents) and,

further, how these interests and objectives are reflected in the uses of these things. The use of risk society theory allows me to describe how carceral interpretations of risk that accompany the implementation of the Model are also taken up in policing in relation to policework where police officers replicate the work of the CSC by validating high risk classifications for certain individuals. Throughout this chapter, I draw on empirical data central to this dissertation by bringing in statements from the archive of documents I accessed as well as from interviews and conversations I had with police officers during field work. These are statements about these material things these officers worked with and the emergent processes and practices from within the carceral system they relied on for their work. This case study renders visible how the implementation of the Model in this alternate context affected the way police officers conceived of themselves as participants (or actors) and their work (actions) in the Model.

Through this empirical investigation, I unpack not only the technical side of policework demanded by the Model and corresponding human actions related to seeking section 810 orders. I also present a critical analysis of observed replicate actions of police officers as they worked through the four stages in the Model by using instruments to validate risk classifications assigned by the CSC and by using and generating documents to establish these classifications as ‘facts’. This examination captures the synchronicity of work done by different institutions in the Canadian criminal justice system that informed each other concerning the classification of high risk individuals (e.g. the CSC, the Parole Board of Canada, the EPS, and other police agencies). Through these replicate actions, I demonstrate one of my study’s main findings (also captured in Chapters 2 and 3):

Within the carceral system, risk classifications tend to be used as a mechanism to obscure the recognition of a connection between risk and the individual. This

practice results in the denial of individual identities and their social conditions. These risk classifications are the result of institutionally organized mechanisms for regulating behaviours and, through their reliance on instruments and documents for widespread use, are entangled in relations of control.

Toward the end of this chapter, I explore the consequences of the EPS's relationship with the Model and the EPS's collective dealings with shifting accountability and responsibility related to the management and supervision of high risk individuals in local practice beyond the validation of risk classifications. This empirical exploration reveals where a disjuncture emerged when the prescribed practices of correctional institutions inscribed into the Model by its architects and instrument developers did not speak to the local, community context of policing. From this reveal, I begin the discussion that leads to another one of my study's main findings which is taken up at length in Chapter 5:

Within the EPS, moving beyond risk classifications to consider the 'humanness' of high risk individuals and their social and cultural conditions is equally necessary to the practice of their management and supervision to ensure public safety and the reintegration of these individuals in the community.

Chapter Organization

This chapter begins with the necessary contextual details of *Criminal Code* section 810 orders. Next, I draw on empirical data collected during and observations from my field work to detail police officers' understandings of risk classification practice, in particular, the role of risk assessment instruments and black boxing strategies related to the use of these instruments and the documents they constitute. The focus then shifts to the work of these police officers that, for the most part, replicated the work of the CSC, as actors in both contexts moved between what I identified during field work as the four stages in the Model. I spotlight how 'facts' constructed within the carceral system were accepted as 'facts' by the police without modification, and how these 'facts' were moved along in the criminal justice system in documents used and generated by the EPS. In my

empirical inquiry, I demonstrate how documents were actants that organized relations and informed decision making practices in policing. I also reveal what was included and excluded from documents and the effects of these practices of ‘fact’ construction on policework. Consideration of these effects leads into a discussion of how the EPS sought out what some officers called “missing pieces of information” about the individuals they assessed by engaging in social interactions with these individuals—a practice inconsistent and in conflict with the Model’s detached objective and design. This examination prompts the consideration that perhaps the dominant carceral conceptions of individuals being assessed and controlled by the Model need to be widened. This consideration marks the moment when I observed the Model lost its applicability to the work of the EPS related to the management and supervision of high risk individuals in the local, community setting of Edmonton.

Contextual Details

In this section, I make clear the subject matter presented in this chapter by explaining how high risk individuals enter the community of Edmonton, and by describing *Criminal Code* section 810 orders, including their origins and what they meant for policework in the Model.

How High Risk Individuals Enter the Community of Edmonton

When an individual is released from prison on the last day of their court ordered sentence—that is, on what is known as their warrant expiry date (WED)—the CSC notifies a police agency about an inmate classified as high risk to reoffend who will be entering their community by providing them with what is called a WED notification package (see Chapter 2). Through WED notification packages, the CSC claims to share

“all information under its control and relevant to that perceived threat” to assist police agencies in determining what actions are needed on the part of the police to ensure public safety (Public Safety Canada, 2015). The action of the CSC in sharing these documents critically marks a liminal moment in the Canadian criminal justice system. This moment is when authority and jurisdiction over a certain group of individuals—high risk—terminates with one governing body, the CSC, and, simultaneously, when the burden for the management and supervision of high risk individuals in the community commences under the jurisdiction of another governing body, the police. Put simply, the responsibility for risks caused by certain individuals, in general, are not within the jurisdiction of this CSC, a classic institution devoted to ‘risk management’. Beck (1992, p. 50) calls this circumstance ‘organized irresponsibility’. This condition has led to another institution to be responsible for risk management. Because, as Beck (1992, p. 87) argues, this responsibility generates fear and anxiety in individuals, it leads to amendments to public policy and a need for institutional control to protect the public from exposure to harm identified by governments and their experts. At this moment in Edmonton, the EPS implements the Model and validates the risk classifications assigned by the CSC to these now legally free individuals within a distinct community context. Once this work is completed and the EPS has confirmed a high level of risk to reoffend is posed by an individual, the EPS can turn to the only legislative option available for them in the management and supervision of high risk individuals in the community. This legislative option is a *Criminal Code* section 810 order, also known as a recognizance order or a surety to keep the peace.

Criminal Code Section 810 Orders

Sureties to keep the peace date back to the fourteenth century in England (Childress, 1994) and were used historically to resolve disputes between private citizens (Clayton, 1985). Sureties have existed in Canadian law since the first *Criminal Code* in 1892. Today, these sureties are referenced in section 810 of the Canadian *Criminal Code* which was enacted as part of the ‘Revised Statues’ in 1985 and are commonly known as section 810 orders. Initially, this part of the law consisted of only section 810 orders ‘Where Injury or Damage Feared’. Related to this dissertation, in the 1990s shortly after the enactment of the *Corrections and Conditional Release Act* (1992), these provisions were expanded to include: 810.1 orders, ‘Where Fear of Sexual Offence’ (in 1993); and 810.2 orders, ‘Where Fear of a Serious Personal Injury Offence’, including sexual offences (in 1997) (Government of Canada, 2019b). In the context of this study, I refer to these orders collectively as section 810 orders.

Section 810 of the *Criminal Code* adopts a framework for identifying high risk incarcerated individuals who are nearing completion of their prison sentences, along with those high risk individuals already located in the community in certain cases. An application for a section 810 order is usually initiated before the release of a high risk inmate at the end of their court-ordered sentence. While any individual can apply to the court for a section 810 order, the Crown Attorney or Crown Counsel (Crown Prosecutor in Alberta and New Brunswick) or the police typically apply for them. Applications for section 810 orders are based on what applicants, such as the EPS, deem to be “reasonable grounds” to “fear” an individual will commit a sexual offence or a violent personal injury offence (Criminal Code, 1985, chapter C-46, section 810). The notion of ‘reasonable

grounds' is not defined in the *Code* and was referred to as a subjective phenomenon by one police officer during my field work. A section 810 order application is considered successful if the applicant can demonstrate to the court that there is a reason to believe the subject of the order is at risk of violently or sexually victimizing a member of the community. Section 810 orders have become mechanisms for the police in the management and supervision of high risk individuals in communities across Canada.

A section 810 order has standard conditions set out in the *Criminal Code* to control an individual's behaviour while in the community. These conditions are intended to ensure these individuals' 'good conduct' and require these individuals to report to provincial probation services or the police, or both. While the Model tends to emphasize controlling and restrictive conditions for individuals inside prisons based on carceral understandings of risk (e.g., the legislative measure of administrative segregation or institutional transfers), identical conditions are not replicable outside prisons. Rather, alternate conditions of supervision and management are available under the law in community contexts, such as restrictions of an individual's movements (spatially and temporally), prohibited neighbourhoods and social connections, and so forth.

For each section 810 order application, the court considers whether to impose some or all available conditions based on the interests of the community and the safety of prior and potential, future victims. The court also has the discretion to impose any additional conditions proposed by a Crown Attorney (i.e., those recommended by the police in their reports that accompany section 810 order applications) that it sees fit, as long as these conditions meet the legal test of 'reasonableness.' Generally, while conditions associated with section 810 orders do impose some restrictions on the

individuals to whom they apply, the legislation requires that these conditions should not prevent these individuals from leading ‘reasonably’ normal lives (see *R. v Budreo*, [2000] 142 CCC (3d) 225). As noted in Chapter 2, these strategies of and ideas about normalization are further based on the logic that conformance to this normative ideal is the responsibility of the individual, and not the responsibility of the government (Beck, 1992, p. 50).

A violation of a section 810 order or any of its conditions is called a breach. A breach constitutes a criminal offence and can, possibly, lead to imprisonment. Should an individual refuse to enter into a section 810 order authorized by the court, they can be imprisoned for up to one year, even though they already completed their full court ordered sentence(s) and committed no new offence. Essentially, a section 810 order can be a form of sentence extension.

As noted earlier, a section 810 order application made to the court by a police agency is typically supported by a Crown Attorney.⁵³ A Crown Attorney, however, does not typically produce the information or documentation necessary for a section 810 order application. Rather, they rely on police agencies like the EPS to create what is called a ‘risk assessment report’. This report is then submitted to the court as evidence that the requirements of a section 810 order application have been satisfied. Once authorized by the court, section 810 orders are enforceable by the police for up to twelve months. If an

⁵³ If an individual was already residing in the community, the judge issued a Warrant for their arrest, and if an individual was incarcerated the judge issued a Spring Order to bring them to court. One officer advised me that in the past few years there had been a few cases where a section 810 order had been pursued directly by a Crown Attorney, without the knowledge of the EPS. The EPS only became aware of these section 810 orders when an individual to whom an order applied had violated (breached) one or more of the order’s conditions of supervision and the EPS were advised by the Crown Attorney that it was required to enforce the order.

individual has a previous conviction for a sexual offence against a child, the court may order them to enter into a section 810 order for up to twenty-four months.

It was around these orders that much of the work of the police officers I encountered in the field coordinated their activities, practices, and processes related to the urgency they perceived in addressing public safety concerns related to the presence of high risk individuals in the community.

Implementing the Model in the EPS

In this section, I present police officers' understandings of risk classification practice. Through observations from my field work, analysis of documents, and interviews with police officers, I first trace out how these officers described risk assessment instruments and the role they saw these instruments played in their duties. Using ANT, I demonstrate the effect of black boxing strategies related to the use of these instruments when taken up and used by the police unchallenged.

It is often within government institutions that people learn how to participate as part of a system or an actor network, using techniques and things such as instruments and documents. During my field work, the police officers I interviewed could only speak to their own experiential, local knowledge about high risk individuals in their daily duties. The primary way that knowledge about high risk individuals was recounted and remembered by these officers was through descriptions about their use of risk assessment instruments to validate levels of risk posed by individuals who had come to their attention when the EPS received WED notification packages from the CSC.

Specific accounts were offered by four officers of a near-complete reliance by themselves on WED notification packages and risk assessment instruments—that is, on

the Model. Specifically, these officers articulated the logic of their work in the Model as “to classify risk” and they foregrounded the outputs of risk assessment instruments as “risk classifications.” One officer stated that there was a widely held understanding inside the EPS that these instruments have the “necessary science and research behind” them to support their use and these instruments exhibit a “proven track record” within corrections. Also speaking to the role of instruments in their work, one officer stated: “Information is put into a risk assessment tool that is designed to highlight risk factors for violent recidivism [...] Reflecting what is related to recidivism matters. So the tools matter.” These descriptions intersected and fed into practices of instrument use prescribed by the Model because the outputs of these officers’ actions (i.e., validating risk classifications assigned by the CSC) were premised entirely on the use of its instruments.

However, none of the officers who used these instruments regularly were able to explain clearly how exactly it was that they came to use these instruments to meet their obligations. One officer claimed that using these instruments and following the same procedures as the CSC was “the way things were being done” when they starting doing the work they were doing concerning the management and supervision of high risk individuals. Another officer stated: “it is what the CSC does,” and yet another officer stated, “they are the instruments the CSC uses.” These officers’ accounts of their acceptance of these instruments in their work are captured by a phenomenon that Woolgar (1990, p. 69) calls ‘configuring the user’. As demonstrated in Chapter 2, within the carceral system, the Model and its instruments work to configure users toward a narrowly circumscribed set of processes and practices for classifying risks posed by offenders. In the context of the EPS, the discussion expands to consider the configurative

effects of the Model when taken up in different government institutions by staff obligated to work under unique conditions for which the Model was neither designed nor modified.

Woolgar's concept is significant to these officers' accounts of regular, ongoing, repetitive use of instruments because it spotlights the consideration of not only *how* the inscription of carceral logics into instruments occurred (see Chapter 2), but that these inscriptions established a sequence of actions for other actors beyond the carceral context, like the police. The accounts provided by these officers illustrating that they followed prescribed user programs of action constructed by instrument developers fully and uncontested demonstrates the strength and durability of these inscriptions (Latour, 1991, p. 104), across both space and time. The near-total degree to which these superimposed inscriptions have succeeded in configuring these police officers as users and prescribing patterns of use outside the carceral system points to the comprehensive and far-reaching effects of these inscriptions. Under these circumstances, these inscriptions become 'facts' because they are not only inherent in the interests and values of the developers themselves, they are inherent in the roles of instrument users, the prescribed patterns of use related to instruments, and the outputs of the instruments. Thus, the more accepted and taken for granted the use of these 'facts' that are inscribed and integrated into these instruments become in contexts like policing, the more these 'facts' become accepted without modification and are perpetuated by a wider range of actors.

More significant to what became of these 'facts' as they spread and worked to constitute how knowledge and relationships were structured, was that there was also the possibility that user configuration might have occurred by the police's acceptance of these instruments in their work because the use of instruments was normative or allowed

police officers to get on with their work. This possibility emerged from officers' accounts of the urgency of obligations concerning high risk individuals which they described as having been "thrust on [the] police" at the same time the EPS was mandated to ensure public safety, and turned to a special legislation known as section 810 orders to legitimate their jurisdiction over these individuals in their community. From this perspective, then, these officers did not specifically claim, nor did they feel they needed to claim by the nature of the instruments' design, to know what these instruments *did* regarding the science behind them. Rather, officers were explicit in their explanations of how they used these instruments to "validate" or to "verify" individual risk classifications assigned by the CSC *only*. That is, if a risk classification was determined by these officers to be 'high' based on the outputs of the instruments they applied to an individual, they then used that high risk classification to seek a section 810 order before the court.

Thus, risk classifications generated by staff inside the CSC were not in dispute from the viewpoint of these officers. Rather, as one officer explained, they were only required to determine if the level of risk for each individual reached the "threshold necessary for a section 810 order." Another officer clarified that this 'threshold' meant that an individual posed both a "high risk and an imminent risk" to the community. What is of interest in these narratives was how, in determining if a risk classification met this threshold, these officers ended up replicating many of the processes that staff inside the CSC undertook in determining individuals' risk classifications in the first place (see Chapter 2).

This finding reflects the conditions of the Model under which the EPS was deliberately required, due to the absence of legislated accountability on the part of the

CSC for these high risk individuals, to reproduce the work of the CSC. These conditions facilitated an extension of the reach of the Model outside the carceral system. These police officers replicated the work of the CSC by choosing from among the same rigidly circumscribed number of instruments and relying on the same documented ‘facts’, opinions, and decisions to be used as inputs for these instruments. These conditions of reproduction better explain my observation of extremely high concordance rates among risk classifications generated by multiple agencies mandated to implement the Model.

A risk classification concordance rate of one-hundred percent was observed between the CSC and the EPS in the files I accessed. This agreement may be because instruments used by the CSC would reproduce the same results given that the police were inputting the same data about the same individuals provided via the CSC’s WED notification packages into the same instruments. That is, it was not unlikely that, for the most part, these individuals being classified were already institutionalized via the carceral system and viewed from that perspective, therefore, and easily fitted into the carceral risk classifications. And, they easily fitted into the same classifications when the police replicated the work of the CSC. This concordance rate spotlights that implementing the Model outside the carceral system without modification assured that identical risk scores and risk classifications would be reproduced by other actors, thereby ensuring the Model remained unchallenged and dominant as it spread across the criminal justice system.

The police officers I spoke with noted that the individuals who created and developed the risk assessment instruments they used were located either within the CSC or other government agencies, private companies, or universities, and were highly regarded by the CSC’s administration. By extension, others positioned within the

Canadian criminal justice system using these instruments to assess and classify risk, namely correctional psychologists and instrument developers and trainers, were consistently referred to by three officers as “experts” in the field of risk assessment. This point was captured by one officer who stated: “the instruments were developed by experts and experts must be right.” By referring to these individuals as experts, as opposed to referring to themselves as experts, these police officers were highlighting that risk assessment and risk classification originated within and continued to be associated with those located within the carceral system, not within policing. As manuals produced by the federal government show, correctional discourses—at times intertwined with discourses of policing, at times in varying levels of contrast to them—are very much part of carceral risk classification practice (Bonta & Yessine, 2005; Pacific Region NJC, 2005; Public Safety Canada, 2009). In these manuals, instructions showed what the police were expected to do to secure a section 810 order from the court.

Although the roles of each distinct institution were implicated in their interactions with the Model and, more specifically, within the manuals produced by the government, only two officers mentioned these manuals or the legislative origins of section 810 orders without me asking them about it directly. All of this does not suggest that these police officers were not themselves capable of or willing to achieve a deeper understanding of these instruments. Neither does it suggest that they could not find out, nor that it was kept hidden from or inaccessible to them (although, as demonstrated in Chapters 2 and 3, it was to a certain extent). Rather, it was because knowing exactly what these instruments did was seen as extrinsic and, therefore, not as urgent as other issues these police officers faced due to the presence of high risk individuals in the community. This externality

highlights the possibility that the police officers I spoke with took up these instruments in different ways than, perhaps, correctional staff due to the immediacy of public safety concerns attributed by the police to the presence of high risk individuals in the community. This externality also spotlights the possibility that these police officers viewed their role concerning the use of these instruments from their distinct position both within and external to the carceral actor network comprised of the Model's architects and instrument developers.

The Effects of the Model's Black Boxing Strategies outside the Carceral System

The interconnections and differences between these actants—humans and things—are significant from the ANT perspective because they reflect the five strategies employed by the carceral actor network that led it to be constituted itself as an actant. These five strategies are: (1) appeal to the interests of others, (2) get others to follow our interests, (3) suggest a short diversion, (4) reassemble interests and goals by tactics such as inventing new ones and, therefore, new groups, and (5) become indispensable to others (Latour, 1987, pp. 108–121). Together, these strategies are called 'black-boxing' (Latour, 1999, p. 304, see also Callon, 1986b). I use these five strategies together to demonstrate how the carceral actor network acted outside of the carceral system to inform and direct the work of the police in the Model.

As was illustrated in Chapter 2, a certain group of actors comprised of architects of the Model and instrument developers claimed a position as a 'central group of actors' (i.e., 'experts') and took up critical positions within institutions like the CSC and Public Safety Canada. This central group of actors, directly and indirectly, re-constructed ideas about offender risk and established risk classification systems, processes, and practices

within the carceral context. Evidence of this moment was observed in the shift from the clinical model to the managerial model in Canada's carceral system in the 1980s. This shift captured how an original network of individuals and their techniques (i.e., psychiatry) came to be questioned within correctional institutions. This questioning allowed for psychology and statistics to seek to become indispensable to other actors in the network, namely carceral administrators. These new actors became indispensable by redefining the problems of 'risk' in the clinical model, and, then, by suggesting a short diversion towards the managerial model, claimed to resolve these problems.

During this shift, these new experts worked to establish and maintain a dominant position within the new carceral network. They accomplished this positioning by generating interest in pertinent actants—both people and things—by introducing and endorsing roles and definitions consistent with how these central actors defined risk. Once in these positions, they introduced and promoted risk assessment instruments they had developed and they employed what they saw as an obligatory psycho-statistical approach to risk classification. The dominance of these instruments and their connection to notions of expert or scientific knowledge observed outside the carceral setting, for example, the police officers I interviewed, illustrate the mechanism by which these central actors generated interests that extended and materialized beyond the carceral context. This mechanism, in turn, “designates the device[s] by which a set of interrelated roles is defined and attributed to actors who accept them” (Callon, 1986a, p. 211). These conditions created a favourable balance of power for this central group of actors, strengthening an alliance between actants—humans and things. By simply accepting the outputs of these instruments so, too, do actors in ascribed roles, like the police, accept the

conclusions drawn by those who constructed these instruments; “[t]heir consent is obtained (in advance) without any discussion” (Callon, 1986a, p. 213). And, moreover, these conclusions were accepted by the EPS as ‘fact’, without modification.

All of this work was directly tied to the efforts of these central actors who sought to exclude or minimize the role of certain actors. They accomplished this goal by ‘locking’ certain actors into roles that were consistent with the central actors’ point of view (Callon, 1986a). This locking occurred by way of a set of strategies through which central actors convinced other actors in other spaces and contexts to accept the definitions and identities of the central actants—both human and thing. As a result of these strategies, two things occurred. First, the boundedness of the spaces in which these actants operated became less significant and the boundaries between them may have become weaker. That is, in the implementation of the Model in multiple contexts, the boundaries between distinct, autonomous institutions like the CSC (offender management) and the EPS (law enforcement) become blurred. Second, actants in these spaces became aligned or ‘locked’ into place so that these central actors have a captive audience on which to impose their interpretation of the situation. For example, several of the police officers I interviewed viewed the developers of and trainers for risk assessment instruments, as well as those within the CSC who used these instruments regularly (e.g. psychologists), as “experts.” From this ‘locked’ position, the participation of actants was transformed into active support. This transformation was observed in the police’s replicate actions concerning the use of risk assessment instruments to validate risk classifications assigned to certain individuals by the CSC using some of the same instruments, information, and techniques.

The networks constituted by the mandated implementation of the Model outside the carceral system proliferated in this same manner. Interrogations were silenced by the strength which the dominant carceral actor network achieved, at least in part, from many of the government institutions and actors mandated to implement the Model. The black boxing strategies of this actor network aligned the interests of other actors like the police with these central actors' interests and brought stability and durability to the network. The Model and its instruments were significant in the structuring of relations between actants because they "provide[d] receptacles for human knowledge and vastly enabled the process by which facts [became] accepted" and perpetuated (Lowe, 2004, p. 82). These instruments further structured relations between actants through a corresponding reliance on instrument manuals and training.

From their 'locked' position, the EPS accepted the dominant role of this central group of actors concerning the classification of high risk individuals. Among the assumptions about the CSC voiced by the police officers I interviewed, the most frequently shared assumption is paraphrased here to preserve anonymity:

Both offender management and supervision fall inside the CSC's wheelhouse and if the CSC 'thinks' someone poses a high risk to public safety then that 'opinion' carries significant weight for police who are mandated to ensure public safety in the community.

In addition to more or less shared assumptions concerning public safety, relations between distinct institutions mandated to operate in the Model were governed by the rapid ascent and significant influence of risk assessment instruments illustrated in Chapter 2.

Further to the need for somewhat aligned assumptions about risk and high risk individuals, the Model requires interconnections between agencies, agents, and the Model

itself for it to become operational at the local level of policing. Evidence of this interconnection was observed when police officers of the EPS explained how they accepted the ‘facts’ and findings offered by the ‘experts’ within the carceral system (namely, instrument developers and those who used their instruments on a more consistent basis). And, as a result of repeatedly working in the Model based on these ‘facts’, police officers became themselves actants in the carceral actor network due to their rote use of risk assessment instruments, validating risk classifications, and writing risk assessment reports. Looking at their work from an ANT perspective, this regularity of use reinforced the Model’s position in the criminal justice system more generally through repetition and replication.

By replicating the actions of actors in the carceral network in the Model, in particular, its reliance on psycho-statistical assumptions and approaches and the use of risk assessment instruments, so, too, were the concerns around potential for injustice raised in Chapters 2 and 3 replicated in the context of policing. These acts of replication by the EPS enabled its officers to draw on and reproduce structures and actor networks of control concerning certain groups of individuals. As demonstrated in Chapter 3, these structures and networks are currently being challenged in Canadian courts due to counter-claims by other experts about the possibility of bias. These networks and their social and technical components were guided and inscribed by central actors’ visions and interests.

Moreover, through these processes of replication, these questionable structures and actor networks were able to operate in multiple locations whereby the assumptions they were based on and the effects they generated were revealed to be fluid, influencing decisions and lived realities in other contexts. Because these networks and, more

importantly, their inscriptions, were able to move through time and space without changing their properties, they resisted change and displayed signs of irreversibility (Walsham, 1997). As mentioned earlier in this chapter, because section 810 orders can be enforced for individuals who have served out their entire court ordered sentence and who have committed no new crime these orders are essentially a form of sentence extension. The police officers I interviewed were aware of this application, but explained that their accountability of individuals deemed to be high risk to reoffend by the CSC—something several of these officers described as having been “thrust on [the] police”—led them to deem it necessary to seek section 810 orders to legitimate their supervision and management of these individuals in their community in order to ensure public safety.

Through replication, officers of the EPS gained a perfunctory understanding of how to work in the Model; that is, what processes, practices, and instruments it needed to apply to meet its public safety obligations. In replicating actions of the CSC, these police officers have necessarily aligned themselves with what the CSC took to be important—risk classifications. In the following section, I demonstrate how, by working through the four stages in the Model, these officers have learned how to read and write these important ‘facts’ *into* reports. And, as a result of their reliance on ‘facts’, opinions, and judgements recorded in documents by other actors, I demonstrate how these officers participated in ongoing ‘fact’ construction and dissemination related to risk classification in general.

“Conducting a Risk Assessment”

In this section, I demonstrate how politically constructed ideas of risk and high risk individuals originating from within Canada’s carceral system were articulated

through the use of instruments by police officers in the community. And, I demonstrate how the outputs of these instruments came to inform and influence how and what documents were used and generated to support decisions made by these officers. To accomplish this demonstration, I present here how police officers moved through the four stages in the Model (see Figure 3, Chapter 2). Different to my discussion of these four stages in Chapter 2 concerning work inside the CSC, I refer to these four stages in policing collectively as “conducting a risk assessment.” I do this to accurately represent the voices, experiences, and written records of these police officers. These officers’ descriptions of what it meant to “conduct a risk assessment” paralleled a combination of the four stages of the Model I identified during field work as described in Chapter 2 and restate here:

The Model	Conducting a Risk Assessment
Stage 1—risk assessment	<i>the consideration of information documented about an individual by the CSC and shared with police as well as any additional information police collected or have access to</i>
Stage 2—risk score	<i>the application of an instrument or instruments to an individual to convert the information considered in the assessment work to a numerical output</i>
Stage 3—risk classification	<i>using the same instrument or instruments to convert a risk score into a risk classification</i>
Stage 4—risk management plan	<i>if the risk classification indicates that an individual presents a high risk to public safety, a risk assessment report is written to accompany a section 810 order application for that individual</i>

While these four stages in the Model were not explicitly identified by these officers, through their work influences of these stages still existed in the instruments they used and the documents they used and generated. These influences were those ‘facts’ about high risk individuals carried forward in WED notification packages and risk assessment instruments and taken up by the police when “conducting a risk assessment” in their community.

While officers of the EPS were consistent in describing what it meant to “conduct a risk assessment” (i.e., to validate risk classifications assigned by the CSC), details about processes and practices involved in this work varied from officer to officer. For example, one officer emphasized the “chronological ordering” of documents and events to “paint a picture” of the type of risk posed by an individual. Another officer stated a preference for considering separate groupings of reports they received from the CSC and other officials (e.g., psychological assessments, institutional behaviours and infractions, criminal records, court transcripts, medical and mental health reports, and so forth). This officer explained that they would then put these reports in chronological order to see “if there were changes in opinions and findings” about a specific individual’s level of risk over time. This officer added that, for them, “‘chronological order’ refers to the individual’s life, not [the order] of the CSC reports.” By this clarification, this officer meant the information they had in their possession about an individual going back many years, preferably to that individual’s youth.

Similarly, another officer remarked that a risk assessment report was “written like a standard police report with an emphasis on the chronological ordering of an offender’s entire life, not just that documented by the CSC, in order to offer [the reader] an unbiased picture of the individual.” From this description, we see how reports written by officers of the EPS were *reconfigurations* of limited accounts offered by the CSC about an individual into one that was specific to the needs and functions of policing. The descriptive strategy offered by this officer towards an institutional account specific to policing spotlights the irretrievability of certain details about high risk individuals observed in the documents they relied on. This irretrievability prohibits one reader of

certain documents from reaching conclusions that might be different from another person reading the same documents. Yet another officer explained that the risk classifications they validated and the reports they wrote were based on the criteria of two of the more dominant instruments in use in the EPS, the HCR-20 and the RSVP (see Chapter 2).⁵⁴ In addition to presenting their reports in the same format and language as these instruments, this officer explained how the EPS's risk assessment reports were written to achieve two goals.

First, these reports needed to be capable of being understood by a wide audience of readers; namely other police officers, Crown Attorneys, judges, correctional staff, and staff at other agencies. It was significant to the officers I spoke with that the reports they wrote could be taken up and used by, for example, another police agency, if the circumstance arose that an individual for whom a risk assessment was conducted relocated to another community under another police agency's jurisdiction (I address this circumstance in detail in Chapter 5). Second, these reports had many uses beyond their original application to secure section 810 orders, highlighting how they became a distinctive form of organization and coordination, especially when they were activated in

⁵⁴ My observations from the field highlight an inconsistent approach to applications of the HCR-20 in the Canadian criminal justice system, reflecting the subjective nature of this instrument in practice. Unlike most instruments currently in use in the Canadian carceral system, the HCR-20 requires the person using it to interview the person to whom it is applied. During my field work, I observed documented cases where the HCR-20 was utilized inside the CSC without a clear indication that the user had interviewed the individual to whom it was applied ($n = 4$). Thus, the possibility to use this instrument in subjective and altered ways other than it was intended for both exist and do occur. This possibility raises concerns from the lens of ANT about unexpected or unintended uses that may lead some actors to have an altered view about what the instrument does compared to what its developers intended it to do (Callon, 1986a). This concern is heightened when individuals' futures are determined based on instruments like the HCR-20 that can generate different outputs in the hands of different users, intentionally or otherwise, because both human action and agency are involved in these processes.

different contexts. For example, the EPS's reports were sometimes used at bail hearings when individuals under section 810 orders were arrested for new offences.

In their descriptions, officers expressed a need to present unbiased accounts of individuals when writing their reports. According to these officers, they were aware that their interpretations of risk were both guided and limited by the information they received from the CSC about a specific individual. Three officers told me about their deference to what is known inside the carceral system as the "structured professional judgement approach." Briefly, this approach attempts to blend the dominant actuarial, psycho-statistical approach with the use of interviews (the clinical model, perhaps). The structured professional judgement instrument used extensively in the carceral system, and by extension in the EPS, was the HCR-20 (see Chapter 2). According to one officer:

The research clearly shows that unstructured professional judgement scores are no better than the flip of a coin no matter who is doing the work [...] and eventually it became practice to use the [structured professional judgement approach] tools, tools we have here in the office.

This particular officer felt that the HCR-20 was the "right tool to use" to "conduct risk assessments" for high risk violent individuals "because it was created by the experts;" but, more important, because it "keeps assessors on task and reduces [the] potential for bias." Similar insights about the structured professional judgement approach and the HCR-20 were offered by the other two officers, with one officer remarking:

The structured professional judgement tool keeps you on task, it keeps you focused. Every time you go to one of those twenty risk factors, I set everything aside and I focus on that risk factor. And go through as ask 'Is this applicable to this [offender]?' [...] I have already been making notes as I go through all of the documentation.

When discussing the guiding effect of the HCR-20 and other instruments at their disposal in "conducting a risk assessment," officers remarked how applying the principles of the

structured professional judgement approach was nothing like the work they typically did in their traditional policing duties. As a result of the foreign nature of this approach, one officer described their work of “conducting a risk assessment” as being “very much influenced and guided” by the prescriptive requirements of the instruments they used. Another officer who said they favoured the structured professional judgement approach and the HCR-20 demonstrated to me how, during their scrutiny of the documents they received from the CSC and other sources about an individual, they were specifically looking for the presence of the input criteria of the instrument.

This interaction led to an informal conversation about how the instruments “guide[d]” some officers in their report writing practice. One officer showed me some notes they had used to write a report in the past. Placing these notes on their desk, this officer demonstrated how they used coloured highlighters to identify information about an individual recorded by the CSC to satisfy a specific instrument’s input requirements. During another conversation, another officer pointed to their computer screen to show me how they would extract such information from WED notification packages and include it in the report they were writing on their computer. Regardless of how officers came to identify the information necessary about an individual to satisfy the input criteria of an instrument or instruments, much of this information would also be used as citations, quotes, footnotes, or appendices in EPS’s reports. As expressed by ANT, and apparent in these officers’ accounts, technical things like the risk assessment instruments and documents they used and the reports they relied on and wrote were not neutral. Rather, in both of these examples, police officers demonstrated how they read the information contained within the CSC’s WED notification packages as institutionally created ‘facts’

and how they wrote these ‘facts’ into their reports, thereby perpetuating dominant carceral ideas and assumptions about offenders and risk spotlighted in Chapters 2 and 3 as contributing to the potential for injustice concerning carceral risk classification practice.

Aside from one officer remarking that there was a “science behind” the conversion of a risk score into a risk classification, none of the officers who stated they used these instruments regularly were able to say unequivocally what the instruments were doing. But, they articulated clearly what use was made of the instruments’ outputs—validating risk classifications assigned by the CSC. In this sense, these officers saw themselves as qualified to speak about the instruments they used on the sole basis of inputs and outputs, but no more. Thus, they spoke about these instruments from a distinct position within the criminal justice system prescribed by the Model via its black boxing strategies. For officers with some exposure to or some level of training on these instruments, and who had in their possession one or more of the instrument user-manuals, it was easier for them to articulate an instrument’s function by pointing to or citing information from a training course or a user-manual.

These varied officers’ accounts of instrument use and training captured how the EPS was constantly responding to fluctuations in personnel, expertise, leadership, workload, and policy. The availability of funding and, more notably, the arrival and departure of staff and the changing levels of training and knowledge within the EPS influenced shifting patterns in the daily work of its officers and the way they used instruments to validate risk classification for certain individuals. When comparing the EPS to the CSC, not all of the same instruments used by the CSC were available to

officers of the EPS. I came to understand (through a review of WED notification packages and reading the transcripts of court cases, White Papers produced by various government institutions, and other publications by practitioners and academics both inside and outside government institutions) that the CSC had access to roughly fifty instruments, but used twenty to thirty consistently.⁵⁵ For example, in twenty-three ($n=23$) of the thirty-three ($N=33$) original section 810 order case files I examined, documents from WED notification packages generated by staff inside the CSC showed that they had used three or more instruments to assign a risk classification to an inmate. In this subset of twenty-three cases, four ($n=4$) documented that staff inside the CSC had used between six and thirteen instruments concurrently to assign a single risk classification to a single inmate.⁵⁶ Differently, the EPS had access to six instruments but tended to use two to four instruments consistently. To highlight this practice, two officers showed me how they applied between one to three instruments when they conducted their risk assessments, with a voiced preference for two instruments, the HCR-20 (version 3) and the RSVP.

While officers of the EPS typically used three to four instruments in their work in the Model, not every police officer in the EPS was evenly, or even formally, trained on the instruments they used in their day-to-day duties. At the time of my field work, one officer explained that there was no “mandatory training” on these instruments to ensure consistency of use. Another officer explained that the officers who used the instruments

⁵⁵ Staff inside the CSC showed a distinct preference for five instruments, three of which have come under challenge before the courts as seen in Chapter 3: the HCR-20, the Static-99/99R, the VRAG, the PCL-R, and the STABLE-2007.

⁵⁶ The extremes between using one or two instruments in relation to a single individual as opposed to ten or more instruments was noted by one officer when discussing a report prepared by an official inside the CSC where more than a dozen instruments were used to conduct a risk assessment in order to arrive at a risk classification for a single inmate. This officer stated that using multiple risk instruments to accomplish the same outcome “did nothing more than show that that person was skilled in applying these tools”—that is, they were qualifying themselves as an expert in risk classification.

had a basic “fundamental threat assessment course,” but clarified that this training did not cover all of the instruments in use in the EPS at the time of my field work. Aside from the one course this officer mentioned, there were no other courses on the practice, methods, theories, techniques, and technologies of risk assessment that I could find either in place for or required by the EPS to ensure consistency of use.⁵⁷ Thus, training experiences with risk assessment instruments varied from officer to officer. And, because, as demonstrated in Chapter 2, training on risk assessment instruments is directly and indirectly guided by instrument developers, training experiences also reflected police officers’ engagement with the central group of actors in the carceral network.

To capture the unevenness of training related to the use of risk assessment instruments, another officer described having been on several training and academic courses, attending several conferences, and holding multiple credentials offered by instrument proprietors. But, several officers indicated or showed me that they had a “copy of” or had “access to” proprietary user-manuals for the instruments they used regularly. In particular, these officers described how they either followed “templates,” or relied on “examples’ and “samples” offered in the proprietary user-manuals, or looked at past risk assessments prepared by other officers and other agencies when writing risk assessment reports themselves. These imitative practices highlight what skills were seen by these officers as extrinsic to standardized risk assessment procedures that informed their approaches to daily work and, at the same time, these practices foregrounded that replication and reproduction of standardized risk assessment procedures were common practice in policing. As one officer noted, an end goal for them concerning the use of

⁵⁷ As noted in Chapter 2, training for risk assessment instruments was typically available in the form of fee-based webinars, distance learning modules, in-person training seminars, and conferences.

instruments in their work was to become “more proficient with certain tools.” Another officer explained that the difference I was observing in levels of training was most often related to funding and resource deployment and that decision making related to these arrangements “is all at the [discretion] of [the] EPS and how much is in the budget, the training budget.”

From these officers’ accounts of uneven levels of training on and experience with risk assessment instruments, the level of skill required to arrive at an output was neither consistent nor explicit inside the EPS. Rather, the focus for the officers I spoke with was their close reading of the documents they received from the CSC. For the officers who earlier described using highlighters or word processing techniques when reviewing documents provided by the CSC and when writing their risk assessment reports, the work they did was not directed as much towards understanding the “science behind” the instruments per se as it was directed by the intense document analysis and careful evaluation of an individual’s background and circumstances recorded in these documents that were ‘facts’ necessary to satisfy an instrument’s input requirements. One officer referred to the task of reviewing documents to satisfy an instrument’s input requirements as “labour intensive work.” This focused work allowed these officers to use these instruments to be able to move toward an end goal of writing a report in the local policing process of “conducting a risk assessment.” Thus, these officers also generated documents through their use of instruments. Documents, therefore, constituted a primary determinant of how risk was defined, classified, and more substantive, reported by multiple institutions and actors in Canada.

Documents

As noted earlier, the document system housed within the EPS (concerning high risk individuals under section 810 orders) contains evidence spanning over ten thousand pages of official materials. This section focuses specifically on data from this document system to spotlight *how* knowledge and understandings of risk within Canada’s carceral system were articulated through uses and productions of documents which were demanded to exist by the Model. First, I provide a simplified overview of the structure of the risk assessment reports produced by officers of the EPS between 2011 and 2016. Next, through the use of ANT, I illustrate how these officers used and generated documents and the consequences of these practices for their work. This application allows me to capture the social organization of relations between government institutions, agents, and things through which ‘facts’ are constructed. Specifically, I illustrate how relations between such actants are made visible *through* uses and productions of documents. Documents are actants. Finally, I describe what information was absent from these documents—that is, the “missing pieces of information” that police officers deemed were critical to their work with high risk individuals in the community. This work allows me to demonstrate, in this chapter, how these officers went about obtaining these missing pieces of information, and, to demonstrate in Chapter 5, what they did with this information.

The Edmonton Police Service’s Risk Assessment Reports

Since the EPS’s reports are considered classified documents, what I share here is a brief redacted view of their overall framework. The reports written by police officers of the EPS between 2011 and 2016 exhibited a standardized structure in that they were

divided into three consecutive sections. These sections were labelled consistently within the reports under the following headings: (1) Introduction; (2) Scenarios and Judgements; and (3) Recommendations and Supervisory Conditions.

The first few paragraphs of these reports made up the ‘Introduction’. This section included: (a) professional, biographic information about the officer who wrote the report; (b) an explanation of the intention of the report (i.e., to validate that the risk posed by an individual met the threshold necessary for police to seek a section 810 order); (c) a description of the sources and types of information on which the report was based (i.e., WED notification packages, other risk assessment reports, opinions, and findings recorded by other government officials, and interviews); and (d) details regarding the methods used to arrive at a finding of an individual’s risk level, namely the instrument(s) used. As one officer explained, the ‘Introduction’ section of the report was where they identified the opinions and findings originating from within the CSC on which the EPS relied to write its risk assessment reports.

The next section of these reports was ‘Scenarios and Judgements’. While the voices of staff inside the CSC were dominant in the ‘Introduction’ section of the reports, the voices of police officers of the EPS were dominant in the ‘Scenarios and Judgements’ section. Here, possible scenarios of recidivism on the part of high risk individuals were presented in the context of community factors such as acquaintances, social situations, and so forth. These scenarios forecasted what consequences *might* occur if a high risk individual were to be released into the community without a section 810 order in place. For example, in one report an officer wrote:

If [REDACTED] commits future criminal violence, the following scenarios are plausible. The first scenario is that [REDACTED] returns to live with [REDACTED].

As the stress between them builds ██████████ would turn to drugs to cope, which will cause ██████████ to revert to crime and criminal associations to get money. ██████████'s crimes could escalate into violent and sexual violent crimes, as ██████████'s motivation is anger at ██████████, which is then taken out against ██████████-like figures. The likelihood of this scenario appears to be high [...]. The second scenario is that ██████████ [lives] with anti-social influences. ██████████'s drug use would quickly escalate and ██████████ would revert to crime to get money to support ██████████'s habit. Violence could be planned [...] or unplanned [...]. The likelihood of this scenario appears to be high as well.

Other examples of scenarios (not included here literatim due to the potential to identify an individual to whom a scenario related) involved: a high risk individual gaining access to and distributing child pornography; a high risk individual grooming and/or touching children or adolescents; and a high risk individual's behaviour escalating to the point where they engaged in assaultive behaviour. This section of the reports characteristically juxtaposed public safety with high risk individuals' rights and freedoms.⁵⁸ It was a perceived risk to public safety presented by high risk individuals falling back into their crime cycle that led police officers to conceive of possible scenarios where, as one officer explained, this reversion "might happen if a high risk offender was not subject to a [section] 810 order." For example, one officer wrote: "I am recommending that the EPS pursue a Section 810 ██████████ Recognizance Order with strict conditions in an effort to mitigate ██████████'s risk to the public and ensure ██████████'s prosocial conduct." As another officer explained, these scenarios tended to focus not only on the high level of risk an individual posed to the community, but also on the report writers' professional capacity and knowledge to predict such outcomes based on their experiences

⁵⁸ From the literature on decisions made by the Parole Board of Canada, for example, it is clear that, in their decision making, officials prioritize justifying the proportionality of restrictions above planning how to manage such restrictions effectively. In short, officials are more preoccupied with offering justifications for keeping an inmate incarcerated than with offering justifications for why an inmate should be released (Hannah-Moffat & Yule, 2011).

with high risk individuals in the community, and the EPS's obligation to ensure public safety. Thus, this section of the reports built on the previous one by articulating the authority of report writers in reaching such predictive conclusions.

These first two sections of the reports were where the EPS validated a high risk to reoffend classification assigned by the CSC to the individual about whom the report referred. In doing so, these officers used the same processes, practices, and instruments as the CSC. That is, they achieved the primary objective of the Model. In achieving this objective, the EPS validated the risk classification assigned by the CSC to a particular individual, nothing more. While this action was adequate to guide the EPS to recommend to a Crown Attorney to seek a section 810 order before the court, this action was not in itself adequate in meeting the intention and the objective of a section 810 order application. Despite its name—the Risk Management Model—the Model did not guide the police beyond how to validate risk classifications. Thus, the Model lost applicability for the EPS after it determined it would make a recommendation to a Crown Attorney to seek a section 810 order. In seeking a section 810 order, the EPS had to show the court not only that an individual's level of risk to reoffend was high and they posed an imminent threat to the community, but also how the EPS would *apply and enforce* a section 810 order to *manage and mitigate* the risk posed by the individual. This requirement was captured in the final section of the EPS's reports called 'Recommendations and Supervisory Conditions'. This section contained a recommendation by the EPS for a Crown Attorney to pursue a section 810 order before the court.

This section included another critical, obligatory feature of the EPS's risk assessment process, that is, a risk management plan. This plan consisted of opinions and recommendations for individualized conditions of supervision for a high risk individual in the community about whom a report referred. By referring to opinions, findings, and recommendations originating from within the CSC, along with their own findings of risk that linked back to potential scenarios of recidivism written in the second section of the reports, officers of the EPS documented their perceptions of a high risk individual's ability to reintegrate into the community without any form of supervision. In one report, an officer wrote:

It is apparent that [REDACTED] will face many challenges in [REDACTED] attempt to successfully re-integrate into society. [...] In light of the [opinions, findings, recommendation, and scenarios presented in the report], I am pessimistic about the possibility of effective long-term management of [REDACTED] without strict conditions to manage the risk. I recommend that [REDACTED] be monitored by the Edmonton Police Service [...] and be placed on a section 810 [REDACTED] CC [*Criminal Code*] recognizance order upon expiry of [REDACTED] sentence in an effort to assist with the management strategies [proposed in the risk management plan].

In another report, a different officer wrote:

I am pessimistic about the possibility of effective long-term management of [REDACTED] without effective supervision and monitoring combined with strict 810 [REDACTED] CC [*Criminal Code*] conditions to manage [REDACTED] risk.

By documenting these perceptions, officers articulated the local conditions of the community that made the provision for a section 810 order relevant and necessary. In offering scenarios in their reports, officers raised questions, made statements, hypothesized possible situations in which public safety may be threatened, and sometimes included remarks about the lived realities of certain individuals (see above for an example).

From these three integral document sections, the EPS's risk assessment reports were fundamentally seen as the oration of two distinct voices from two different contexts with the carceral 'factuality' of risk stated at the outset of the reports and maintained throughout the first two sections of the reports. The first section represented the voice of 'facts' and opinions emanating from within prison. The third section represented the voice of community-based concerns, real-life, and lived realities of police officers mandated to supervise high risk individuals in the community. Through these distinct voices, discrete reports—the CSC's WED notification packages and the EPS's risk assessment reports—were linked in how they provided accounts of the same high risk individuals. That is, the CSC's reports claimed to provide 'facts' about high risk individuals inside prison, and the EPS's reports claimed to provide 'facts' about high risk individuals in the community while accepting 'facts' generated by the CSC about that same individual. By considering slight variations in these claims, it is possible to distinguish a relationship between reports originating in different institutions where the work of actors is distinct. Thus, reports produced by multiple actors located in multiple institutions mandated to use the Model in their work both informed and organized the relations between actors and made visible 'facts' about high risk individuals within and between institutions.

Addressing the lived 'realities' of high risk individuals in their jurisdiction was something two officers voiced repeatedly in our conversations as necessary to their work in managing and supervising these individuals in the community. Specifically, one officer expressed concerns about certain high risk individuals "re-entering their crime cycles if they lacked a stable, structured environment." According to this officer, a stable,

structured environment was one that included provisions for access to medical and mental health care, housing, financial assistance, and supports necessary to ensure high risk individuals avoided triggers that had been documented as leading ‘offenders’ to perpetuate their crimes (e.g. negative social groups, access to vulnerable persons, living a high risk lifestyle, and so forth). For one high risk individual, it was noted in a report prepared by the EPS that achieving this type of stability and structure simply meant that “██████████ will need to keep ██████████ busy.” For other high risk individuals, however, this meant that specific strategies, conditions, and the correct resources needed to be in place to restrict opportunities for reoffending.

According to these reports, this restriction could be accomplished through conditions requiring, for example, a high risk individual to stay sober, to stay away from other known offenders, or to acquire skills to allow them to cope with living in the community as some individuals had been incarcerated for long periods of their lives. Thus, risk was approached by officers writing these reports not solely from an analytical (psycho-statistical) perspective as captured in the fragmented, ‘factual’ accounts provided by the CSC which these police officers moved along in their reports, but also by the work of these police officers in practically sorting ‘possible’ future events into those that may or may not be controlled. In describing how they accomplished this action of sorting, another officer revealed how they associated risk with circumstances over which police lack control, such as the behaviour of an individual when among others in the community. This officer’s explanation reveals how the process of risk assessment involved the user of professional police judgement in practice in policing than the Model’s framework would, perhaps, like.

This practice spotlights how the circumscribed content of the CSC's reports the EPS's use of risk assessment instruments did not capture the social relations and practices at play in the policing context and what their consequences were for police officers, for high risk individuals, and for communities. According to one officer, they develop multiple scenarios of recidivism when writing their reports in order to select the scenarios with "the higher stakes" for the EPS, the community, and the high risk individual, and then build conditions into the corresponding section 810 order moving forward with "an eye to eliminating the circumstances" that may lead to such scenarios being realized. As a result of this emphasis, scenarios offered by some officers, including the two noted above, reflected the dominant perspective of the CSC when disseminating WED notification packages that there was no other alternative to a section 810 order if an individual who had been classified by the CSC as high risk to reoffend was to be released at their WED, and, more significant for the members of the EPS, if public safety was to be guaranteed.

Perhaps because its main audience was the courts, there was a further observed consistency in the document system between section 810 of the *Criminal Code* and the wording of the conclusions and recommendations documented by the EPS. For example, section 810 of the *Criminal Code* reads:

If injury or damage feared

810 (1) An information may be laid before a justice by or on behalf of any person who fears on reasonable grounds that another person
(a) will cause personal injury to him or her or to his or her spouse or common-law partner or child or will damage his or her property; or
(b) will commit an offence under section 162.1. [...]

Where fear of sexual offence

810.1 (1) Any person who fears on reasonable grounds that another person will commit an offence under section 151 or 152, subsection 153(1), section 155 or 159, subsection 160(2) or (3), section 163.1, 170, 171, 171.1, 172.1 or 172.2,

subsection 173(2), section 271, 272, 273 or 279.011, subsection 279.02(2) or 279.03(2), section 280 or 281 or subsection 286.1(2), 286.2(2) or 286.3(2), in respect of one or more persons who are under the age of 16 years, may lay an information before a provincial court judge, whether or not the person or persons in respect of whom it is feared that the offence will be committed are named.

Where fear of serious personal injury offence

810.2 (1) Any person who fears on reasonable grounds that another person will commit a serious personal injury offence, as that expression is defined in section 752, may, with the consent of the Attorney General, lay an information before a provincial court judge, whether or not the person or persons in respect of whom it is feared that the offence will be committed are named. [...]

The following three examples from reports written by officers of the EPS illustrate the unvariedness I observed between their reports and section 810 of the *Criminal Code*.

Example 1:

In the opinion of the writer, ██████████ remains a very high risk to reoffend violently if ██████████ does not have a structured environment providing ██████████ access to medical and mental care, residency, financial assistance and provisions to ensure ██████████ takes ██████████ medications. [...] I suggest that ██████████'s success and the public's safety depends [*sic*] largely on oversight of community partners and EPS [...] through good monitoring, supervision, a treatment plan, and safety planning. [...] I believe that ██████████ represents a risk of significant harm to the public and I believe that ██████████ will commit a serious offence as set out in section 810 ██████████ of the Criminal Code of Canada. I am recommending that the Edmonton Police Service pursue a Section 810 ██████████ Recognizance Order with strict conditions in an effort to mitigate ██████████'s risk to the public and ensure ██████████ pro-social conduct.

Example 2:

I believe that ██████████ represents a risk of significant harm to the public and I believe that ██████████ will commit a serious sexual offence against a child as set out in section 810 ██████████ of the Criminal Code of Canada. I am recommending that the Edmonton Police Service pursue a Section 810 ██████████ CC [*Criminal Code*] Recognizance Order, with strict conditions, in an effort to mitigate ██████████'s risk to the public and ensure ██████████ good conduct.

Example 3:

After review of the attached documentation and speaking with the noted people, I believe that ██████████ poses a high risk to reoffend both violently and sexually. [...] I believe that ██████████ represents a risk of significant harm to the public and I believe ██████████ will commit a serious violent and sexual offence as set out in section 810 ██████████ of the Criminal Code of Canada. I am recommending that the Edmonton Police Service pursue a Section 810 ██████████

██████████ Recognizance Order, with strict conditions, in an effort to minimize ██████████
██████████'s risk to the public.

Writing recommendations in this manner reflected the earlier discussion about officers' perceptions of the weight the courts gave to their opinions as 'risk assessors' or 'experts' and the opinions of the staff inside the CSC, while, perhaps, making their reports more resistant to scrutiny in the legal arena.

During my analysis of the EPS's document system, I observed structural, format, and content changes in the reports written by officers of the EPS. This observation was verified by one officer who explained that these changes reflected how activities and practices in the EPS were organized and reorganized over time to "strengthen" reports. Reports created by the EPS were identified by two officers as "evolving" and "working" documents that were continually adjusted in form and meaning. These adjustments were seen by these officers as an essential part of a somewhat practical attitude driven by increasing demands for paperwork to satisfy what they viewed as shifting bureaucratic processes and liability concerns within Canada's criminal justice system more generally. And, these officers explained, any shifts in report format and content were decided upon collectively and collaboratively inside the EPS.

As noted in the "conducting a risk assessment" section earlier, reports written by the EPS were read by a variety of actors in a variety of circumstances (e.g., section 810 order applications, bail hearings, and so forth). Thus, these reports acted as a medium of exchange of 'facts'. Human decisions contributed directly to these documents; that is, these documents accounted for authority that facilitated the taking up of the 'facts' within them. The function of reports from other agencies and sources such as the CSC in the context of the work of the EPS was profound, ranging from providing the information

necessary to use the risk assessment instruments, to providing opinions and classifications on which police relied and restated. In ANT terms, then, these documents were actants. That is to say, if documents were to disappear from the system, so, too, would the social ordering and function of the system.

Applying ANT to the Documents

In this section, I apply ANT to provide a socio-technical account of how documents were used and generated by the EPS. This account allows me to demonstrate the actions generated, intentionally or otherwise, by documents, document creators, and documents users in conferring carceral ideas and motivations on these actants. First, I describe the ‘construction of facts’ observed within documents based on fragmented accounts about certain individuals. Next, I consider the actions of inclusion and exclusion that enhanced the stability of documents as actants. Finally, I describe the authoritative nature of documents in organizing relations among actants and I spotlight the critical role documents played in guiding and informing decisions made inside the EPS.

Fact Construction and Fragmented Accounts

One way that reports were observed as fragmented was in how they varied in length between those produced by the CSC included in WED notification packages and those produced by officers of the EPS. These variable lengths may speak to the fact that these reports had very different authors and audiences. Nevertheless, these varied lengths foreground that fragmented, incomplete accounts about certain individuals existed in the document system of the Model. For example, risk assessment reports written by officers of the EPS ranged from nine to thirty-two pages. Comparatively, the CSC’s WED notification packages ranged from a half-page ‘memo to file’ to an eighteen-page

document consisting of an assortment of institutional reports and a brief recommendation for the EPS to pursue a section 810 order for an individual based on these reports alone.⁵⁹

The CSC's WED notification packages often included references to reports that had not been included in the documents the CSC shared with the EPS. The absence of an original report prevented an examination of the original report by the EPS, including consideration of how it was generated, by whom, and based on what information. It also prevented a comparison of how its contents were taken up in subsequent reports by other authors. This impediment is problematic because it spotlights the possibility that the EPS relied on fragmented accounts which, as I argued in Chapter 2, were not capable of capturing a distinct person or a classification. At no time did any of the officers who shared their experiences recall an instance where 'all' records had been provided for a candidate for a section 810 order. This observation highlights the reality of the police's role in working with fragmented accounts of certain individuals at the same time these fragmented accounts were used to make life altering decisions about these individuals. The following two examples extracted from the EPS's reports illustrate how this variance of fragmented accounts was accounted for by police officers who received them and made use of them in their work:

Example 1:

This assessment is based on documentation provided by Correctional Service of Canada (CSC), Police reports, CPIC [Canada Police Information Centre, this is Canada's central police database] information and other supportive documents. The CSC documents make reference to both Police and Psychological reports. As

⁵⁹ The inventory of reports contained in the appendix of the section 810 risk assessment binders compiled by the EPS spanned over five hundred pages in two of the thirty-three 'original' section 810 order applications. Differently, in seven cases of these thirty-three applications, there were less than fifty pages in the binders. The minimum number of pages was four, the maximum seven hundred seventy, and the average one hundred sixty-two.

part of this assessment the writer also spoke to [REDACTED], Parole Officer. I believe there is sufficient information to conduct a proper risk assessment.

Example 2:

This assessment is based on documentation provided by Correctional Service of Canada (CSC), Police reports, CPIC [Canada Police Information Centre, this is Canada's central police database] information and other supportive documents. The CSC documents make reference to both Police and Psychological reports. These reports include, but are not limited to: Criminal Profile Report, Emails, PBC [Parole Board of Canada] Detention Review Decision Sheet, WED Package, Clinical Discharge Assessment Report, Assessment for Decision, Correctional Plan Update, Psychological/Psychiatric Assessment Report, [REDACTED] report, RADAR [reports of automated data applied to reintegration] information. As part of this assessment the writer also spoke to the following people: [REDACTED], the subject of the 810 [REDACTED] [Criminal Code] Recognizance Order; [REDACTED], Parole Officer, [REDACTED] Institution; [REDACTED], Social Worker – Discharge Planner [REDACTED] Institution, [REDACTED], [REDACTED], [REDACTED], Executive Director of Operations [REDACTED]; [REDACTED], Community Health Nurse, [REDACTED]; Members of the [REDACTED] Edmonton Police Service.

A reliance on fragmented accounts was justified by all officers based on what they described as “constant communication” or “open communication” among all parties engaged in the risk assessment process and the related activities and goings-on within the EPS concerning fact-checking.

This type of open communication was captured by one officer who pointed out the significance of the internal “checks and balances and the peer reviews” of reports conducted by fellow police officers, command officers, civilian staff, and by Crown Attorneys. One officer explained that peer reviews of risk assessment reports were conducted routinely to “ensure objectivity and that there was no police bias” evident in the final report submitted to the court. Another officer remarked about the practice of having a colleague evaluate their work: “I want them to do it for my objectivity, ensure there is no bias in the report [...] and also so that I am not overweighting or underweighting any of the risk factors.” This collaborative practice was also captured by

a different officer who described routine participation in “transparent meetings” where officers would discuss, negotiate, and individuate section 810 orders.

Aside from individual officers who wrote reports and those who peer-reviewed their reports, all of the officers I spoke with stated that very rarely did they ever feel compelled to read the supplementary reports (i.e., WED notification packages and reports from elsewhere) contained in the appendices of EPS risk assessment binders upon which the EPS’s risk assessment reports were based. That is, these other officers all read the risk assessment reports written by fellow police officers which were based on these supplementary reports. It was these officers’ belief that the opinions, findings, and recommendations presented by their peers in risk assessment reports accompanying section 810 order applications were arrived at competently by their colleague(s), and that the more lengthy appendices were there to back up the opinions, findings, and recommendations made by staff from other agencies noted in the EPS’s reports. Illustrating this belief, one officer stated that there was a “high level of trust and confidence” among the members of the EPS who have neither the opportunity nor the time to personally conduct a review of all the documentation used by a fellow officer to write a risk assessment report. This level of trust and confidence was further captured by another officer who stated:

We are really relying on [the police officer who wrote the report] to give us the accurate information. [...] We don’t read every CSC document, we read the risk assessment document that [the police officer] has completed.

As a consequence of their obligations related to the presence of high risk individuals in the community, an obligation which three officers described as having been “thrust on [the] police,” a similar level of trust and confidence in the reports produced by the CSC was expressed by four officers.

From these accounts, an interesting overlap between fragmented accounts and the notions of trust and confidence emerges, spotlighting the objectification of knowledge into factual accounts in the Model. Because the EPS is one of several government institutions responsible for ensuring public safety in the community, trust was a concept that applied equally to police officers and to staff inside the CSC. In supporting relationships inherent in the implementation of the Model from the perspective of the police officers I interviewed, the EPS delegated trust decisions to validate the classifications claimed by the CSC to both human and technical things

Thus, the claims made by the CSC in its reports regulated and standardized subsequent reports that were written based on the information they contained as being ‘factual’. These reports were provided to the EPS where what was contained in them was interpreted by the EPS ‘facts’. For the EPS, everything that the CSC selected to include in WED notification packages was, in some form or another (i.e., direct quotes, citations, or appendices) included in the EPS’s risk assessment binders that accompanied its section 810 order applications. Through this process of reproduction, the EPS’s reports facilitated the maintenance, reproduction, and dissemination of these ‘facts’. One officer explained to me that any information that was requested from, but was not provided by the CSC or any other party, was considered “missing” and was, therefore, “not mentioned” in the EPS’s reports.

Inclusion and Exclusion

This practice of inclusion and exclusion calls attention to what was being authoritatively communicated in these reports, and, moreover, what was not authoritative was also implied in these reports. A point raised by one officer when discussing sources

of information relied upon when they “conduct[ed] a risk assessment” concerned legitimate sources of information or ‘facts’ that often get overlooked or excluded. According to this officer, such sources were the individuals being considered for section 810 orders themselves. This officer noted that this source of information was particularly overlooked when high risk individuals were not interviewed as part of the risk assessment process, either by correctional staff or by the police, for various reasons. A near-complete reliance on reports written and read as authoritative ‘facts’ about an individual made it easier for officials to work in a more detached manner from the individual as intended by the Model. For those reading and using these reports, complicated accounts of a person’s life could easily be reduced to a recital of ‘significant’, ‘relevant’, or ‘pertinent’ events extracted from reams of records by government officials operating under specific and possibly competing mandates.

These processes are captured by the ANT principle of symmetry of possibly conflicting viewpoints. The end result of these processes was a catalogue of partial, boiled-down events with no apparent beginning and, because of risk assessment experts’ and instrument developers’ claims of predictive capabilities for future offending, no real end. Thus, in the documents I analyzed, these events appeared together in reports only because they occurred, were deemed significant, and were recorded by a government official—that is, they were a ‘fact’. For example, a substance abuse problem could show up next to a homicide conviction in one report, and a failed marriage could show up next to infractions inside the prison in another report. When I inquired about the process of information inclusions and exclusions that I was observing in the documents they created, one police officer explained that decisions about a report’s content (such as the ones I

was observing) were, for the most part, premised on a widely held view that it was not practical, nor perhaps desirable, to provide *all* information documented about a high risk individual. Such fragmented and selective accounts in practice are significant because it was unclear what was missing from, hidden, or camouflaged in these reports. It is further significant because it was impossible to fully understand how certain decisions were made and risk classifications assigned and validated in the absence of certain information about the realities of these individuals' lives more generally.

To illustrate how these accounts exhibited fragmented and selective properties, I describe some of the risk assessment report production practices and activities I observed in the document system I analyzed during my field work.

Within the EPS's reports, large excerpts of texts were cut-and-pasted from reports written by other government officials in other institutions and were then placed inside quotation marks, were italicized, or were made bold, sometimes with reference to an appended report. By cutting and pasting large passages of text from older reports or whatever extracts of past risk assessments were included in a WED notification package, the same 'fact' was reproduced in subsequent reports by multiple authors in multiple institutions. The extensive use of long quotes in these reports is also significant when one considers assumptions and ideas about expert or scientific knowledge in risk classification practice more generally, and whose voice was being heard or was intended to be heard by reproducing these long passages of text. In one case, for example, a certain passage from a report had been restated over and over in a series of subsequent reports written by staff in various institutions, yet the original report never appeared anywhere in the document system.

When I inquired about these distinct practices, three officers advised me that quotation marks, citations, and other textual emphases were used in relation to the fragmented accounts they included in their reports for four reasons: (a) to indicate the “source” of a ‘fact’ or an opinion referenced in their reports; (b) to “qualify” the use of an older ‘fact’ or an opinion referenced in their reports (i.e., older than the two-year shelf life for risk assessments ascribed by the CSC); (c) to highlight the expertness and “authority” of the source of a ‘fact’ or an opinion; and (d) to distinguish clearly between the numerous assessors and their findings, opinions, and recommendations cited in the EPS’s reports. These practices meant that the resulting reports were marked by the social organization and operations of multiple institutions and actants. These officers further explained that they needed to indicate the origins of different reports because of the often voluminous appendices included in the EPS’s risk assessment binders that accompany section 810 order applications submitted to the courts. As one officer noted, these appended reports, produced mainly by assessors located in other institutions, were not merely supplementary material. Rather, these appended reports were used to “defend” the EPS’s reports if they were to be challenged before the courts or elsewhere in the criminal justice system.

The intentional use of certain reports to achieve different ends illustrates processes in which ‘facts’ constructed within the carceral system were used increasingly and without modification in a network of actants (Latour, 1993, p. 18; see also Latour, 1987; Latour & Woolgar, 1979). These were ‘facts’ about risk and about certain populations which are believed to pose a risk, and about ideal responses to such risks. What became of these ‘facts’ is significant because their durability depended on those

who came later and made use of them, such as the police. These ‘facts’ were inscribed and integrated into things such as the Model and its instruments which the police used. These inscriptions and integrations extended their influence as these ‘facts’ became more accepted or taken for granted in contexts outside of the carceral system, such as in policework in the community. The basis for these ‘facts’ was the possession of expert or scientific knowledge by those who constructed them and, more important to this study, those who used them without modification. By not altering the Model for use in the alternate context of policing in the community, the preconfigured mechanisms of the Model made it easy for the police to replicate the work of the CSC. In doing so, the ‘facts’ presented by the police took on the same authoritative nature of those presented by the CSC.

Authoritative Nature of Documents

Accounts of an authoritative nature of report writers and their reports constituted the ‘real’ or the ‘factual’ because these writers made their report *appear* official to their readers and users through various tactics, in this case including verifiable facts about the report writer. As I was reading the reports produced by the CSC and the EPS, I was observing how, through professional, biographic accounts, report writers consistently established their authoritative position. By articulating specific attributes possessed by the author of a report, these accounts reflected an understanding within the CSC and the EPS concerning the central role of expert or scientific knowledge in risk classification practice. For example, in 2014, the EPS’s risk assessment report format was adjusted to include a section called ‘Assessment Author’s Details’. This section offered a biographic account of the police officer who wrote the report, including attributes such as the

officer's name, their years of service with the EPS, and general information about their role as it pertained to management and supervision practices concerning high risk individuals in the community. In 2015, this report section was further expanded to include a list of training attended, courses completed, and a list of skills possessed by the officer who wrote the report. This section of the report emphasized threat assessment credentials, attendance at courses and workshops on violent offender behaviours, and certification and credentials earned through attendance at courses related to the use of risk assessment instruments. One officer explained that these adjustments to the reports reflected how they and their fellow officers were "showing to the reader" of their reports that they possessed the training and the education "necessary" to write risk assessment reports. Further, by establishing the authority of the report writer in this way, this section of the report was intended to shield report writers and their reports from scrutiny.

Absent from these explanations were details highlighting that while these reports were written based on the use of risk assessment instruments, these instruments were intended to be applied by correctional staff and were designed and intended to be applied individuals who were under the jurisdiction of the CSC. That is, these instruments were not intended to be used by the police in the markedly different context of the community on essentially free individuals. The absence of this disclosure creates the possibility for the blurring of administrative functions of distinct and supposedly autonomous institutions such as the CSC and the EPS. And, as noted earlier in this chapter, these boundaries were already blurred when the EPS replicated the work of the CSC concerning risk classification practice more generally.

Further to expressing a need to be able to demonstrate that they were sufficiently trained to write risk assessment reports, these police officers explained that they were required to “sign off” on their reports and to have their superiors do the same. By signing off, these officers meant that they had to affix their name to each report they wrote. This bureaucratic formality was interpreted by two officers as a mechanism through which what they wrote in a report might later become a “burden” to them. This burden, they explained, came in the form of a request to testify before the court at a section 810 order proceeding. Hence, the meanings officers attributed to ‘signing’ their reports became an important feature to understanding how they related to their obligations to the Model, the legislation, and high risk individuals in the community. The serious nature of their work perceived by these officers led them to view the formality of signing their reports equally seriously. Every EPS risk assessment report I accessed had the author’s name affixed to it, usually in more than one place.

Two sociological concerns emerge concerning reports that were signed or unsigned.⁶⁰ The first concern presents when we consider anonymity to be objectivity; that is, “we might interpret the expert’s silence or invisibility as a sign of neutrality and, indeed, objectivity” (Hartelius, 2011, p. 214; see also Pfister, 2011). As demonstrated in Chapters 2 and 3 and this chapter, the subjective nature of the use of risk assessment instruments and the embeddedness of the carceral logic in their inputs points more to the presence of subjectivity than objectivity. The presence of subjectivity was observed in

⁶⁰ In two of summaries accompanying WED notification packages received by the EPS that were written by staff inside the CSC, the author’s name was absent from the report. In one WED notification package the bottom half of a report was cut off so its author could not be identified, and in another WED notification package an included report did not have an author attributed to it. Yet, these same textual accounts went on to inform subsequent risk assessments, reports, and decisions about an individual’s freedoms and future both inside prison and in the community.

accounts of police officers who remarked that reports contained their “opinions,” and not just the ‘facts’ constructed within the carceral system which, as demonstrated in Chapter 2, were based on a set of shared assumptions, values, and opinions about risk and offenders. Five officers acknowledged, however, that the opinions included in their reports were just that, their opinions. For example, one officer stated that the opinions presented in their reports were “my opinions, which are not without training and what not, but they are still just opinions.” This officer noted that different opinions might be offered by other parties and that this subjective part of the report was often “hashed out in court.” The significance of offering opinions in their reports to their work was revealed when another officer explained how they used their reports to highlight a high risk individual’s long term needs while living in the community. I pursue this point in detail in Chapter 5.

The second concern arises where the value and credibility of expert or scientific knowledge are increased when knowledge is prioritized above the knower to the extent that the author omits or removes their name from a report, and, thus, mutes their subjectivity. Different to the EPS’s reports, in two of summaries accompanying WED notification packages received by the EPS that were written by staff inside the CSC the author’s name was absent from the report. In one WED notification package, the bottom half of a report was cut off so its author could not be identified, and in another WED notification package, an included report did not have an author attributed to it. Yet, these same unsigned reports contained judgements and opinions of a subjective nature that went on to inform subsequent risk assessments, reports, and decisions about individuals’ freedoms and futures, both in the prison and in the community.

The extensive body of materials (evidence, records, reports, documents, and so forth) contained within the document system housed in the EPS allows for the consideration of how understandings of risk were articulated by actors with agency through the documents that were demanded to exist by the Model. By locating reports in the hands of police officers who used and generated them, and by speaking with these officers, the social organization of the relations between the police and other carceral system actants was revealed. Through the words (spoken and written) of police officers, two sociological observations emerge.

First, the relations between actants in the Model were rendered visible through documents. From an ANT perspective, documents mediated relationships in the carceral actor network as the Model was implemented by the police in the community. That is, the documents generated by the CSC which informed and guided the CSC's work in the Model created the conditions for the police to do their own risk assessments, replicating the work of the CSC in the community context, in particular using the Model's instruments and generating the paperwork the Model demanded. Second, and directly related to the first observation, these reports actively guided the social practices of these police officers in their mandated daily duties because they were interpreted by them as providing the information needed to do their work in the Model. As a result of this interpretation, the opinions, findings, and recommendations documented in reports generated by other actants were moved along as 'facts' by the police in furtherance of their obligation to ensure public safety in the community. The interrelatedness of these two observations from my field work concerning knowledge production and administrative control within the confines of the Model was captured by the fragmented

nature of documents, the intended function of documents as constructors of ‘fact’, and the authoritative quality of documents.

I turn to present a notable scenario from my field work in order to demonstrate how the carceral system’s characterization of high risk individuals, which has become legitimated through systems of classification and relevant pieces of legislation, was observed in the work of the EPS as they applied risk assessment instruments and accepted documented ‘facts’ provided by the CSC and replicated these ‘facts’ in their work.

On my first day of field work in the offices of the EPS, I cleared security and was escorted to the area where I began my work. Upon entering, I was confronted with two large, well-organized bookshelves filled with white binders, with similarly labelled spines and covers. Looking to the officer standing next to me with arms outstretched taking in the span of the bookshelves, they said: “These are our eight-tens.” The “eight-tens” (or “810s”) the officer was referring to were the high risk individuals currently residing in the community under the jurisdiction of the EPS by way of section 810 orders. The EPS bookshelves along with its data servers were teeming with reports, assessments, opinions, memos, check lists, score cards, court orders, and other documents received from other government agencies, namely the CSC, and those written by police officers of the EPS. Each document weighed in on the future of high risk individuals in the community.

As my field work progressed over several months, another police officer brought me over to a whiteboard hanging on the wall to show me “the status of eight-tens currently in the community.” This whiteboard listed the names of individuals under section 810 orders, their approved addresses, and other details related to these individuals, as well as details about the supervisory conditions attached to their section

810 orders and the duration of their section 810 orders. This whiteboard was a living document in the office. Through many conversations with various officers, I came to know that the terms “eight-ten,” “810,” “section 810,” and “high risk offender” were being used interchangeably to describe both the recognizance orders the officers were required to enforce and the high risk individuals they supervised under these orders. This language points to how the CSC’s ideas, assumptions, and rhetoric about risk, risk classifications, and high risk individuals have become legitimized in a piece of legislation—a section 810 order—and, in turn, how individuals subjected to these orders have become coded as such by the police—an “eight-ten.”

Yet, while these officers referred, both directly or indirectly, to high risk individuals under their supervision in the community by using these potentially depersonalizing classificatory terms, they also saw the use of such blanket terms as dehumanizing these members of their community. For example, one officer stated: “some of them [high risk individuals under section 810 orders] are victims themselves.” Another officer went through an individual’s correctional file in front of me to show how, from their perspective, that person “had a hard life.” The former association of an individual to a piece of legislation reflected the intention of the Model, while the latter association of an individual as ‘an individual’ confronted it. Thus, the police were confronted with real individuals requiring individualized strategies, a reality that neither the Model nor its instruments, documents, or the ‘facts’ they generated could accommodate. The EPS required something more.

“Missing Pieces of Information”

Despite the dominant role ascribed to risk assessment instruments and documents provided by the CSC to the EPS, in particular WED notification packages, descriptions offered by officers of their intense document analysis practice led two officers to explain how they often required information beyond what was written down about an individual in the reports included in the WED notification packages. These “missing pieces of information,” they explained, were typically obtained by meeting and interacting with the high risk individuals themselves. These police officers referred to these social interactions as “police-offender interviews.” These social interactions were a critically important aspect of knowledge acquisition that was unique to these officers’ processes.

As was demonstrated earlier, the risk classifications assigned to certain individuals by the CSC were not in dispute from the perspective of the EPS. But, that is all they were—risk classification. A risk classification did not provide the information necessary for the EPS to determine *how* to manage and supervise high risk individuals in the community. In explaining the informational gap filled by socially interacting with candidates for section 810 orders, two officers stated that an individual’s high risk classification assigned did not override other characteristics about that person. As illustrated in Chapter 2, risk factors common to some risk assessment instruments required the user to ‘score’ an individual’s education or employment status, varied mental or physical health, and the possibility of unstable family background. While these factors contributed to risk scores and, subsequently, risk classifications inside of the carceral system, they were not the sole determining factors these police officers used when evaluating the risk of an individual concerning the possibility of being supervised under a

section 810 order in their community successfully. Through these descriptions, a disjuncture emerged in *how* and *where* the Model informed and guided the work of these officers and, more significant, *where it did not*. On the one hand, these officers used risk assessment instruments, score cards, and documents to validate CSC's risk classifications. On the other hand, these officers viewed these individuals who had been assigned risk classifications as more than numbers, risk scores, and high risk classifications. Thus, these officers were demonstrating that they were thinking there was more to their work concerning section 810 orders than risk classifications. And, from these officers' accounts, this work was very different from the detached work encouraged by the Model where (a) personal contact is not required.⁶¹ Moreover, these officers were demonstrating that their work was not premised solely on a 'gain versus risk' logic inherent in the Model which has led the government to err on the side of caution by significantly reducing its level of responsibility with respect to social risks, and, at the same time, by making individual citizens more accountable for social risks (Beck, 1992; Ewald, 2002) through the calculated administration of blame, by assigning responsibility to that individual to be accountable for their own behaviours and consequences of those behaviours (Beck, 1992, p. 87; Lupton, 2006, p. 12).

Incorporating Interviews

According to three police officers, direct social interactions with candidates for section 810 orders in the form of face-to-face or telephone interviews were essential to their work. One officer said that interviews allowed them to become "attuned to background factors" about these individuals (i.e., non-psychological factors). These

⁶¹ *R. v. Baker* (1999) [B.C.J No. 681 (B.C.S.C.)].

background factors were those factors about an individual not captured by risk assessment instruments and risk scores and, relatedly, not by the documentation provided by the CSC. Thus, these officers were suggesting that there was a more complete version to be told about these individuals who had been classified as high risk to reoffend. In particular, by referring to a specific high risk individual, one officer explained that interviews with candidates for section 810 orders presented a key opportunity for enhancing future relationships with these individuals in the community while they were under a section 810 order and, conceivably, beyond as well. At the same time, however, these future relationships were still determined through institutional processes on the part of the police because these high risk individuals were subject to section 810 orders and conditions of supervision and were not engaging in relationships with the police presently or in any foreseeable future while subject to an order as essentially ‘free’ citizens, but ones who are likely to do some violence.

But, as one officer explained, such opportunities to obtain more complete versions about high risk individuals were sometimes lost because “interviews get sacrificed with time crunches.” Another officer further clarified this perspective by noting that “time crunches” were frequent and, as a result, interviews sometimes were not conducted due to the late arrival of WED notifications from the CSC; i.e., less than ninety days before the release of an individual from prison (Public Safety Canada, 2015).⁶² This same officer explained that these “time crunches” often made it impossible for members of the EPS to

⁶² The time lag noted in the documents between the date that an officer interviewed a high risk individual and that same individual’s WED ranged from two months to one day before their release from prison. According to the documents, when the thirteen face-to-face police-offender interviews ($n=13$) were conducted inside prisons, more than half ($n=8$) of the interviews occurred two weeks or less before the corresponding individual’s release from prison.

make the arrangements necessary to travel to prisons in other jurisdictions or provinces before an inmate was released. This officer went on to explain that, under these circumstances, evaluations of some individuals' futures concerning whether or not the EPS would seek a section 810 order had to be arrived at in a matter of days. According to this officer, this situation was not ideal but had to be accommodated given the EPS's obligation to public safety in the community.

As quoting this officer directly is impossible due to confidentiality because they were speaking about specific individuals, they did share more broadly that these same challenges arose for individuals incarcerated in another province. These similar challenges rose because these circumstances also required travel arrangements that were difficult to accommodate on short notice, as well as due to the limited resources or funding available to make such travel arrangements. Without the timely receipt of WED notifications by the EPS, sometimes "police-offender interviews" became prohibitive.⁶³

⁶³ Where a WED notification package provided by the CSC was dated (in five ($n=5$) of the thirty-three ($N=33$) section 810 order cases the WED notification packages had not been date stamped by the CSC prior to receipt by the EPS), the time between an inmate's WED and the date on the WED notification package for that inmate ranged from twelve to three-hundred twenty-two days. In eleven ($n=11$) of these thirty-three cases ($N=33$), the EPS received a WED notification package from the CSC less than the mandated ninety days before an inmate's warrant expiry release date as outlined in the *Commissioner's Directive 712-4 'Release Process'* (Correctional Service Canada, 2014). One report written by a police officer when interviews had not been conducted stated: "Due to time constraints no offender interview was conducted prior to WED." In another risk assessment report, a different police officer wrote: "[REDACTED] has not been interviewed for this assessment." In addition to tight timelines, three police officers stated that it was difficult for them to be certain if a high risk individual would arrive in Edmonton following their release from prison. This difficulty arose because, as was their legal right (see Chapter 2), some individuals chose not to disclose their release plans whereas other individuals indicated multiple possible destinations. One officer described a case where an individual had indicated to staff inside the CSC that they were considering more than one possible release destination in Canada, including Edmonton. In this case, that officer explained, it was determined collectively by the officers of the EPS that the risk posed by the individual warranted a section 810 order, even if the order ended up being transferred to another police agency's jurisdiction in which the individual ended up residing. This determination was noted in the corresponding report as:

[REDACTED] was not interviewed by EPS at this point, having regard for the present release plans, but will be interviewed in the future when/if [REDACTED] release to [Edmonton] is imminent.

Because the EPS relied on the CSC to share information about candidates for section 810 orders, social interaction with these individuals during the EPS's process of "conducting a risk assessment" was an action the EPS prioritized. This prioritization occurred because social interactions with section 810 order candidates were deemed by the EPS to be its link to ensuring it met its public safety obligations.

Despite the reality of such temporal, spatial, and logistical barriers, these police officers continually stressed the importance of communicating and interacting with these individuals. To this end, one officer noted that telephone interviews were "better than nothing" when attempting to open up communication with inmates under consideration for section 810 orders. There was, however, a widely held opinion among these officers that significant limitations and challenges were associated with conducting telephone interviews. As one officer noted:

[a telephone interview] limits the information you gather. Body language matters [...] you don't see that interaction over the phone [...] it is a little easier to talk on the phone and pretend everything is fine [...] but data comes from everywhere, it is not just the words. [...] In-person [interviewing] is the best, and the farther away you are removed from that, the less good it is, I think.

The significance of in-person interviews to the work of the EPS was captured by yet another officer who stated:

I think the best information is the most information you can get [...] So, to me, the offender interview is key to all of that, but it is not always possible to interview the offenders, and then it's a review of as many records as you can get. So, I think that

Another officer described cases where they had planned to go to prisons to meet inmates before their release into the community, but that their plans had to be changed for a variety of reasons including those noted above as well as shifting demands with the high risk individuals already in the community. For example, one officer's report noted that "[redacted] plans to go to [redacted] approximately two weeks prior to [redacted]'s release." When I asked the officer who wrote this report if they had conducted the interview as planned, they indicated that they had not been able to make it to the prison, but had spoken with the individual nine days after they had been released from prison and had arrived in Edmonton.

the collateral information that you are collecting: documents, psychology reports, all of that kind of stuff paints a pretty good picture, but I think that the interview kind of lets you work through specific questions that might come up [...] and seeing their demeanor first hand and seeing what they are like and, you know, get a sense of if they are actually interested in trying to make changes or not. And, to me, the interview is important.

According to this officer, a lot of time and energy was devoted to interacting with candidates for section 810 orders and interpreting their feedback which would be difficult to observe without the coordinated physical presence of both the officer and the candidate. These officers explained how they drew on the interviews they conducted with certain high risk individuals and other sources of information they gathered beyond WED notification packages provided by the CSC. These practices and the resulting information allowed them to overcome the irreversibility observed in the ‘facts’ documented by the CSC.

The types of interactions with and broader understandings of high risk individuals that these officers sought directly confronted the nature of the Model that encouraged relationships based on increasing levels of detachment and increasing reliance on the narrowly circumscribed information documented by the CSC and selectively shared with the EPS. Such interactions also confronted one of the primary inscriptions in the design of risk assessment instruments—that offenders think and conduct themselves in similar and predictive ways. As demonstrated in Chapters 2 and 3, these instruments contribute to the separation of assessors and individuals being assessed and to the development and employment of technical things to move representations, assumptions, and information about these individuals across the Canadian justice system. Important to the function of the Model, these representations must be able to capture certain individuals across time and space. However, in the process, individuals being assessed are reduced to

measurements, measurements to numbers, and numbers to classifications which represent easily documentable, understandable, and usable pieces of data. And, during the same process, the assessor is reduced to an actor who can document pieces of data on a score sheet. In a sense, the individuals being assessed have been displaced (Callon, 1986a, p. 217) as they are transported across the criminal justice system as a classification for social control.

When describing the types of interactions and “missing pieces of information” that these three officers sought through interviews, they all recalled past cases in which certain conditions associated with section 810 orders that had been ideal for some individuals had the potential to produce unintended or negative effects on the ability of other individuals to reintegrate back into the community.

During my field work, I accessed thirty-three section 810 order applications ($N=33$). For these thirty-three cases, officers had conducted thirteen face-to-face interviews ($n=13$) and five telephone interviews ($n=5$) with inmates before their release from prison at their WED. An additional three face-to-face interviews ($n=3$) had been conducted for individuals who had already been released by the CSC into the community at their WED before the EPS becoming aware of their presence in the community. In the remaining twelve cases ($n=12$), officers had noted in their reports that they had not been able to conduct in-person or telephone interviews, but explanations for this shortcoming had not been included in any of the corresponding reports. When interviews had not been conducted, risk assessments and reports were completed based on information documented in case files only.

In the Absence of Interviews

Within the EPS, ‘file review only’ cases led the officers I spoke with to try to gather as much information about a candidate for a section 810 order from other sources in the community, including the EPS’s own record management system if an individual had previously been involved in a criminal event in Edmonton as either an offender or a victim. Other possible sources included court transcripts, family members and collateral contacts of the candidate, social service agencies, past victims and their families, medical and mental health practitioners, and so forth. The central reason offered by one officer to seek out such additional sources of information was that the documents they received from the CSC were written by someone who was “talking *about* the offender.” This officer explained that they were interested in generating accounts about an individual that may allow the EPS to identify “underlying conditions that either encourage or discourage that offender to re-enter their crime cycle.” According to this officer, these details could only be provided by the high risk individuals themselves.

These underlying conditions were the specific conditions or even possible associates that led these individuals to commit crimes, conditions which may not be documented elsewhere or at least not in the reports the CSC provided to the EPS. Two officers recalled cases where a high risk classification they validated by interpreting the outputs of an instrument or instruments based on records provided to them by the CSC did not necessarily “capture” everything these officers felt was relevant about a specific individual concerning their presence in the community. Thus, these officers’ accounts spotlight how, in the design of the Model, there was a failure to consider the pivotal role of the contexts and lived realities of both the government officials mandated to

implement the Model, but also those individuals who are governed by it. By locking actants into roles and by discounting the need for meaningful social interactions between these two actor groups—assessors and individuals being assessed—the Model was constructed to overlook the alternate roles these actants could fulfill and the knowledge they could generate about high risk individual as distinct persons with lived realities that are very different inside prisons that they are in communities.

Actors like the police officers I encountered moved beyond the confines of the locked role of detached assessor ascribed by the Model and assigned value to social interactions and other sources of information that could aid them in their work beyond the validation of simple risk classifications. It was the “missing pieces of information” that the Model and its instruments were incapable of capturing that these officers sought to facilitate their work in managing and supervising these individuals in the community; that is, the EPS’s work beyond the Model. These “missing pieces of information” prompted a consideration that perhaps the conceptions of the individuals assessed and controlled within the Model needed to be widened to consider the lived realities of the individuals to whom they apply and the contexts in which classifications have consequences for these individuals and for those who manage and supervise them.

Aside from contributing to high concordance rates for high risk to reoffend classifications for certain individuals, the implementation of the Model in policing led to additional considerations due to the community context in which these high risk individuals were located. Because the Model was designed to support processes internal to the carceral system only, its implementation in the real-world community context of Edmonton generated gaps in practice and processes for the police to fill in. At the outset,

the collision of these two socio-technical actants (the police and the Model) constrained the way the Model functioned in policing. Whereas the intention of the Model (and, more specifically, risk assessment instruments) was as a mechanism to replace the traditional clinical model, different and unexpected patterns of action emerged in policing when this replacement did not provide all of the information the EPS deemed necessary to its work concerning high risk individuals in the community. Essentially, by re-attaching the interpersonal approach to carceral risk classification practice, these technical actants stood apart from the more critical work of the EPS. Thus, the dominance of the Model achieved in the confined context of prisons, while many of its features were replicated in policing in the community, did not achieve the same level of dominance in policing, because the police were also negotiating with the dynamic nature of the community. Through these observations, it soon became apparent that the police's role became 'unlocked' from the Model once they moved toward addressing the needs and realities of high risk offenders and of the community alongside public safety—this is the focus of the next chapter.

Conclusion

Through the voices of and the documents used and written by officers of the EPS, this chapter traced how the Model and its instruments came to be implemented in and integral to the EPS's duties concerning the notifications they received from the CSC concerning the release of certain high risk individuals into the community. By applying ANT to this case study, I demonstrated how policework oriented toward the validation of classifications of risk for certain individuals in relation to *Criminal Code* section 810 orders was guided by the objectives of the Model and, relatedly, by the objectives and

interests of its architects and instrument developers. This guidance has led the police to replicate the work of the CSC whereby the EPS performed as actors following a prescribed program of action and generated predetermined outcomes that emerge from the carceral system. By using the same risk assessment instruments and the same documented 'facts', opinions, and judgements, the police arrived at the same risk classifications for the same individuals as the CSC had. Through their accounts of these processes and practices of replication, some officers have come to accept or have declined to question how these classifications were achieved, and the expert or scientific knowledge or the carceral assumptions about certain groups of individuals on which the risk classifications they validated were based.

From this empirical demonstration of the replicate work by the EPS, I further demonstrated synchronicity of work accomplished by different institutions in the Model, even when these institutions have very different mandates that may be in conflict rather than complementary (i.e., offender management versus law enforcement). This synchronicity allowed actors in distinct institutions mandated to participate in the same actor network, albeit to varying degrees. The narratives offered by the police officers I interviewed revealed their participation within the carceral actor network to be from their unique location on its periphery. Thus, these police officers were engaged more as observers and users rather than as active participants. An explanation for the apartness that these officers experienced was traced back to the primary objectives of a central group of actors in the carceral system which sustained and maintained the Model by restricting active participation in and scrutiny of the Model and its practices, processes, and instruments. However, by failing to consider the consequences of implementations of

the Model in alternate contexts, the mechanisms of detachment on which the Model is claimed to operate efficiently and effectively inside the carceral system began to exhibit unevenness in policing where police officers were confronted with the reality of high risk individuals located in their community.

Linking this unevenness to the reality of the daily work these officers, I shift to consider that, just as understandings of the features of the Model were fundamental elements in the perception of the role of government officials, it is also the case that the perceptions of government officials in different contexts played a fundamental role in moving them away from the Model. In this sense, the Model's expectations indirectly moved these officers both into and away from the carceral space and its work, in particular, the carceral actor network. That is, these police officers' experiences at the local, community level led them to move beyond the role of configured users within the carceral actor network to become active participants in alternate actor networks that moved them away from, rather than toward, the Model.

When compared to the work of Bérard, Vacheret, and Lemire (2013) or work in science and technology studies (STS), the problem with what were seen as more practical, pragmatic, and efficient analyses of the Model (Haag et al., 2015, 2016; Hanson et al., 2014; Olver et al., 2013; Olver, Neumann, et al., 2018; Olver, Sowden, et al., 2018) was precisely the fact that they tended to stop short of theorizing how the Model may have forces, powers, and authority affecting not only those to whom it is applied but also those who are mandated to take up the Model. Theorizing the Model in this limited way, leaving it as a terminus or an outcome rather than a starting point for analysis, poses a sociological problem. The Model is a model with authority, one with very concrete

effects on social interactions and more. Saying simply that it is a model of and for staff inside the CSC does not exhaust all of its qualities, including, above all, the effects it was conceptualized as having and the experiences that front line users outside of corrections, like the police, have of it.

This observation opens up the conceptual possibility of thinking about users of the Model as being fundamentally changed through their contact with it and with high risk individuals governed by it. Yet, this imaginative contrivance may also be operating to opposite ends. It could equally be that it was government officials' interactions with high risk individuals that opened up the conceptual possibility of seeing the Model as a force, perhaps, able to control these individuals. Continuing this empirical investigation, Chapter 5 turns now to illustrate the underlying conditions and relations constituting the local level of policing which limited the applicability of the Model to the work of the EPS beyond validating risk classifications assigned by the CSC and, subsequently, securing section 810 orders for certain individuals. These limiting conditions led to altered practice and innovation in policing as they shifted their attention to what police officers viewed as the immediate work of managing high risk individuals in their community.

Chapter 5: Policework beyond the Model

In the previous chapter, I analyzed empirical evidence from my field work to demonstrate how the Edmonton Police Service (EPS) replicated some of the practices and processes of the Correctional Service of Canada (CSC) to validate risk classifications necessary for securing section 810 orders for certain individuals. I also began to demonstrate the loss of applicability these classifications exhibited when the police were faced with the lived realities of high risk individuals in the community alongside the police's obligation to ensure public safety. Because these police officers were also negotiating the dynamic nature of their community, their role became 'unlocked' from the one inscribed by the Model as they moved toward addressing public safety needs and realities of both high risk individuals and the community. In this chapter, I expand this empirical demonstration to capture how the EPS reoriented its work *beyond* the narrowly circumscribed parameters of the Model and how this reorientation resulted in altered practice for its officers and an optics of innovation in Edmonton. To be clear, this study identifies altered practice and innovation at the local level of policing in Edmonton as those strategies outside traditional policing duties and, more significantly, those strategies outside the confines of the Model which police officers actively sought, generated, and employed with other actants in the community. These were the strategies that allowed them to achieve their dual obligations of public safety and the management and supervision of high risk individuals in the community.

I employ actor network theory (ANT) and risk society theory in coordination to this empirical examination of the processes, practices, and experiences of policework beyond the Model. Through ANT, I spotlight the immediacy of public safety concerns for

the police due to the presence of high risk individuals in the community and how the police reoriented their work as a result. ANT enables me to make visible the critical details of community actor network creation processes, including the agenda of key actants, the types of altered practice, and the significance of the dynamic community context. By examining this altered practice in action (Callon, 1986a; Latour, 1987), I make visible the EPS's innovation in its management and supervision of high risk individuals in the community. This reveal is significant because officers described their work with high risk individuals as constantly evolving at the same time these officers were linked to existing carceral actor networks and actively constructing and joining new ones in the community. Essentially, I illustrate how a new, alternate actor network created the potential that led to innovation in human action in policing (Callon, 1986a, 1986b; Harvey, 2003; Latour, 1987; Latour & Woolgar, 1979). My use of risk society theory enables the exposition of alternate social, economic, political, cultural, and historical factors captured by the community's lived realities and how these factors contribute to alternate understandings and mitigations of risk in policework. Throughout this chapter, I continue to draw on empirical data from the archive of documents I accessed as well as from interviews and conversations I had with police officers during field work. Through these data, I illustrate how the EPS grappled with and responded to a lack of support provided by the Model, the CSC, and the legislation for the *management* of high risk individuals in the alternate context of the community. Through this analysis, I focus on how police officers sought alternate resources, engaged in altered practice, and pushed for the creation of social, community partnerships (actor networks) to provide

what the EPS viewed as the necessary supports and stability to safely accommodate the presence of high risk individuals in its community.

Through my analysis of empirical data concerning the EPS's altered practice and innovation around high risk individuals, I demonstrate the last two of my study's main findings:

3. Within the EPS, moving beyond risk classifications to consider the 'humanness' of high risk individuals and their social and cultural conditions is equally necessary to the practice of their management and supervision to ensure public safety and the reintegration of these individuals in the community.
4. Thus, police move beyond a prescribed framework to navigate lived realities when managing high risk individuals in the face of practices and processes under the Model that are incompatible at the local level of policing in the community.

Chapter Organization

This chapter begins by demonstrating how and why the Model became less applicable to the EPS after determining if certain individuals "met the criteria" for section 810 orders; in short, that a community is not a prison. Next, I demonstrate how the EPS's actions beyond the Model generated altered practice and innovation whereby its officers took on new roles resulting from their active participation in alternate actor networks in the community. These actions allow me to illustrate how and why certain conditions of supervision attached to section 810 orders were considered appropriate by the EPS for certain individuals under section 810 orders. Finally, by analyzing these features of the EPS's work beyond the Model in practice, I explore the relationships police officers had with high risk individuals and how these interactions informed and challenged their work.

The Community Context

The experiences related to the implementation of the Model by the EPS described by its police officers in Chapter 4 help to explain how policework contributed to the

Model. The consequences that emerged when prescribed practices of the Model no longer spoke to the local, community context are equally important to understand how the police sought ways to move toward *managing* high risk individuals in this local context. Very little has been known about these underlying conditions and relations until now.

Within the CSC, risk classifications are seen as “a foundation of effective correctional management” (Grant & Luciani, 1998, p. 1). Carceral risk classifications allow the CSC to determine: in what prison(s) an inmate serves out their court ordered sentence, including institutional transfers; what security measures need to be in place for an inmate to ensure the safety of staff, other inmates, and the public; what treatment or programming services are appropriate for and available to an inmate; the placement of an inmate in the same cell, range, unit, or institution with other inmates; and the timing and conditions of an inmate’s release from prison (e.g., parole) (Correctional Service Canada, 2017b). All of these decisions affect an inmate’s freedom, movement, and access to other inmates, staff, and members of the public within the confines of rigidly bounded, regulated, and predictable temporal and spatial parameters of Canadian prisons.

For the EPS, these same considerations and resources were seen as necessary for high risk individuals in the community. However, because the EPS is a police agency, it is autonomous to the CSC and, therefore, does not have access to these same resources as the CSC does. Neither does the EPS operate nor do high risk individuals under section 810 orders function within confined boundaries like the ones offered by Canadian prisons. Rather, high risk individuals under section 810 orders in Edmonton were mobile and much less spatially and temporally restricted and surveilled than were similarly classified high risk inmates inside prisons. As a result of these distinct settings, the EPS

(or, for that matter, any agency outside the prison system) cannot replicate the CSC's approach to 'incarcerating risk' in their alternate community setting, nor would it wish to according to four officers I interviewed.

By drawing out these contextual distinctions what is revealed is that the Model and its practices, processes, and instruments did not 'speak to' or 'capture' essentially free individuals *in the community* following their release from the jurisdiction of the CSC. These differences were reflected directly in the work of the police officers I interviewed who were dealing with other elements of high risk individuals in the community besides risk classifications intended for bounded prison contexts.

Such mismatches between the Model inside prison and the real-world structures of the community did not occur overnight. Rather, mismatches reflect fundamental, built-in communication problems associated with the implementation of practices among diverse and possibly conflicting institutional contexts. I address this point in the following section.

The Significance of Communication

One of the most significant problems related to 'risk management' captured in the criminal justice literature is poor communication. Specifically,

the failure to exchange critical information, the failure to communicate changes in risk status, and divisions between those who assess risk and those who risk manage resulting in a failure of risk management delivery as 'intended', and a lack of accountability for decisions made and subsequent failures to act (Kemshall, 2008, p. 55).

According to one officer, this 'risk management' problem was evident in the poor quality or lack of communication, in particular, documentation, within and between agencies including their own. A lack formal oversight of the Model more generally (see Chapters 2 and 3) has meant that policework, while driven by warnings about the predicted risk

posed by certain individuals originating from inside the CSC, was confronted by delays and by incomplete, selective, or possibly biased information about these individuals that the EPS received. Illustrating this point, one officer stated:

Everybody is under the pressure. And, the sooner they [the CSC] solve their problem the better it is for them. But as that problem is solved on one end, it often creates a problem at the other end, i.e., police, and that is not part of [the CSC's] issue to address or concern themselves with. It is not being done deliberately, it is just a functional process, but processes can get jammed up very quickly sometimes.

Another officer illuminated tensions produced by the uneven sharing of information as follows:

Our system is adversarial in terms of information dissemination. Which, in terms of protecting the rights of the individual, we actually preclude a lot of information to make an informed decision. And, at the end of the day, the question has to be asked: is that really of anyone's benefit, whether it be to society or that individual, when pieces of information that are pertinent to what the event was are not part of the decision making going forward. There is a logic missing there. And, if we are sincere about protecting society, but also dealing with the individual effectively, all the information needs to be there. [...] We really haven't served the whole process well by not having everything on the table.

A third officer stated: "it is critical, I think, that all organizations are speaking to one another because there is always new learnings, new knowledge." For these officers then, what was lacking in the current inter-institutional relationships was a type of mutual disclosure and cooperation.

Yet, it would be incorrect to see these officers' wish for inter-agency cooperation as solely a result of their implementation of the Model and the accompanying authority and accountability associated with it. Rather, I suggest that the uneven relationship the police have with the Model needs to be viewed in terms of their specific positionality within the Canadian criminal justice system more broadly. In this way, the comparisons police officers made about their duties under the Model and those of other agencies such

as the CSC, the Parole Board of Canada, healthcare providers, family and social services, and the significance of the Model in policing, all need to be considered when assessing their understandings of the Model.

By identifying the limitations of the Model and the knowledge constructed through its related processes, practices, and instruments through my empirical data in the following sections, I present what police officers of the EPS were confronted with and, consequently, how they articulated their work concerning the ‘management’ of high risk individuals in the community. Through this presentation, I spotlight the difference between the obligations of officials inside corrections and those of the police in the community. These differences were directly reflected in the work of police officers of the EPS, leading them to move away from the Model, and toward altered practice from which they innovated to fulfill their mandated role in public safety.

Altered Practice

The reality of high risk individuals in the community meant that officers of the EPS were confronted with what to do with the risk classifications they validated as its officers moved to develop risk *management* plans for these individuals. Further, different from paper-based understandings of risk encouraged by the Model (see Chapters 2 and 4), the police were confronted with the arrival of a ‘predicted risk’ in the form of an actual person. This consideration was seen as urgent by the EPS because, as one officer noted, high risk individuals in the community were not bound by the “predictability of prison.” Rather, by being located in the community with an ability to be mobile and engaged, a high risk individual became less of a representation of a classification and more of a unique person. Here, a significant distinction emerged between carceral and

non-carceral contexts. On the one hand, the work of and the decisions made by officials inside the CSC were guided by risk classifications that viewed offender populations as, for the most part, homogeneous, possessing any number of attributes (i.e., criminogenic risk factors). This, possibly, allowed for certain individuals to be assigned classifications whereby these classifications may have overridden other characteristics of their individuality. On the other hand, the EPS was mandated to respond to risk classifications assigned by the CSC. In doing so, these officers operated under a significantly less spatially and temporally bounded environment than that of prisons. As a result, one officer explained how it was necessary to consider each high risk individual *as a person*. Thus, the limitations of the Model became apparent when officers described the challenges they faced when a risk classification was, perhaps, incapable of considering the individuality of certain persons within non-prison contexts to supervise and manage these individuals.

Because these officers spoke of these challenges concerning particular individuals, I do not disclose specific details due to the potential to identify an individual to whom a specific instance refers. Rather, I highlight how these officers' descriptions captured the inapplicability of implementing the Model for the supervision and management of high risk individuals in a non-prison context. According to two officers, the EPS was mandated to assess not only whether certain individuals possessed both a "high risk and an imminent risk" to pursue section 810 orders, but also how to *manage* and, preferably, to *mitigate* these same risks within the community. These were very different obligations than those faced by corrections officials inside prisons who were specifically trained to assess, classify, manage, and mitigate risk in that context, and for

parole officers who are likewise trained for the community setting. For these police officers, their work toward managing and mitigating risks posed by individuals under section 810 orders proceeded from and was organized around the lived realities of these individuals and the activities of police officers' everyday work in the community.

For example, one officer spoke of individuals who had been classified by the CSC as high risk reoffend at the same time that this officer observed there were significant underlying mental health issues present for these individuals. These were the lived realities of certain individuals that the Model and its risk assessment instruments were neither designed nor able to capture. For other similarly classified individuals, there were socio-economic and cultural considerations that the Model and its various instruments were also not able to consider. Yet, for the EPS, these were critical features that influenced how its officers did their work in the community towards ensuring public safety. Thus, these were critical features that needed to be addressed by these officers.

As a result of the Model and its instruments' inability to consider such pertinent issues, resultant risk classifications became (aside from providing the police with grounds to seek section 810 orders) less purposeful for the EPS in its day-to-day duties of supervising and managing high risk individuals in the community. One officer explained that this loss of applicability was because a section 810 order was "only part of what high risk [individuals] require[d]" in order to be managed and supervised in the community by the police and, therefore, only part of what the EPS required in order to ensure public safety. One officer remarked how an over-emphasis on risk assessments (and, subsequently, risk classifications) had led to a lack of consideration of the "more

demanding and intense work [of] offender risk management and supervision” outside prisons, something they faced daily. This officer added:

[...] the focus became on the risk assessment and not as much focus on the supervision and this was very much inaccurate because a risk assessment takes eighty hours and a supervision takes up to two years [...] and both are important. [...] Which is ironic, I think. [...] You can get certified as a risk assessor, but not as a, as the one doing the supervision.

Even though implementing the Model was, in a sense, a prerequisite for the kind of relationship government officials engaged in as it related to the management and supervision of high risk individuals imagined for themselves, three officers explained that “conducting a risk assessment” alone was not enough at the local, community level. One of these officers stated that while a “risk assessment is a good product in terms of what it identifies”—a risk classification—a risk classification was not a risk *management* plan. Through their work and our conversations, officers highlighted how once an assignment of a risk classification for an individual was achieved, the *management* part of the ‘Risk Management Model’ appeared to drop off the agenda. Yet, for the EPS this was precisely where their critical work began. Thus, the EPS did not abandon the Model, rather it abandoned the EPS and the individuals it led to being classified as high risk to reoffend because it did not generate knowledge or provide guidance about the practices related to the management and supervision of these individuals beyond the CSC’s jurisdiction. Thus, the police required an alternate framework to capture the dynamic nature of both the individuals they were mandated to supervise and the situational conditions in which the police functioned.

As a result of these circumstances, the EPS reoriented the focus of its work toward generating this knowledge and guidance for its practice. In this sense, these police officers, despite their reliance on narrow assumptions offered by the Model to validate

carceral risk classifications to seek section 810 orders (see Chapter 4), were shaping their work to their own innovative ends when implementing and enforcing these orders. This work opened up a space for these officers to choose other intermediaries, representatives, and techniques to achieve their work. These choices allowed these officers to divert “the obligatory passage points that had been imposed upon them” by the Model (Callon, 1986a, p. 224). The idea of diversions and altered understandings around risk becomes more interesting when the implementation of the Model in policing occurred simultaneously to the undertaking of authority, accountability, and responsibility associated with the supervision and management of high risk individuals in community contexts. Essentially, these officers moved beyond the processes and patterns of ideas, assumptions, and biases informing the Model and by which the Model’s architects and risk assessment instrument developers sought to lock them into roles that were constructed within the logic of the carceral system, not the community. And, in doing so, these officers generated knowledge about how to support high risk individuals in their community.

One of the fundamental ways in which police officers (and high risk individuals) generated understandings of and knowledge about the Model was by themselves having been transformed by it. By observing and interacting with high risk individuals, government officials such as the police were not only observing the obligations of the Model, but were also somehow interacting with some of the properties of the Model itself and, thus, were being transformed by it, consciously or otherwise. I suggest that it was through its distinct perceptions about high risk individuals and institutional logics that the EPS came to generate alternate understandings of the Model, its properties, and its effects

other than those intended and inscribed by its architects. By seeking out social interactions with high risk individuals through, for example, in-person interviews, officers formed a unique kind of knowledge about high risk individuals that extended beyond the managerial model. As a result, the EPS formed a specific kind of understanding about what the Model was, what it was able to do, and, more importantly, what it was not able to do.

During our conversations, officers called attention to a lack of guidance offered by the Model for police to achieve their mandated obligations to *manage* high risk individuals in the community. Moreover, eight officers explained that they were mandated to achieve these obligations without having access to the same skills, training, and resources as parole officers, probation officers, or correctional staff. These officers viewed these other government officials as already possessing some of the skills, training, and resources necessary for the management and supervision of high risk individuals in the community. But, one officer explained, those officials were not being called upon because the conditions under which these high risk individuals were released from prison on their warrant expiry date (WED) made them no longer the responsibility of the CSC.

Capturing their experiences around a lack of guidance offered by the Model, some officers described a major issue they faced in managing and supervising high risk individuals concerned uncertainty about social resources for some individuals in the community. According to one officer, these resources included: access to housing, sources of income; access to treatment and programming options; access to health care and mental health providers; skill development and employment (re)training; community partnerships; offender rights; and policing priorities. For instance, another officer told me

how the majority of high risk individuals for whom they sought section 810 orders arrived in Edmonton with no social supports in place. This officer described individuals who arrived in Edmonton without: health care cards; social insurance (SIN) cards; funds or access to funding; housing arrangements; employment or education plans; prearranged medical, psychological, or psychiatric appointments; or family or even social acquaintances. Concern for a lack of planning around social supports for these individuals was voiced by two officers in our conversations and documented in their reports. One officer expressed a sense of relief when describing what they called “the rare occasion” when they knew a high risk individual had housing and/or funding for temporary housing secured, or had referrals or appointments arranged with medical providers or programming and treatments services prior to their arrival in Edmonton, particularly when the individual was deemed by the CSC to be violent and/or difficult to supervise. When commenting on the unevenness of supports available to individuals both within and outside prison, four officers referred to fiscal restraints experienced by the criminal justice system more generally. In particular, resource uncertainties were exacerbated by the widespread notions of urgency and of heightened anxieties about public safety within policing and within the community more generally. One officer explained that the need for such resources to be accessible by high risk individuals in the community became critical alongside the dominant priority of the EPS to ensure public safety.

A recurring theme in our conversations around social resource uncertainty was a perceived necessity of incorporating a public health approach to the management of high risk individuals. The importance of understanding violent and sexual offending through

the lens of public health is found in the work of Richard Laws (1996, 2000 as cited in Kemshall, 2008). Laws argues that the notion of harm reduction may be a more useful framework for the management of sexual offenders than with other current carceral approaches. The point here is that traditional reactive strategies to offending have been unproven in their reduction of offences and that a preventative, progressive approach is more effective in disrupting crime cycles more permanently (Laws, 2000, p. 30 as cited in Kemshall, 2008). The arguments made by the officers I interviewed reflected firmly this understanding as they emphasized the necessity for more public awareness, education, and responsibility around high risk individuals in the community. Raising awareness may, perhaps, raise expectations and lead to further questioning of how and why risk classifications are generated. This questioning is especially true when we consider how much more we know now than we did in the 1980s and 1990s when most of the risk assessment instruments currently used to classify risk in offender populations (based on flawed and now outdated and, as discussed in Chapters 3 and 4, possibly biased data) were introduced, as well as when we consider how much more we know today about the science behind brain development and how early childhood affects individuals and communities more generally. But, it is clear that the options suggested by these officers were more costly than the current approach and this might explain the framing of the problem as it stands. That is, the problem becomes access to and a mode of delivery of these systems that needs to be reassessed. The point is to recognize the silent role that finances and budgets play in the carceral discourse related to the Model. Turning our attention to these issues of political economy may bring such silences in carceral risk classification practice out into the open for consideration in light of the effects of the

dividing practices associated with risk classifications and their consequences between prisons and the community in Canada.

From their descriptions of specific unsupported individuals with high risk classifications arriving in Edmonton, a lack of legislatively mandated continuity in the transition of high risk individuals from prisons to communities reveals a critical and, perhaps, overlooked feature of the legislation. In overcoming this limitation, officers provided examples of the work they did to prepare for the arrival of unsupported individuals by noting that the focus was on implementing measures to attain “stability” in the lives of these individuals. For these officers, the notion of stability became central in how they approached their obligation to supervise and manage high risk individuals under section 810 orders to reduce the potential for the victimization of community members. What stability meant to one officer was made explicit in our conversations as “having access to social supports and housing.” The following statement from a report written by another officer captures this concern reflected within the EPS more generally: “██████████ has no available housing upon ██████████ release which contributes to ██████████ instability.” Similar interpretations of the positive effects of residential security and stability on decreasing recidivism are found in the criminal justice/law/criminology literature (Hall et al., 2012; Kirk et al., 2018; Lutze et al., 2014). This literature emphasizes how coordinated programming and funding measures need to be in place in communities for significant time before claims of moving offenders towards residential stability can be made. The descriptions provided by these officers reflected this emphasis and need.

According to one officer, a lack of stability in high risk individuals' lives provided conditions possible for opportunities to emerge for these individuals to "re-enter their crime cycle;" that is, to reoffend. Because of the nature of the crimes for which these high risk individuals had been incarcerated and other attributes that led them to be classified as high risk to reoffend, one officer explained that the potential for harm to the community was seen by them to be heightened when conditions existed for an individual to "re-renter their crime cycle." Drawing on conversations and reports, examples of such contributory conditions included: access to potential victims; access to weapons; antisocial relationships; exposure to alcohol or illegal substances; and situations in which the individuals themselves became vulnerable to negative influences of others. How stability was achieved was described by one officer as a major feature of the work they did, even though this officer saw this work to be "well outside the wheelhouse of traditional policing" duties. This work, however, was also far removed from the work directed by the Model, and the EPS's role in this work was questioned by the officers I interviewed.

The belief that there were other agencies "better suited" to this type of work was a point raised by all officers I spoke with. One officer articulated this position when commenting that the work they did, and the work of the EPS more generally, concerning the supervision and management of high risk individuals in the community extended:

well above and beyond what the police are supposed to do. What are the police supposed to do? The police are supposed to do the enforcement of the laws. We are not social workers but we have been thrust into that kind of a quasi-social work kind of a management oversight role, supervisory role [...] Initially, I would say that we were thrust into it because there was no one else, but we know there are other paths [...] that could do this as effectively [...]

From this quote and other officers' descriptions, the work the EPS did concerning high risk individuals in the community was seen by these officers as aligned with the type of work traditionally ascribed to corrections. One officer who questioned the EPS's role within this legislative framework stated:

Why can't [the] CSC write an 810 and manage [high risk individuals] themselves if they've kept [high risk individuals] in that long? Maybe [the] CSC can write the 810 and then manage [high risk individuals] with parole officers instead. Now, they won't do it, it's not even going to be entertained. But could it happen? It potentially could happen.

Another officer questioning the legislated obligations of the EPS concerning the management and supervision of high risk individuals in the community stated:

Is that a policing function? I think there are other agencies that ultimately have that role. It is called probation and parole. But we are not doing it for good reasons. [...] Offender management, specifically, has never been a policing function. Now, we pay attention to offenders. Curfews and other pieces. But hands-on managing, we were never set out to be in that role. We have now evolved to that role. And is there value in that? Absolutely. Does it need to be done? Absolutely. But, once again, is this [our] responsibility? I think some questions need to be asked in terms of functionality [because high risk individuals] are coming from corrections into here [the community], well [high risk individuals] left parole or their probation or whatever [...] It just impacts the end product. We are good in policing [...] in terms of picking up pieces and making it work, to our detriment actually [...] regardless we still need to do it or else it is not going to get done.

This insight about "picking up the pieces and making it work" requires turning attention to look specifically to where probable unevenness emerged in how these officers proceeded to get their work done. According to one officer, the EPS addressed some of the challenges presented by high risk individuals in the community by looking to what they described as "social work" practices. Two officers found the shift toward social work problematic and outside their mandated duties, yet agreed it was a necessary move given their mandated and legislated obligations for public safety. Another officer articulated that the EPS would "continue to do whatever was necessary" to ensure public

safety was attained and that the risk presented by certain individuals was being managed and mitigated properly, including taking on work outside of the realm of traditional policing duties such as “social work”.

Taking up “social work” practices in its work resulted in a differently configured practice for the EPS. I turn now to trace out this altered practice through the lens of ANT by providing a localized description of the dynamics of the social processes offered by police officers. In the following section, I describe how social work practices led police officers to actively participate in community networks. I further capture how these networks allowed the EPS to access resources and move beyond traditional policing duties and perspectives to offer what its officers viewed as measures and resources for achieving stability in high risk individuals’ lives to ensure public safety and possibly more meaningful experiences for these individuals to prevent reoffending.

Active Participation in Community Networks

To mark the distinction between police officers’ experiences of what they viewed as “traditional policework” and what they viewed as “social work,” I offer here the generally accepted definitions of each field. Policework encompasses the everyday duties of trained police officers who are responsible for the prevention and detection of crime and the maintenance of public order, with an emphasis on the investigation of criminal activities. Social work is carried out by trained personnel who engage people and structures to address life challenges and enhance wellbeing, with the aim of alleviating the conditions of those in need of help or welfare. Both of these definitions may be amplified at the micro level (i.e., individual) and the macro level (i.e., community). These definitions also call attention to the different type and extent of theories, methods,

training, and experiences possessed by both police officers and social workers. As police officers who described themselves as incorporating social work in their duties, these individuals entered a liminal space in their work. The between-ness generated by this space was described by one officer as the starting point for the productive work of their predecessors who had laid the foundation for the establishment and maintenance for cooperative relationships between the EPS and social service providers located in the community. This officer explained how many of these relationships had been and continued to be “years in the making” through processes of community networking. In ANT terms, the EPS conceptualized the phenomenon of high risk individuals in a way that reflected both police- and community-based social considerations: public safety while working towards the long term reintegration of high risk individuals into the community.

In this way, the EPS brought other actants into the story. In ANT terms, the roles of police officers ascribed by the carceral actor network were altered to accommodate the shared interests of the new group. This new group consisted of local, community-based service providers; members of non-governmental organizations (NGOs) and non-profit social service agencies committed to supporting individuals involved in the justice system and to restorative justice; social service and medical health service providers offering treatment and programming (e.g., mental health, addictions, education, housing, and skill development); and other stakeholders interested in crime prevention and the treatment of high risk individuals. Because this research focuses explicitly on the police’s actions to gain a deeper understanding of how the Model is implemented outside the carceral system, I have examined the police’s participation in community networks only.

This study acknowledges the pivotal role of community partners in community actor networks facilitating the police in their work and who might potentially share in responsibility for supporting high risk individuals. During my field work attention was called to certain agencies and resources in the community that worked in tandem with the police. Through police officer introductions, I had an opportunity to speak with some of their staff informally. At the time of my field work, their participation was outside the ethical considerations of this study. Thus, I have reserved an examination of these partners and their roles in community actor networks related to the Model for future research.

Officers' descriptions of their work within this new actor network captured how they moved beyond the prescriptive work demanded by the Model. They did this by themselves becoming 'central actants'. But, rather than 'locking' other actants in the network into place, these police officers interacted with them and generated interest in the police's work of managing and supervising high risk individuals in the community. These actants negotiated and defined their position by lending to the construction of a new actor network. These actions led to the breakdown or distancing of the EPS from the carceral actor network; but, at the same time, offered a space for innovation (Callon, 1986a; Voeten et al., 2015). These actions were accomplished by facilitating cooperative partnerships in the community with an emphasis on what they saw as the EPS's twinned obligation of "ensuring public safety" and "providing stability" for high risk individuals as they moved toward reintegrating into the community. From our conversations, the practices officers engaged toward establishing and maintaining these types of partnerships with stakeholders included: face-to-face meetings; regular attendance at

meetings; round table discussions; case conferences; and continuous communication through phone calls and emails. These practices directly confronted the work demanded by the Model.

As captured in Chapter 4, the Model acquired legislative power to impose a forced process of risk classification with the terms and conditions of the carceral system on the police as they became necessary actants in the supervision of high risk individuals. That is, the police became actants in the dominant carceral actor network. By contrast, once lived realities related to the presence of high risk individuals in the community came into play, other alternate actors emerged who were, perhaps, better able to define problems that emerged in this alternate context.

Consequently, new relationships were established in the community. Examples of these partnerships included: treatment and medical programming for high risk individuals with mental health issues and for individuals exhibiting high risk violent and/or sexual behaviours; assisting individuals to obtain health care cards; assisting individuals secure spots with or get on waitlists for a variety of services and programs (e.g., education, vocational, and skills training). One officer explained that all of these services had a finite capacity and, as such, could not accommodate all of the requests for supports and resources made by the EPS. According to another officer, this condition did not diminish the necessity of such partnerships. Rather, they explained, it called attention to the heightened significance of such partnerships for the EPS in its work. As a result, this officer explained that they spent a significant amount of time seeking out new alternatives, services, and resources, and forming new relationships in the community. This officer added that they did this work to “prevent [high risk individuals under section

810 orders] from re-entering their crime cycle and returning to prison immediately following their release.”

Arrangements made collectively by the EPS and community partners to support high risk individuals in the region were further rendered visible in the risk assessment reports written by officers of the EPS. Below are four examples taken from reports that captured what officers saw as urgent and necessary outcomes of community partnerships both to the success of high risk individuals in the community and to the mandated obligations of the EPS to ensure public safety.

Example 1:

Proper health (mental and physical) is vital to [REDACTED]’s positive reintegration into the community. Police will work with [REDACTED] to help make appropriate referrals and assist with [REDACTED] treatment plan.

Example 2:

[The staff at a local, non-profit, charitable organization] agreed to house [REDACTED] where structure could be provided and police oversight maintained by [the EPS] along with an 810 [REDACTED] recognizance.

Example 3:

[REDACTED] is being released to the City of Edmonton where [REDACTED] had very few supports. [REDACTED] will live at [undisclosed location] for a short duration where it is expected that [REDACTED] will find employment, build a community support network and attend community supports groups and treatment. After a period of time [REDACTED] will be expected to transition into [REDACTED] own housing accommodations.

Example 4:

[REDACTED] will stay at [undisclosed location] until [REDACTED] is admitted into [a treatment program].

In ANT terms, these examples reveal how altered practice materialized for the EPS through the establishment of a network in the community supported by many human actants. Through conversations around the significance of these community networks, partnerships, and arrangements to their work, one officer explained that some of the more

“complicated cases” they handled made some of the options afforded by these partnerships unfeasible.

These “complicated cases” were explained as those instances where a high risk individual was refused entry into a certain residence or a particular program in the community. As a result of these circumstances, which another officer explained were quite difficult to address given the EPS’s urgency towards public safety, these officers continued to seek out alternative arrangements and, in doing so, brought new actants into the network. Another officer explained that this work required a commitment to the reintegration of high risk individuals back into the community at the same time these individuals were subject to certain conditions of supervision by the police “so there are not more victims.” From the ANT perspective, these challenges illustrate the dynamics of creating and maintaining actor networks mobilized around both the reintegration of high risk individuals in the community and public safety.

As a result of these officers’ active participation in this alternate actor network and their coordinated actions around reintegration and public safety, words (spoken and written) and actions of officers conveyed a less instrumental attitude towards punitive and surveillance practices in their management of high risk individuals than, perhaps, other actors in the carceral system. Both issues were important, but one officer explained that this did not necessarily mean they were going to employ them automatically and unthinkingly, for example, to get an individual to comply with conditions of supervision attached to a section 810 order. Policework might have led to this indirectly because surveillance is a key feature of law enforcement work, but this was not voiced by the officers I interviewed as a principal reason for seeking a section 810 order. These

conditions may, possibly, have led to heightened surveillance where non-normal or illegal acts were more likely to be rendered visible or, according to one officer, more worryingly, where a section 810 order could become a form of “entrapment” if the police so desired.

One officer explained that a possibility for entrapment existed because a section 810 order and its corresponding conditions of supervision could, potentially, be so restrictive that they could lead an individual to find themselves in situations where they, intentionally or otherwise, violated (breached) one or more of the conditions of supervision attached to their section 810 order or committed a new offence. Both of these situations could lead an individual to be returned to prison.⁶⁴ But, this officer did not see this approach, which they called “bait and trap,” as a viable option either for the EPS or for the high risk individuals under its jurisdiction. According to another officer, such an approach did not address the critical, underlying issues they were confronted with daily—that is, possibly un-rehabilitated and unsupported high risk individuals in the community.

By using the resources at their disposal to “help rather than to punish” the high risk individuals under their jurisdiction at the same time they ensured public safety, one officer explained that a section 810 order did not necessarily need to act as a stressor (i.e., as a trigger or as a form of entrapment) leading to reoffending and/or breaches resulting in an individual’s return to prison, or what another officer referred to as “trail, tail, nail,

⁶⁴ If an individual breaches a section 810 order, they may be charged with an offence under section 811 of the *Criminal Code* (1985):

- A person bound by a recognizance under any of sections 83.3 and 810 to 810.2 who commits a breach of the recognizance is guilty of
- (a) an indictable offence and is liable to imprisonment for a term of not more than four years; or
 - (b) an offence punishable on summary conviction and is liable to imprisonment for a term of not more than 18 months.

If an individual charged with breaching the conditions of a section 810 order is found guilty, they are liable to imprisonment for a length of time determined by the judge.

and jail.” Through our conversations, officers’ portrayals of this alternative approach revealed how punitive a section 810 order could be but, more important to the EPS’s work in the community, how it did not have to be. Thus, the EPS’s approach to their obligations under the legislation as described by these officers recognized and understood both the parallels and the contradictions inherent in the Model when it was applied in the alternate context of policing in the community.

These shared experiences highlight some police officers’ awareness of how the improper use, overuse, or the over-layering of section 810 order conditions of supervision could become problematic for both the EPS and the high risk individuals to whom they applied. Two officers explained that in cases where conditions of supervision were so numerous and/or so restrictive, it was possible that adhering to even a few of the conditions of supervision could lead to the denial of an individual’s access to pro-social supports including family, education, and employment. Six officers expressed concerns about the effects of placing unnecessary restrictions on individuals under their jurisdiction because it could lead to the earlier discussed circumstance of a breach and a possible prison term.

The prospect of having to breach an individual under a section 810 order and return them to prison was characterized as not ideal by one officer who offered the following description of what they saw as the balancing act they engaged in when working toward the EPS’s preference for “preventive and reintegrative strategies” over punitive ones:

[Individuals under section 810 orders] need to know that there is an enforcement piece to [these orders] and if they slip into a non-compliance area then I will arrest them and put them back in prison. They also need to know that I am also there to

help and support them reintegrate back into society. So, it's a fine balance that I don't think much of society understands, let alone internally within the police.

Several other officers offered similar descriptions of the balance between the police's interests and high risk individuals' interests, with one officer explaining that it was both in their best interest and in high risk individuals' best interest to work to assist individuals under the EPS's jurisdiction to "succeed" in the community. They saw this work as possible by providing enforcement and supportive intervention strategies jointly, rather than endlessly returning high risk individuals to prison only to repeat the process down the road with possibly the same results. For example, one officer explained that if a high risk individual supervised under a section 810 order was returned to prison for a period of time longer than the amount of time left on their order "the clock keep[t] ticking" on the section 810 order until it expired. A second officer explained that the expiration of a section 810 order under these circumstances meant that the EPS necessarily repeated the whole process once the individual was released from prison. That is, they would "conduct a risk assessment," "seek a section 810 order," and "write conditions" of supervision to accompany the order.

Through their words and actions, the perspectives and work of these officers in the dynamic context of the community not only confronted the static nature of the Model but also how police agencies in Canada measured outcomes. In general, police agencies in Canada measure outcomes in statistics and figures. For example, the number of calls for service in a given area or time frame and arrest rates (Statistics Canada, 2018). The Model relies heavily on statistics and practices of aggregation to achieve its end goal of having users assign risk classifications to certain individuals (see Chapter 2). But, as one officer explained, if the focus of their work remained intent on statistics and numbers,

then the focus “becomes ‘how many of these [high risk individuals] did we arrest, and rearrest, and rearrest,’ which then defeats the purpose of prevention as the goal.” In achieving something other than high arrest rates, one officer explained how they found it necessary to take, for the most part, what they called an “individualized” approach to managing and supervising high risk individuals in the community. The possible difficulties related to the issue of measuring change (and success) linked with certain interventions becomes clear from an understanding that interpretations of change (and success) are subjective and idiosyncratic. For example, one officer noted that “not breaching” the conditions of a section 810 order might be seen (within policing) as a success for one high risk individual. Yet, for a different high risk individual, “being breached” for violating a condition of their section 810 order might be seen (within policing) as a success because that high risk individual had “not yet escalated to the point of fully entering their crime cycle and reoffending.” According to another officer, examples such as these highlight how, when attempting to define change (and success) in terms of numbers, a problem emerged in policing. This problem, the officer explained, occurred via attempts to find a way within policing to see both of these situations as having not only police-driven outcomes but also high risk individual-driven outcomes as legitimate outcomes. These conditions create a paradox in that high risk individuals are both expected to be accountable for their behaviours but also controlled and regulated to the extent that they may be marginalized. Thus, opportunities to succeed—or fail—reflect Beck’s (1992) contribution acknowledging the agentic contributions of the individual and through the recognition of choice at the same time that these conditions are not static nor

do they necessarily follow along the same lines as traditional carceral logics about high risk individuals.

Through our conversations, officers explained that in ensuring these outcomes, they confronted stereotypes and the assumptions about offenders that they knew were popular among justice system critics in Canada and elsewhere. One officer explained that stereotypes of this nature could play a role in “conducting a risk assessment” because stereotypes could influence how data were gathered, processed, and analyzed, and, more critically, how opinions were formulated and presented and how these actions were reflected in the supervision and management of high risk individuals in the community. These observations were, I suggest, not only an affirmation of the police being knowledgeable about and of a response to unspoken accusations of over-policing, but also spoke to the fact that *the Model had very little to do with law enforcement*. To negotiate with the local was to negotiate with the Model.

Through what this study identifies as altered practice and innovation at the local level of policing, whether it be the establishment and maintenance of community partnerships, finding safe housing, securing a spot in a treatment program for recently released high risk individuals under section 810 orders, these officers become what Vicki Johansson refers to as “negotiation bureaucrats” (Johansson, 2012, p. 1038 as cited in Boholm, 2015, p. 100). This label applies to the work of the EPS because:

negotiations are the most essential prerequisite for the accomplishments of their tasks, in relation both to working conditions and the fragmented implementation structure governing the decisions they need to make (ibid).

Through our conversations about the formation and maintenance of community partnerships, I observed how negotiations informed the work of these officers, meaning that there was a constant need for them to accommodate a myriad of interests and

concerns related to a variety of parties. Thus, while the EPS necessarily implemented the Model outside prisons, its officers were negotiating not only the Model's policies and practices which were tailored for inside prison, but also the EPS's mandates, the legislation, the courts, the community, and the high risk individuals under their jurisdiction. This work required negotiations with high risk individuals, the public, community partners, other police agencies, and other stakeholders.

These negotiations were a necessary undertaking for the police officers I interviewed who were operating in the undeniably dynamic and social context of the community at the same time they were mandated to follow the Model and the legislation which static bureaucracy excluded purposively the messy reality of the incalculable social that both the police and high risk individuals were part of in the local community. Negotiations of this nature exhibited dialectical tensions simply because a static, one-dimensional model (i.e., the Model) was applied in a dynamic, multi-dimensional context (i.e., the community). These tensions, and the fact that officers were wrangling with them constantly, were unmistakable because, during our conversations, officers moved from describing their practices of "conducting a risk assessment" to articulating their more challenging experiences concerning management and supervision practices for high risk individuals in the community. These narratives revealed a pronounced shift in the way these officers conceptualized high risk individuals in the community, informing the decisions they made as their work shifted from 'risk assessment' to 'risk management'.

Despite their obligation to take up carceral risk classifications to determine whether or not to seek section 810 orders, one officer saw expressing an individual assigned a high risk classification solely as a risk classification as problematic. It was

problematic because this officer saw firsthand how this classification could affect an individual's quality of life by limiting or denying access to prosocial supports or other social features. This officer saw these supports and features as being consistent with providing stability and reducing opportunities for a high risk individual to return to their crime cycle. For this officer, the concern was not that the risk classification was inaccurate. Rather, the concern was that some individuals "might not necessarily be the best candidate for a [section] 810 order." According to another officer, "every solution is not to write an 810." At the same time, however, the EPS was accountable for public safety which was challenged by the presence of high risk individuals in the community. As demonstrated in earlier chapters, because the CSC no longer had jurisdiction over these individuals, the EPS turned to section 810 orders to legitimate their supervision and management of certain individuals in their community. Yet, this perspective about the unsuitability of risk classifications and, even more so, section 810 orders highlights how certain features of the human condition exhibited by the individuals these officers were responsible for were incapable of being captured by either classifications (or numbers) (Bowker & Star, 1999, 2000; Busch, 2011; Hacking, 1990; Lampland & Star, 2009; Latour, 1987; Rowland & Gieryn, 2008). For the officers I spoke with, these individual features were significant to how they were able to manage and supervise high risk individuals in the community effectively and safely and played a critical role in how these officers went about their work.

Whereas Beck's (1992) reflexivity thesis assumes that reflexivity is developed in response to a distrust of expert knowledge, this finding indicates this officer possessed a different view of a risk classification based on expert advice but not a distrust. Instead,

these officers' experiences reflect how they rely heavily on their own experiences with the community and with high risk individuals—essentially lay expertise—to guide their decisions. Thus, their identification of possible inconsistencies in the findings of risk experts suggests that some police officers' understanding of risks lies outside the realms of expertise and the scientific processes followed by carceral risk experts. This view, however, contrasts the risk society thesis, which, in substantiating scientific and institutional expertise, overlooks the knowledge that lay actors possess as a result of their social and cultural experiences and local sources.

Thus, this case study reveals how the risk classifications available under the Model were not sufficient to provide an account of the phenomena of high risk individuals in all contexts in which the Model was implemented. Rather, local knowledge and experience were key to how the police defined and judged a risk according to their experience of those individuals who supposedly pose a risk and the community context, not just according to the parameters of the Model. The inapplicability of risk classifications across all contexts was not only structurally significant when observed in the Canadian criminal justice system, but was also a source of potential transformation to the system. This potential transformation was because a risk classification had limited utility depending on the context in which it was applied—i.e., prison versus community. In this case study, the police—not the carceral experts—were eventually responsible for providing an accurate assessment of risks. One officer described management and supervision strategies for high risk individuals as a “living entity,” one that was evolving with the constantly changing needs of the EPS, the community, and the high risk individuals being released to the Edmonton region.

Through the lens of ANT, this localized work by the EPS calls attention to how certain actors who were intentionally excluded from actively participating in decision making related to certain features of the Model came to alter their practice and innovate in order to create the conditions *they* viewed as necessary to accomplish *their* duties in contexts outside prisons. The structure of the CSC and other institutions concerning the implementation of the Model is captured by Bijker's theory of sociotechnical change, specifically the concept of 'inclusion' (1995; as cited in Evans, 2008, p. 286). Inclusion describes a particular actor's level of involvement with (and within) a network (Bijker, 1995, p. 143). For example, internally, the CSC is a system with a high degree of inclusion where its officials are highly socialized to the particular paradigm of psycho-statistical (actuarial) sciences inscribed into the Model. Externally, however, was a different story, because those outside the CSC, for example, the police, were less or not included in its network, usually on the basis that they were presumed to lack the same experience, knowledge, or commitment to the goals of the Model. Yet, at the same time, the officers I interviewed described having the Model "thrust" on them and were required to meet its institutional mandates as well as that of the legislation to which they were now bound. Bijker (1995) notes that profound and constructive innovations are often produced by those with lower degrees of inclusion because they are more able to see things differently. This broader and deeper understanding of 'risk management practice at the local level' was something I was observing in the work of the EPS. As a result of their shift toward altered practice and active participation in community networks, police officers' actions prevented the complete normalization of the Model across the criminal justice system. Understanding how work conducted by these officers inside the EPS was

different to that inside the CSC helps to explain why the police might possess a greater capability and capacity to participate in the construction of social meanings, including forms of knowledge, than the current police culture and the current correctional culture allow. Evidence of this capacity was observed in how officers wrote conditions of supervision attached to each section 810 order they generated. I turn now to trace out this process remaining committed to an analysis through the lens of ANT.

Conditions of Supervision Accompanying Section 810 Orders

By not identifying wholly with, for example, the CSC's application and interpretation of the Model, the EPS was, possibly, better positioned to navigate the limitations of the Model through innovation in the community. Examples of innovation were evident when officers described how they necessarily took on the added role of "social services" or "social work" to ensure public safety was achieved and to ensure that high risk individuals under their jurisdiction had adequate access to supports and resources to promote stability and minimize opportunities for reoffending. Viewing this altered approach as "helping" high risk individuals, one officer said: "but why do we want to help the [high risk individual]? So there is [*sic*] not more victims." In ANT terms, this suggests a relation between: (a) the community context and networks and (b) the type of altered practice and innovation. This altered practice was made explicit when officers commented on the necessity of assuming what I call a 'police officer-cum-social service provider' role when writing conditions of supervision for section 810 orders. Conditions of this nature required access to community resources that the EPS had gained access to through their networking efforts. In this way, the work of the EPS continued to move further toward alternate actor networks in the local, community context where high risk

individuals were, perhaps, perceived of differently from actor networks of the carceral system. According to one officer, the conditions of supervision they wrote for section 810 orders were “not boiler plated.” By ‘boiler plated’ this officer was referring to conditions of supervision they commonly observed on section 810 orders produced in other regions.

For example, section 810 of the *Criminal Code* states:

Conditions in recognizance

(3.02) The justice or summary conviction court may add any reasonable conditions to the recognizance that the justice or court considers desirable to secure the good conduct of the defendant, including conditions that require the defendant

(a) to abstain from the consumption of drugs except in accordance with a medical prescription, of alcohol or of any other intoxicating substance;

(b) to provide, for the purpose of analysis, a sample of a bodily substance prescribed by regulation on the demand of a peace officer, a probation officer or someone designated under paragraph 810.3(2)(a) to make a demand, at the place and time and on the day specified by the person making the demand, if that person has reasonable grounds to believe that the defendant has breached a condition of the recognizance that requires them to abstain from the consumption of drugs, alcohol or any other intoxicating substance; or

(c) to provide, for the purpose of analysis, a sample of a bodily substance prescribed by regulation at regular intervals that are specified, in a notice in Form 51 served on the defendant, by a probation officer or a person designated under paragraph 810.3(2)(b) to specify them, if a condition of the recognizance requires the defendant to abstain from the consumption of drugs, alcohol or any other intoxicating substance.

Conditions

(3.1) Before making an order under subsection (3), the justice or the summary conviction court shall consider whether it is desirable, in the interests of the safety of the defendant or of any other person, to include as a condition of the recognizance that the defendant be prohibited from possessing any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance, or all such things, for any period specified in the recognizance and, where the justice or summary conviction court decides that it is so desirable, the justice or summary conviction court shall add such a condition to the recognizance.

Surrender, etc.

(3.11) Where the justice or summary conviction court adds a condition described in subsection (3.1) to a recognizance order, the justice or summary conviction court shall specify in the order the manner and method by which

(a) the things referred to in that subsection that are in the possession of the accused shall be surrendered, disposed of, detained, stored or dealt with; and

(b) the authorizations, licences and registration certificates held by the person shall be surrendered.

Reasons

(3.12) Where the justice or summary conviction court does not add a condition described in subsection (3.1) to a recognizance order, the justice or summary conviction court shall include in the record a statement of the reasons for not adding the condition.

Rather, this officer explained, writing conditions of supervision for section 810 orders often required consultation by the EPS with multiple parties with an interest in both public safety and the reintegration of high risk individuals into the community. As noted earlier, these parties consisted of local, community-based service providers; members of non-governmental organizations (NGOs) and non-profit social service agencies committed to supporting individuals involved in the justice system and restorative justice; social service and medical health service providers offering treatment and programming options (e.g., mental health, addictions, education, housing, and skill development); and other stakeholders interested in crime prevention and the treatment of high risk individuals. These officers also drew on the interviews they conducted with certain high risk individuals and other sources of information they gathered beyond warrant expiry date (WED) notification packages provided by the CSC. This additional information allowed these police officers to overcome the irreversibility observed in the ‘facts’ documented by the CSC. This officer explained that this unstandardized approach allowed them to ensure that each condition of supervision was achievable with the resources and supports available in the community for a specific high risk individual.

Through our conversations, these officers demonstrated how the work they did by actively participating in a community actor network toward securing social resources and supports for individuals under section 810 orders (as captured in an earlier section of this

chapter) was what enabled them to assign conditions of supervision that were both specific to each individual and, more importantly, to provide adequate social resources and supports to increase an individual's chances of complying with these conditions. As captured in the earlier section, officers included in their risk assessment reports details about arrangements made by the EPS and community partners to support high risk individuals in the community, such as housing, treatment, and community supports. By working together with community partners and with the high risk individuals themselves, these officers made referrals to mental and physical health practitioners and assisted with treatment plans. They did this work so that conditions such as the standard conditions cited above from the *Criminal Code* were not only assigned to a section 810 order due to an individual's high risk classification but the individual's ability to comply with such conditions was both realistic and achievable. And, with the right social resources and supports, these officers felt that these individuals had a better chance of positive reintegration into the community for a sustained period. These officers also saw efforts with community partnerships as, possibly, leading some high risk individuals to have an opportunity to build their own community support networks.

As noted above, several officers described specific cases where they actively worked with high risk individuals to determine what community resources and supports would be appropriate for them and allow them to remain in the community under a section 810 order for a prolonged period. For example, one officer explained that, in certain cases, attempts had been made to bring the high risk individuals to whom these conditions of supervision applied into the conversation to determine how they responded to the conditions and their enforcement by the EPS. This inclusionary approach reveals

how another type of actant—high risk individuals—were brought into the EPS’s ongoing work toward the construction of and participation in a local actor network. Thus, the community actor network was expanded to include yet another type of actant that could contribute to actions related to jointly identifying and defining problems associated with high risk individuals in the community and generating innovative solutions.

Similar to observations made by police officers in Chapter 4, one officer explained how inconsistencies in the amount of time available for officers to meet with high risk individuals before they were released from prison had an effect on these interactions and, therefore, on their participation in the community actor network. Another officer noted that the willingness of these individuals to speak to the police was also a factor. According to this officer, there were specific cases where some conditions of supervision associated with section 810 orders had been negotiated and agreed upon by officers and high risk individuals, and that this work could only be accomplished by meeting and discussing these issues together. The high risk individuals in these cases were viewed by the police as “willing” participants in their supervision under a section 810 order. Another officer explained that by engaging “willing” high risk individuals in this process it *could* help and encourage some high risk individuals to see a section 810 order as not intentionally punitive. Rather, this officer explained that, perhaps, high risk individuals may see it as a way to encourage an increase in their own accountability. This view is in line with Beck’s (1992) thesis whereby more responsibility falls to the individual to construct their own personal narratives and to choose their own behaviours and consequences. And, this officer stressed, hopefully, a section 810 order and its conditions *could* allow some individuals to better reintegrate into the community safely

and for a long enough period of time so that they had the opportunity to connect with prosocial supports and, if interested, to attend suitable programming and treatment.

Another officer captured this intention as follows:

We have to have a way to look at moving [high risk individuals under section 810 orders] out to other factors. Whether it is the healthcare system, whether it's a different way of management because we still need to manage or mitigate risk factors, or maybe it is through probation [...] we don't need to manage everybody [under a section 810 order] forever.

This transitional approach, however, was explained by yet another officer as being more likely achieved when an individual under a section 810 order was cooperative and was both aware of and invested in the potential for future successes. This alternate tactic reflects the work officers did to “conduct a risk assessment” (see Chapter 4) and, more substantively, to the altered practice of incorporating social work practices and actively participating in the community network when addressing the realities of high risk individuals residing in the community. For example, one officer remarked that the use of risk assessment instruments in “conducting a risk assessment [...] influenced how we organized and articulated our conditions, but it didn't necessarily change the conditions that we were putting on the [section 810] orders.” Rather, another officer explained, the consideration of the circumstances of *each* high risk individual led them to “determine the type and quantity of conditions” of supervision to be tied to *each* section 810 order. Whereas the need for well thought out, justified, and achievable conditions for each section 810 order was seen as critical by the officers I interviewed, one officer described some of the difficulties they encountered in a case when an individual under a section 810 order with conditions of supervision prepared by an agency in another jurisdiction or province later relocated to Edmonton. In the following section, I illustrate the challenges

this and other officers described when supervising high risk individuals under section 810 orders that originated elsewhere in the country.

Section 810 Orders Originating Elsewhere

The above noted officer explained that regardless of what agency was successful in securing a section 810 order with conditions of supervision, when a high risk individual under a section 810 order relocates to another jurisdiction, the currently in place order and its conditions “follow the [high risk individual].” Thus, the police agency in the jurisdiction where the individual under a section 810 order relocated to is legally bound to uphold the original section 810 order and its conditions of supervision. One officer expressed the challenges they faced when the conditions of supervision accompanying a section 810 order that “follow[ed]” a high risk individual to Edmonton had not been tailored to accommodate either the individual or the community and, therefore, had “not been well thought out.” Another officer stated that the vague wording of some conditions of supervision attached to section 810 orders originating from other jurisdictions made it difficult for the EPS to enforce these orders or, more problematically, for high risk individuals under their jurisdiction to abide by them within reason. A different officer spoke of section 810 orders originating from another province where it was standard practice for that province’s courts (based on section 810 order applications submitted by police agencies and Crown Attorneys) to attach the same “handful” of conditions to every section 810 order. But, this officer explained, this uniform approach was expressly problematic for the EPS when it came to ‘managing’ the high risk individuals to whom these orders applied. This was problematic, they explained, because it was very difficult for the EPS to amend existing conditions of supervision or to

add conditions of supervision to a section 810 order that was currently in effect, particularly if the section 810 order originated from another province. Thus, the varied practice of police agencies seeking section 810 orders in alternate jurisdictions further highlights the existence of uneven understandings and implementations of the Model in the Canadian criminal justice system.

Further complicating issues of jurisdiction were cases where an inmate with a high risk to reoffend classification declined, as was their legal right, to provide the CSC with a release location. In these cases, the police agency in the same jurisdiction as the institution from which the incarcerated individual was to be released became responsible for seeking a section 810 order. Regardless of where in the country they ‘thought’ a high risk individual may end up residing after their release from prison, officers of the EPS consistently expressed the need to write appropriate conditions of supervision for each individual and for each section 810 order. The ability to do so was expressed by one officer as being tied to the types of relationships they were able to form with high risk individuals under their jurisdiction.

‘Police-High Risk Individual’ Relationships

According to one officer, the strength of ‘police-high risk individual’ relationships influenced directly the EPS’s ability to enforce section 810 orders. For another officer, the more cooperative the relationship they had with the individuals they supervised the more capable the EPS was in seeking out resources for individuals it believed were “committed” to re-entry to the community for a significant time under a section 810 order. Another officer explained that through the establishment of such community supports there was less need for the police to constantly surveil individuals

under section 810 orders. This is not to say that all relationships forged under section 810 orders were cooperative. Rather, according to a different officer, it was quite the opposite, with a large number of high risk individuals responding negatively to the imposition of a section 810 order and, in some cases, to the police officers who enforced these orders. The point these officers made in describing these alternate types of relationships was the potential for openness offered by some of the more cooperative, collaborative relationships they had with high risk individuals. An officer explained that these types of relationships moved them toward an end goal of transitioning high risk individuals to be accountable for themselves at the expiry of their section 810 order. Again, this view is in line with Beck's (1992) thesis whereby more responsibility falls to the individual to construct their own personal narratives and to choose their own behaviours and consequences. If a transitional arrangement was not possible, this officer noted, then an alternate goal was to work with the high risk individual to be supervised under what is known as a 'renewal' of their section 810 order. One officer explained that the latter circumstance was preferable for some individuals under their jurisdiction because the length of the original section 810 order may not have been adequate to get a particular individual to a point where they could remain in the community unsupervised. Or, another officer noted, some conditions of supervision attached to an original section 810 order may have proven effective for a particular individual and removing the order meant removing the social supports and stability that accompanied it and this might create conditions that lead to instability, possibly causing the individual to return to their crime cycle.

For these officers, then, conditions of supervision attached to section 810 orders needed to be relevant to both the high risk individuals to whom they applied and to the conditions of the community in which they were located. Thus, it was a move toward altered practice and innovation on the part of police officers who necessarily engaged in “social work” that led them to move away from the carceral actor networks and the Model and toward actor networks in the community. This shift, in turn, made possible the application of what these officers saw as appropriate conditions of supervision. In ANT terms, this suggests a relation between: (a) the EPS’s altered practice emphasizing social work strategies and community partnerships and (b) the EPS’s construction of individualized conditions of supervision for section 810 orders.

Conclusion

Looking further into the practices of police officers of the EPS through the lens of ANT, notable altered practice and innovation resulting from underlying conditions and relations constituting the localized work of the police in the community were revealed. These conditions and relations highlight where the applicability of the Model lessened for the police officers mandated to manage and supervise high risk individuals in the community. These conditions and relations also highlight the processes by which knowledge was produced by police officers beyond that offered by carceral risk classifications and where the work of these officers was continually altering. As a result of these alterations, the networks that police officers participated in were also changing. Due to the role of actor networks that continuously experienced internal and external changes and pressures (Latour, 1987), the police’s experiences in these networks were constantly shifting. In the localized context of Edmonton, made up of the tangible and the

intangible, it was through the limitations of the Model and the EPS's response to its obligation to public safety that these officers were tentatively redefining their role.

The role of actor networks was revealed to be significant to the work of the EPS and had a direct effect on the work that its officers did. Their replicate experiences, which I traced out in Chapter 4, captured a 'locked in place' role in the carceral actor network as they "conduct[ed] risk assessments" and validated carceral risk classifications. Once this work was done, the Model did not offer the EPS guidance in its work toward managing and supervising risk in the community and, so, too, did the carceral actor network not provide guidance or support. As a result of this shortcoming and of the EPS's obligation to meet its legislative mandates, officers described how they looked to actants in the community with similar interests (i.e., public safety and the sustained reintegration of high risk individuals). These actants were brought into the story and a new actor network emerged. This actor network, however, was significantly different from the earlier carceral one in both function and form. This difference was because no actant was excluded or peripheral in the new community actor network; rather all actants participated, leading to observed sustainment of this actor network across time.

Another temporal significance was also observed concerning these actor networks. On the one hand, within the carceral actor network, police officers described that it took roughly eighty hours (or two weeks) to "conduct a risk assessment." In this network, the EPS's interaction with the 'central actants' (i.e., the CSC) was, for the most part, one-directional and heavily dependent on document systems rather than social interactions. On the other hand, the community actor network was described by officers as being both formed and maintained for many years through many types of social

interactions. The work that these officers did in this community actor network spanned anywhere from twelve months to several years, depending on the length of a section 810 order, and section 810 order renewals, and the high risk individuals to whom they applied. Both their actions and their shifting role as active participants in the new community actor network guided the police away from the Model and the carceral actor network and toward altered practice and innovation through the combined efforts of the EPS and community partners more generally. The EPS navigated this transition with an eye to balancing public safety with the reintegration of high risk individuals. They did so by blending strategies from policework and social work. Further, they conducted their work as part of a community actor network that brought other actants into the story. This collaborative approach allowed for the EPS to work with community organizations and service providers to establish resources in the community for high risk individuals under section 810 orders who were interested in accessing them. From this collaborative approach, the conditions of supervision attached to section 810 orders were described by officers as being more relevant to both high risk individuals and the community. It was observed that such altered practice and innovation toward achieving public safety were arrived at only after the characterization of high risk individuals was expanded to a characterization that permitted humanizing features of these individuals. This more human, dynamic characterization challenged the irreversibility associated with carceral risk classifications which prevent such considerations, and further demonstrates how the implementation of the Model by various agencies comprised of individual actors meant that its alternate implementations did not operate as a photocopier.

The use of ANT as an analytical device allowed me to spotlight important aspect relevant to the implementation of the Model in policing in the community. In this chapter and the one before, I demonstrated the powerful role which human and non-human things played within and beyond police officers' work related to the Model. In this way, ANT provides an understanding of the limitations and opportunities of the Model in the EPS's socio-technical rich organizational practice. I also demonstrated how a lack of risk management infrastructure offered by the Model, and a lack of accessibility to the resources and supports possessed by the CSC (e.g., parole) accounted for interpretative flexibility, altered practices of police officers, in particular their preference for face-to-face encounters, the seeking of social resources and supports, and the writing of individualized conditions of supervision for each section 810 order. From this analysis, the conceptualizations of high risk individuals as described by police officers were more complex than the ones inscribed into the Model that represented the carceral risk classification system. And, in policing, many more actants and partnerships emerged that were not amenable to the Model's intended application for carceral contexts. Moreover, descriptions offered by police officers in their social and engaged work with high risk individuals and community partners made visible how, due to their distinct positions and obligations within the Canadian criminal justice system, the CSC and the EPS, for example, may exhibit conflicting interests and mandates rather than complementary ones (i.e., offender management versus law enforcement). Thus, following the language of ANT researchers, this configuration captures the principle of symmetry of possibly conflicting viewpoints. These varied understandings were captured by the location of front line officials facing the realities of applying the Model and its instruments in

practice, as opposed to the location of the cohort of experts and supporters of the Model and its instruments in policy. The police are far removed from the original bounded space of the Model, that is, the CSC and the instrument developers.

This configuration highlights differences between institutionalized understandings of and approaches to the management and supervision strategies for high risk individuals in the prison and the community. That police officers were not corrections officials went without saying, but it was also important to understand that they were local. This locality led to the emergence of a liminal space for the police obligated to navigate between ‘assessing risk’ and ‘managing risk.’ In this space, the actor networks and the community that police officers participated in were all constantly subjected to changing contexts and conditions. As a result, the officers I interacted with reflexively altered their work to accommodate local conditions by forming community networks and devising alternate practice around the presence of high risk individuals oriented toward public safety. It was through this altered practice that their work shifted from replicating correctional work to defining new practices and new actants.

This complicated, localized work runs against the simple, standardized nature of the Model that led its proponents and advocates to claim it was universally applicable in multiple contexts for use by multiple actors. This inconsistency highlights an overlooked incompatibility of the Model to certain non-carceral contexts. That is not to say, however, that the police did not experience concerns and difficulties when “conducting risk assessments” and validating carceral risk classifications through their own uniquely defined processes and practices. The police did indeed experience restrictions and limitations while performing these duties daily (see Chapter 4). Rather, the point here is

that in this liminal space, in this moment of in-between-ness from ‘assessing risk’ to ‘managing risk’, emerges the reality betwixt clearly defined boundaries of institutionalized approaches, mandates, and obligations of corrections on the one hand, and of policing on the other hand.

While this chapter captures only one police agency’s interaction with the Model, what I suggest is that it was not only the practical, instrumental reasoning of the carceral system that influenced the formation of these interactions. In this sense, then, the Model became a fundamental aspect in how police officers saw themselves within the carceral system and outside it from their distinct location in the community, both by how the EPS implemented the Model and how its officers worked beyond it. In other words, the Model emerged in policing in a very different way than it did in corrections. It was precisely because carceral offender risk classifications were not as definite in capturing certain individuals as the Model claimed them to be that the police have become somehow mediators between the Model and the ‘facts’ it constructs in documents on the one hand, and the real-world realities of high risk individuals in the community on the other hand. From this perspective, it may be speculated that police-initiated altered practice and innovation toward public safety at the local level locate these police officers in a more ‘high risk individual-enabling’ position than the one occupied by the staff inside the CSC who, by being closer to the Model, have also become more distant from the individuals they function to control.

My field work coincided with ongoing legal debates concerning the validity and potential bias and cultural insensitivity of the Model and, more specifically, its instruments. Reflecting both these concerns and the level of scrutiny of policing that have

traditionally characterized the last several decades in Canada, police officers of the EPS are among the first to have their practices challenged and questioned in a public way, albeit tangentially. These officers are, thus, in a sense, ground zero for coalescing and changing ideas about risk classification systems and practices in schemes mandated by the current carceral system which is committed to an ambiguous, widely debated approach to the conceptualization of high risk individuals and their place in society. These factors played an important role in the ways police officers inside the EPS wrangled and reckoned with the Model, most importantly how they achieved their mandated obligations of public safety by working beyond the Model in their practice of managing and supervising high risk individuals in the community safely.

Conclusion

Various questions were tabled in the Introduction chapter to understand (i) the Risk Management Model and (ii) the experiences of police officers supervising and managing high risk individuals under section 810 orders in Edmonton. The main objective of these questions was to meet the overall objective of this dissertation, which is to understand the processes and practices related to implementing the Model in the alternate context of policing in the community and what implications and actions resulted for the police from such an implementation.

When I began my research, I did so with the intention of learning from the people who were most directly involved in an implementation of the Model for the supervision and management of high risk individuals outside Canadian prisons; that is, outside the context and conditions for which the Model was designed and intended. Central to this project is the claim that the community context is much more dynamic and offers more mobility than the prison context, and thus offers a useful starting point for research that aims to question an implementation of the Model in this alternate context without modification or consultation. The police have long been a community fixture. As such, they are well situated to teach us something about the lived realities facing their community and the high risk individuals who re-enter their community when the police are obligated to ensure public safety.

From inception to dissemination, this study was designed to strategically interweave specific methods (textual analysis of documents and in-depth interviews) and a methodologically informed theoretical framework (risk society theory and actor network theory) to render visible police officers' lived experiences around the powerful

role which human and non-human things play within and beyond their work related to the Model. This study's main strength lies in its description and documentation of the process of risk classification practices by police officers in the community and its analysis of the actor networks that are created and maintained due to the limitations and opportunities of the Model resulting from the lived realities of the community.

The coordinated application of Beck's risk society theory and actor network theory was effective for demonstrating different aspects of the relationship government officials, in particular, the police, have with the Model and with high risk individuals. Using the concepts and tools offered by this purposeful theoretical and methodological orientation, I have developed a critical analysis about the implementation of the Model outside the Canadian carceral system and, more importantly, the limitations of ideas and understandings of risk constructed within the carceral system. Carceral constructions of risk have been very important in shaping incarceration practices that hold individual citizens accountable for risks to society whereby more responsibility falls to the individual to construct their own personal narratives and to choose their own behaviours and consequences. However, in the community context, alternate constructions of risk and, more significantly, responses to risk do not necessarily follow along the same lines as traditional carceral logics about high risk individuals. Rather, police officers' understandings of risk rely heavily on their own experiences with the dynamic nature of their community and with high risk individuals, and it is on this lay expertise and knowledge that they base their decisions.

Through a close examination of the localized work of police officers in this study, attention was called to different actors involved in the classification, supervision, and

management of high risk individuals in the community and how one's degree of inclusion or exclusion in these practices and processes directly reflected their role and level of participation. The localized work of police officers also highlights a pivotal relationship between the community context and actor networks involved in the supervision and management of high risk individuals, on the one hand, and the type of altered practice and innovation emphasizing social work strategies and community partnerships that the police were engaged in as the result of the presence of high risk individuals in the community, on the other hand.

Thus, through the methodological and theoretical framework I developed for this study, I render visible the ambiguous nature of both 'risk' and 'classification' in relation to the Model and demonstrated how this ambiguity played an important role in the ways police officers achieved their mandated obligations of public safety by working beyond the Model in their practice of managing and supervising high risk individuals in the community safely.

Summary of Findings and Analytical Takeaways

As I have demonstrated in my dissertation, there are four key insights that we can take from policework with high risk individuals in the community. These include: (1) the carceral concept of risk is a political construct informed by expert or scientific knowledge that is largely uncontested in the Canadian criminal justice system; (2) within the carceral system, risk classifications are the result of institutionally organized mechanisms for regulating behaviours and, through their reliance on instruments and documents for widespread use, are entangled in relations of control; (3) officers of the Edmonton Police Service move beyond risk classifications to characterize certain individuals under their

jurisdiction to consider these individuals and their social and cultural conditions in their work to ensure public safety and the reintegration of these individuals in the community; and (4) practices and processes under the Model are incompatible at the local level of policing in the community, leading police officers supervising high risk individuals under section 810 orders in Edmonton to navigate lived realities of the police, the community, and high risk individuals by altering their practice, innovating, and establishing community partnerships.

First, the way that risk comes to be identified, classified, assigned, and responded to by government officials is largely uncontested in the Canadian criminal justice system, with a strong emphasis on the views of officials positioned as experts inside the CSC and Public Safety Canada. In Chapters 2 and 3, I explored how risk is interpreted, assessed, communicated, and responded to by tracing out the origins and implementation of the Risk Management Model and dominant carceral logics and actors in shaping risk classification practices across Canada's criminal justice system. Beck's risk society theory (1992, p. 87) enabled me to reveal how the assignment of individual responsibility for risks posed to society generates fear and anxiety in individuals, it leads to amendments to public policy and a need for institutional control to protect the public from exposure to harm identified by scientific investigation. It further allowed me to empirically demonstrate Beck's view that the classic institutions devoted to 'risk management', for example, the CSC, fail in the management of risks, bringing about what Beck (1992, p. 50) calls 'organized irresponsibility'—put simply, the responsibility for risks caused by certain individuals, in general, are not within the jurisdiction of this CSC. Rather, acceptable behaviours are identified for citizens and compliance is

demanded by the government. Consequently, this type of individualization focuses on the individual while neglecting to examine the structural and contextual constraints within which such responsibility needs to be exercised, at the same time the government detaches its responsibility from the social structure. Thus, the notion of risk as presented by the Model and the legislation related to it is a political construct because the Model was created for a political purpose—to give power to government institutions and legitimize their social control over certain populations. As I have demonstrated, these risk classification practices were intended for inside carceral institutions but have been taken up in alternate contexts for certain groups of individuals in Canadian communities by the police, wherein risk classifications depend heavily on black boxed predictions based on closed off data and science emerging from psychology and statistics.

Second, within the carceral system, risk classifications tend to be used as a mechanism to obscure the recognition of a connection between risk and the individual. This practice results in the denial of individual identities and their social conditions, whereby corresponding strategies for risk management are revealed to be based on an idealized norm of conduct premised on a distinction between acceptable and unacceptable behaviours (Bérard et al., 2013, p. 256). These strategies of normalization are further based on the logic that conformance to this normative ideal is the responsibility of the individual and not the responsibility of the government which is in line with Beck's thesis. Through these strategies, government institutions enforce this idealized norm of conduct through the calculated administration of blame in how the government assigns responsibility to the individual citizen to construct their own personal narratives and to choose their own behaviours and consequences (Beck, 1992; Boehmer-

Christiansen, 2009; Ewald, 2002; Lupton, 2006). Through this administration, risk classifications emerge, and through their reliance on instruments and documents for widespread use, are entangled in relations of control.

As I illustrated in Chapter 3, risk assessment instruments have come under legal challenge in Canada and elsewhere. For decades, inmates and other interested parties, including the courts, have called on the CSC to interrogate and repeal the use of certain risk assessment instruments on certain inmate populations due to a possible cultural bias. These demands accelerated when a federal inmate, Jeffrey Ewert, took his case to the Supreme Court of Canada where the justices ruled in 2018 that the use of five risk assessment instruments by the CSC was not culturally appropriate for First Nations, Métis, and Inuit prisoners like Ewert. Also in Chapter 3, I provided insights into a lack of research into these issues on the part of the CSC, a concern raised repeatedly by those external to the CSC going back to the year 2000, and the implications this failing has for those working in the Model and those whom it regulates.

Next, the police officers I interviewed helped to bring visibility to their role in the management and supervision of high risk individuals premised on the Model and carceral risk classification practices, and beyond. Until now, very little has been known about these underlying conditions and relations and their significance for the police. In Chapters 4 and 5, I used actor network theory as an analytical device to provide insights into the effect the Model and public safety obligations have on policing, as well as their implication for the management and supervision of high risk individuals in the community. As I have made clear, both the Model and public safety obligations have led the police to both replicate the practices of the CSC in validating risk classifications

assigned to certain individuals and alter the practices of the police to establish community partnerships and access to social resources and supports for certain individuals re-entering the community. The latter emphasis of their work led the police officers I interviewed to move beyond risk classifications to characterize certain individuals to consider how the ‘humanness’ of high risk individuals and their social and cultural conditions are equally necessary to the police’s practice of the management and supervision of these individuals to ensure public safety and their reintegration in the community. These empirical observations reflect Beck’s (1992) contribution acknowledging the agentic contributions of the individual and through the recognition of choice at the same time that these conditions are not static nor do they necessarily follow along the same lines as traditional carceral logics about high risk individuals.

The final insight that we can take from police officers’ work in supervising and managing high risk individuals concerns the lived realities of their community. In Chapter 5, I illustrated how the police move beyond a prescribed framework to navigate lived realities when managing high risk individuals in the face of practices and processes under the Model that are incompatible at the local level of policing in the community. As I have made clear, this incompatibility emerges because the Model and its actuarial risk assessment instruments were designed and intended for use inside prisons. They were neither designed nor modified for government officials working in unique contexts outside prisons nor were these other actors consulted about these processes and practices. In their altered practice, including the adoption of social work strategies, the police officers I interviewed and the documents they produced demonstrated a consistency in their efforts to establish, build, and maintain community partnerships wherein they

worked in tandem with these partners to provide what they viewed as much-needed services and supports for high risk individuals under section 810 orders during a period of instability that accompanied their re-entry into the community.

Through their work, police officers largely framed their practice through what I have referred to as altered practice or ‘outside of traditional policing duties’. As I have shown in Chapters 4 and 5 through the lens of actor network theory, these police officers tended to conceptualize ‘stability’ as the means for high risk individuals to obtain safe, timely, and non-judgemental access to supports in a context that makes sense for them, community partners, the police, and the community. This conceptualization, which mirrors social work practice, has largely been informed by these police officers’ experiences with both law enforcement duties and high risk offender management and supervision duties. Yet although social work practice was influential to the experiences of nearly all the police officers I interviewed, it was also a site of tension and negotiation among officers. As I discussed in Chapters 4 and 5, the view that their role in the supervision and management of high risk offenders in the community had been ‘thrust’ on the police was in part a symptom of the altered practice toward social work in which these police officers found themselves. Thrust into this obligation without the same skills, training, and resources as parole officers, probation officers, or correctional staff, these police officers centered their work on solving the problem with which they were confronted: ensuring public safety.

As I explored in Chapter 5, by individualizing conditions of supervision for section 810 orders, the police were able to articulate the conditions that appeared amenable to their obligations for public safety and for the safe reintegration of certain

individuals into the community. This broader and deeper understanding of ‘risk management practice at the local level’ was expressed in my conversations with police officers. In effect, the police’s optics of altered practice, community partnerships, and innovation around the supervision and management of high risk individuals in the community and police officers’ actions have weakened the capacity for the normalization of the Model across the criminal justice system.

Applied Outcomes with Relevance to Policy

Police officers have historically played a key role in law enforcement in Canada. In the 1990s this shifted to include the supervision and management of high risk individuals in the community under *Criminal Code* section 810 orders. As my dissertation made clear, the Edmonton Police Service has played a key role in networking and developing partnerships and accessing social resources and supports in the community to achieve this obligation. Throughout my research with police officers, they consistently expressed their strong desire of the federal government, in particular, the CSC, to engage them in meaningful dialogue when developing plans for the supervision and management of essentially free high risk individuals in Edmonton.

As I have argued, due to their location in the Canadian criminal justice system, police officers bring unique insights into the challenges faced by the police and communities when high risk individuals re-enter the community without resources and support systems to mitigate the risk they are believed to pose. Thus, it is through their voices that I articulate policy recommendations:

Our system is not working [...]. I know the judiciary is aware of it, I know everybody is aware of it, but we need to have a more broad-based discussion on how we are going to solve this [situation].

There is no reason at all why [the CSC] couldn't seek the [section 810 orders]. And, if they were worried about the fact that the receiving jurisdiction would have input into the conditions, they could write the [risk assessment] report and send it to the receiving jurisdiction to look and review it and say 'could you give consideration to this, this, and this because this is what it is' [...]. As a stakeholder, [the CSC] could definitely receive input from the receiving jurisdiction.

In B.C. [British Columbia], they use probation officers to manage [high risk individuals under section 810 orders] and I think Saskatchewan as well. So, why does the police have to do it in Alberta? [...] the bottom line is that from this level [municipal policing] we can never perpetrate that kind of change [...]. At the end of the day, for that to happen, you have to have somebody somewhere at a very high level [...] that makes this their issue.

Well, one of the biggest challenges, and I think that this is a trend that we will see growing is that, and especially with [...] the conservative government taking away opportunity for releases [...]. I don't know if there have been any legal changes to that, but there is certainly a trend and a push towards keeping more people in jail more of the time. But also, the Parole Board is starting to see, I think, the better job the police do at managing high risk [individuals] coming out of jail, the more we see people being held until warrant expiry date [...]. And once [individuals held until their warrant expiry date] are denied an opportunity for transition, it almost becomes important for [the EPS] to work on a transition plan with a lot of people [...]. The challenge is we don't have the resources that parole has. Parole has access to psychologists, parole has access to programming, parole has access to [...] whatever they need to transition [these individuals]. [...] The simplest thing is, I think, for [the] CSC to be mindful of risk level and 'is this person actually posing a high risk?', and then releasing them on parole with tight restrictions and managed closely within [the CSC]'s system. [The CSC]'s system is designed to do that, to give [high risk individuals] the opportunity to transition out. The police system isn't designed to do that [...]. We've made community partners and have access to some resources, but it is not quite the same [...]. I think limiting that gap is probably the most important piece. Or, maybe there needs to be some federal funding for building up supports and resources within the police working with high risk [individuals] being released from the federal system.

As my research demonstrated, when developing and implementing policy related to the supervision and management of high risk individuals, it is important to consider how government officials' ability to ensure public safety is inextricably linked to where an individual believed to pose a risk is located—i.e., inside prisons or communities. Should policymakers wish to develop inclusive and comprehensive supervision and management policy that reflects the diverse contexts and conditions in which high risk individuals are

located, then it would be useful for them to bring key stakeholders and those with lived and practical experiences—including but not limited to the police, service providers, and community partners, and the individuals to whom this policy directly relates: high risk individuals—to the table when making important decisions about processes and practices used to determine the futures and freedoms of certain individuals. In Edmonton, such decisions should begin with the supports, skills, training, and services necessary for the police to supervise and manage high risk individuals. As so many of the officers described it, the supports, skills, training, and services they have been able to access through their ongoing work with community partners are much more restricted than those available to the CSC. In addition to ensuring the police have access to the same supports, skills, training, and services, policymakers should work with key stakeholders to develop accessible, comprehensive, culturally relevant information and education regarding offender supervision and management practice in Canada. Even though the Canadian criminal justice system is extremely hierarchized, with dominant institutions and their actors wielding significant power to determine what happens within it, this case study shows that there exists the possibility of agency and change for those acting within its boundaries.

Should the instrument developers continue to deny access to the data and science behind their instruments and should the CSC fail to conduct research on its use of these instruments which outputs are used to make life altering decisions for certain individuals, the federal government must hold the CSC accountable. As I have stated in my dissertation, the Supreme Court of Canada ruled that the CSC's use of five of the more widely used risk assessment instruments to assess levels of risk for assessing First

Nations, Métis, and Inuit inmates violated section 24(1) of the *Corrections and Conditional Release Act*. Because the federal government is committed to working to advance reconciliation and renew its relationship with Indigenous peoples, it would be amiss for the government to remain complicit in a regulatory framework that denies the rights of these First Nations, Métis, and Inuit persons and possibly other individuals or groups across the country under the jurisdiction of its agencies (Government of Canada, 2019a).

Suggestions for Future Research

This dissertation looked at one group of actors involved in the classification and supervision of high risk individuals in Canada. By focusing this examination on the role of and implications for the police, this study opens the possibility for future investigations of different actors involved in this social network—work that will allow us to see the functions and effects of the Model in the Canadian justice system more broadly. Given the complex network of institutions responsible for implementing the Model and organizing practice around the supervision and management of high risk individuals in Canada, future ‘action in practice’ research is necessary to investigate the conditions and circumstances that continue to uphold the use of the Model and its instruments. For instance, how does the everyday work of government officials within the CSC coordinate the experiences of individuals classified as high risk to reoffend? How do those employed within these institutions conceptualize their work to implement the Model to oversee, regulate, and manage high risk individuals? What are the social and political implications for individuals who are classified as ‘risk’ themselves? Additional engaged qualitative-based research may provide a window into the experiences and perspectives of other

actors within this system, thus helping to illuminate which institutional actors have the most influence over the development of policy and practice in Canada concerning carceral risk classification.

While conducting research for this project, several police officers described taking on the role of a social service provider and engaging in altered practice outside of traditional law enforcement duties for their work in supervising and managing high risk individuals in the community. Though many officers gained insights into the challenges facing these individuals when they re-enter the community, others spoke of the need for more direct lines of communication between these CSC and the police. A project that brings visibility to the experiences of high risk individuals under section 810 orders would be helpful for identifying the challenges they face, as well as exploring how those challenges might be experienced differently depending on one's social location. Combining quantitative and qualitative methods would be particularly useful in Canada due to the climate of responsibility and shame that continues to surround the assignment of carceral risk classifications, as it would offer some individuals with an opportunity to communicate their story with risk classifications with minimal risk of exposure. Such a project could build on the important work of criminology and sociolegal scholars who have traced out clearly this alternative perspective as it relates to offender sentencing and supervision practices, with an emphasis on female offenders (Hannah-Moffat, 2012; Hannah-Moffat et al., 2010; Hannah-Moffat & Shaw, 2001b; Hannah-Moffat & Yule, 2011). They have done so with rich qualitative data indicating that a concern under current carceral practices and processes “remains that the systematic introduction of risk into sentencing may ultimately unduly restrict judicial authority and affect already

disadvantaged, unmotivated, or treatment resistant defendants” (Hannah-Moffat, 2012, p. 291).

Finally, more research is needed into the future of risk classification practice in Canada generally, and in the CSC specifically. Future research in this area should examine what risk classification practice might look like in the Canadian context, in particular in light of the recent Supreme Court of Canada ruling documenting a concern around risk classification practices raised repeatedly by those external to the CSC going back to the year 2000. I hope my analysis in this dissertation helps to understand how examining these processes and practices can allow us to better understand how they produce challenges for government officials and communities and possible rights violations for certain groups of individuals, and how recognizing the underlying factors that contribute to these challenges and violations is central to overcoming them.

Legal Sources

Statutes and Legislation

Access to Information Act, RSC 1985, c A-1.
Alberta's Freedom of Information and Protection of Privacy Act (2000).
Canadian Charter of Rights and Freedoms, s 2, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11.
Corrections and Conditional Release Act, S.C. 1992, c.20.
Corrections and Conditional Release Regulations, SOR/92-620.
Criminal Code, R.S.C., 1985, c. C-46.
Safe Streets and Communities Act, S.C. 2012, c. 1.
Penitentiary Service Regulations, C.R.C., c. 1333.
Parole Regulations, 1978, c. 1025.
Penitentiary Inmates Accident Compensation Regulations, 1982, C. 1026.

Case Law

Brian Wilson and Iain Murray v. HMA; [2009] Appeal No: HCJAC 58.
Canada v. Ewert, 2016 FCA 203.
Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993).
Ewert v. Canada, 2017, SCC 37233.
Ewert v. Canada, 2015 FC 1093.
Ewert v. Canada (Attorney General), 2007 FC 13, 306 FTR 234.
Ewert v. Canada (Attorney General), 2008 FCA 285, 382 NR 370.
Loomis v. State of Wisconsin, 16-6387. 2016.
State of Wisconsin v. Loomis. Case No. 2015AP157-CR. 2015.
R. v. Awasis, 2016 BCPC 219.
R. v. Baker, [1999] B.C.J No. 681 (B.C.S.C.).
R. v Budreo, [2000] 142 CCC (3d) 225.
R. v. C.D.F., [2004] B.C.J. No. 1996 2004 BCPC 351.
R. v. Firth, [2004] B.C.J. No. 2577 2004 BCPC 449.
R. v. George, [2007] O.J. No. 12.
R. v. Gladue, [1999] 1 S.C.R. 688.
R. v. Haley, 2016 BCSC 1144.
R. v. Ipeelee, 2012 SCC 13, [2012] 1 S.C.R. 433.
R. v. Nawakayas [2013] SKPC 35.
R. v. Sem Paul Obed, 2000 NS PC.
State of New Hampshire v. Thomas Hurley. Case No. 07-E-0236. 2009.
State of New Hampshire v. William Ploof. Case No. 07-E-0238. 2008.
State of Wisconsin v. Homer L. Perren Jr., La Crosse County 2010-C1000003.

Bibliography

- Abbott, K., & Kelly, P. (2005). Conceptualising industrial relations on the “risk society.” *Labour & Industry: A Journal of the Social and Economic Relations of Work*, 16(1), 83–102.
- About the HCR-20 Version 3. (n.d.). Retrieved from <http://hcr-20.com/>
- Adams, J. (1995). *Risk*. London, UK: University College London Press.
- Akrich, M. (1997). The de-description of technical objects. In W. Bijker & J. Law (Eds.), *Shaping Technology / Building Society: Studies in Sociotechnical Change* (pp. 205–224). Cambridge, MA: MIT Press.
- Alasuutari, P. (1996). Theorizing in qualitative research: A cultural studies perspective. *Qualitative Inquiry*, 2(4), 371–384.
- Alberta Justice and Solicitor General. (2018). High risk offenders. Retrieved from https://www.solgps.alberta.ca/safe_communities/community_awareness/serious_violent_offenders/Pages/default.aspx
- Alexander, J., & Smith, P. (1996). Social science and salvation: Risk society as mythical discourse. *Zeitschrift Fir Soziologie*, 25, 251–262.
- Anderson, E. (2012). Epistemic justice as a virtue of social institutions. *Social Epistemology*, 26(2), 163–173.
- Anderson, R., & Sharrock, W. (2018). *Action at a Distance: Studies in the Practicalities of Executive Management*. Oxon, UK: Routledge.
- Andrews, D., & Bonta, J. (1995). LSI-R: the level of service inventory-revised. *Multi-Health Systems*. Retrieved from <https://www.mhs.com/MHS-Publicsafety?prodname=lsi-r>
- Andrews, D., & Bonta, J. (2006). *The Psychology of Criminal Conduct* (Fourth). Newark, NJ: LexisNexis.
- Andrews, D., & Bonta, J. (2010). *The Psychology of Criminal Conduct* (Fifth). Newark, NJ: LexisNexis.
- Andrews, D., Bonta, J., & Hoge, R. (1990). Classification for effective rehabilitation: Rediscovering psychology. *Criminal Justice and Behavior*, 17, 19–52.
- Andrews, D., Bonta, J., & Wormith, S. (2006). The recent past and near future of risk and/or need assessment. *Crime and Delinquency*, 52, 7–27.
- Arnoldi, J. (2009). *Risk: An Introduction*. Cambridge, UK: Polity Press.
- Atkinson, W. (2007). Beck, individualization and the deal of class: A critique. *The British Journal of Sociology*, 58(3), 349–366.
- Attrill, G., & Liell, G. (2007). Offenders’ view on risk assessment. In N. Padfield (Ed.), *Who to Release? Parole, Fairness and Criminal Justice* (pp. 191–201). Cullompton, UK: Willan.
- Babchishin, M., Hanson, R., & Helmus, L. (2011). *The RRASOR, Static-99R and Static-2002R All Add Incrementally to the Prediction of Recidivism among Sex Offenders* [Corrections Research: User Report]. Ottawa, ON: Public Safety Canada.
- Barry, J. (2007). *Environment and Social Theory* (Second). London, UK: Routledge.
- Bartol, C., & Bartol, M. (2008). *Criminal Behavior: A Psychosocial Approach* (8th Edition). Saddle River, NJ: Pearson Prentice Hall.
- Bayer, B., Bonta, J., & Motiuk, L. (1985). The PD subscales: An empirical evaluation. *Journal of Clinical Psychology*, 41(6), 780–788.

- Beck, U. (1987). The anthropological shock: Chernobyl and the contours of the risk society. *Berkley Journal of Sociology*, 32, 153–165.
- Beck, U. (1991). *Ecological Enlightenment: Essays on the Politics of the Risk Society*. Amherst, NY: Prometheus Books.
- Beck, U. (1992). *Risk Society: Towards a New Modernity*. London, UK: Sage.
- Beck, U. (1995). *Ecological Politics in an Age of Risk*. Cambridge, UK: Polity Press.
- Beck, U. (1996). Risk society and the provident state. In S. Lash (Ed.), *Risk, Environment and Modernity: Towards a New Ecology* (pp. 27–43). London, UK: Sage.
- Beck, U. (1997). *The Reinvention of Politics: Rethinking Modernity in the Global Social Order*. Cambridge, UK: Polity Press.
- Beck, U. (1999). *World Risk Society*. London, UK: Polity Press.
- Beck, U. (2000a). Risk society revisited: Theory, politics and research programmes. In B. Adam, U. Beck, & J. Van Loon (Eds.), *The Risk Society and Beyond: Critical Issues for Social Theory* (pp. 211–229). London, UK: Sage.
- Beck, U. (2000b). *What is Globalization?* London, UK: Polity Press.
- Beck, U. (2006). Living in the World Risk Society. *Economy and Society*, 35(3), 329–345.
- Beck, U. (2009). *World at Risk*. Cambridge, UK: Polity Press.
- Beck, U., & Beck-Gernsheim, E. (2002). *Individualization: Institutionalized Individualism and its Social and Political Consequences*. London, UK: Sage.
- Beck, U., Giddens, A., & Lash, S. (1994). *Reflexive Modernization: Politics, Tradition and Aesthetics in the Modern Social Order*. Stanford, CA: Stanford University Press.
- Beers, P., Sol, J., & Wal, A. (2010). *Social learning in a multi-actor innovation context*. Conference Paper presented at the Ninth European IFSA Symposium ‘Building Sustainable Rural Futures—The Added Value of Systems Approaches in Times of Change and Uncertainty,’ Vienna, AU.
- Belfrage, H. (1998). Making risk predictions without instrument: Three years’ experience of the new Swedish law on mentally disordered offenders. *International Journal of Law and Psychiatry*, 21(1), 59–64.
- Bérard, F., Vacheret, M., & Lemire, G. (2013). Risk Management in the Correctional System of Canada: A Problematic Model. *The Howard Journal of Criminal Justice*, 52(3), 251–271.
- Bhaskar, M. (2016). *Curation: The Power of Selection in a World of Excess*. London, UK: Little Brown Book Group.
- Bijker, W. (1995). *Of Bicycles, Bakelites, and Bulbs: Toward a Theory of Sociotechnical Change*. Cambridge, MA: MIT Press.
- Bisaillon, L. (2012). An analytic glossary to social inquiry using institutional and political activist ethnography. *International Journal of Qualitative Methods*, 11(5), 607–624.
- Bloomfield, B., & Vurdubakis, T. (1999). The outer limits: Monsters, actor networks and the writing of displacement. *Organization*, 6(4), 625–648.
- Bocking, S. (2004). *Nature’s Experts: Science, Politics, and the Environment*. New Brunswick, NJ: Rutgers University Press.
- Boehmer-Christiansen, S. (2009). The precautionary principle in Germany: Enabling government. In T. O’Riordan & J. Cameron (Eds.), *Interpreting the Precautionary Principle* (pp. 31–60). Abingdon, UK: Earthscan.

- Boer, D., Hart, S., Kropp, P., & Webster, C. (1997). *Manual for the sexual violence risk-20. Professional guidelines for assessing risk of sexual violence*. Burnaby, BC: Simon Fraser University, Mental Health, Law, and Policy Institute.
- Boholm, Å. (2015). *Anthropology and Risk*. Oxon, UK: Routledge.
- Bonta, J. (1996). Risk-needs assessment and treatment. In T. Harland (Ed.), *Choosing Correctional Options that Work*. Thousand Oaks, CA: Sage.
- Bonta, J. (2002). Offender risk assessment: Guidelines for selection and use. *Criminal Justice & Behavior*, 29, 355–379.
- Bonta, J., & Andrews, D. (2007). *Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation 2007-06*. Retrieved from <https://www.publicsafety.gc.ca/cnt/rsres/pblctns/rsk-nd-rspnsvty/index-en.aspx>
- Bonta, J., Boyle, J., Motiuk, L., & Sonnichsen, P. (1983). Restitution in correctional halfway houses: Victim satisfaction, attitudes, and recidivism. *Canadian Journal of Criminology*, 25(3), 277–289.
- Bonta, J., Harman, W., Hann, R., & Cormier, R. (1996). The prediction of recidivism among federally sentenced offenders: A re-validation of the SIR scale. *Canadian Journal of Criminology*, 38(1), 62–79.
- Bonta, J., Law, M., & Hanson, R. (1998). The prediction of criminal and violent recidivism among mentally disordered offenders: A meta-analysis. *Psychological Bulletin*, 123(2), 123–142.
- Bonta, J., & Motiuk, L. (1985). Utilization of an interview-based classification instrument: A study of correctional halfway houses. *Criminal Justice & Behavior*, 12(3), 333–352.
- Bonta, J., & Wormith, S. (2007). Risk and need assessment. In G. McIvor & P. Raynor (Eds.), *Developments in Social Work with Offenders* (pp. 131–152). London, UK: Jessica Kingsley Publishers.
- Bonta, J., & Yessine, A. (2005). *The National Flagging System: Identifying and Responding to High-Risk Violent Offenders*. Ottawa, ON: Public Safety Canada.
- Borum, R., Bartel, P., & Forth, A. (2002). *Manual for the structured assessment of violence risk in youth (SAVRY)*. Tampa, FL: University of South Florida.
- Borum, R., Bartel, P., & Forth, A. (2003). *Manual for the structured assessment of violence risk in youth (SAVRY): Version 1.1*. Tampa, FL: University of South Florida.
- Bougen, P. (2003). Catastrophe risk. *Economy and Society*, 32, 253–274.
- Bourdieu, P. (1977). *Outline of a Theory of Practice* (R. Nice, Trans.). Cambridge, UK: Cambridge University Press.
- Bourdieu, P. (1980). *The Logic of Practice* (R. Nice, Trans.). Stanford, CA: Stanford University Press.
- Bourdieu, P. (1991). *Language and Symbolic Power* (J. Thompson, Ed.; G. Raymond & M. Adamson, Trans.). Cambridge, MA: Harvard University Press.
- Bourdieu, P., Chamboredon, J., & Passeron, J. (1991). *The Craft of Sociology: Epistemological Preliminaries* (B. Krais, Ed.; R. Nice, Trans.). Berlin and New York: Walter de Gruyter.
- Bourdieu, P., & Wacquant, L. (1992). *An Invitation to Reflexive Sociology*. Chicago, IL: University of Chicago Press.

- Bourgon, G., Mugford, R., Hanson, R., & Coligado, M. (2017). Offender risk assessment practices vary across Canada. *Canadian Journal of Criminology and Criminal Justice*, 60(2), 1–39.
- Bowker, G., & Star, S. (1994). Knowledge and infrastructure in international information management: Problems of classification and coding. In L. Bud (Ed.), *Information Acumen: The Understanding and Use of Knowledge in Modern Business* (Cam). Cambridge, UK: Routledge.
- Bowker, G., & Star, S. (1999). *Sorting Things Out: Classification and its Consequences*. Cambridge, MA: MIT Press.
- Bowker, G., & Star, S. (2000). Invisible mediators of action: Classification and the ubiquity of standards. *Mind, Culture, & Activity*, 71(1 & 2), 147–163.
- Bradbury, J. (1989). The policy implications of differing concepts of risk. *Science, Technology, & Human Values*, 14(4), 380–399.
- Busch, L. (2011). *Standards: Recipes for Reality*. Cambridge, MA: MIT Press.
- Butters, R. (2014). Community based treatment interventions. In W. Church & D. Springer (Eds.), *Juvenile Justice Sourcebook* (Second, pp. 313–336). New York, NY: Oxford University Press.
- Callon, M. (1986a). Some elements of a sociology of translation: Domestication of the scallops and the fishermen of St. Briec Bay. In J. Law (Ed.), *Power, action, and belief: A new sociology of knowledge?* (pp. 196–233). London, UK: Routledge and Kegan Paul.
- Callon, M. (1986b). The sociology of an actor-network: The case of the electric vehicle. In M. Callon, J. Law, & A. Rip (Eds.), *Mapping the Dynamics of Science and Technology: Sociology of Science in the Real World* (pp. 19–34). London, UK: Macmillan.
- Callon, M. (1987). Society in the making: The study of technology as a tool for sociological analysis. In W. Bijker, T. Hughes, P. Thomas, & T. Pinch (Eds.), *The Social Construction of Technological Systems: New Directions in the Sociology and History of Technology* (pp. 77–100). Cambridge, MA: MIT Press.
- Callon, M. (1991). Techno-economic networks and irreversibility. In J. Law (Ed.), *A Sociology of Monsters, Essays on Power, Technology, and Domination* (pp. 132–161). London, UK: Routledge.
- Callon, M. (1999). Actor-network theory – the market test. In J. Law & J. Hassard (Eds.), *Actor Network Theory and After* (pp. 181–195). Oxford, UK: Blackwell.
- Callon, M., & Latour, B. (1981). Unscrewing the big leviathan: How actors macro-structure reality and how sociologists help them do so. In K. Knorr-Cetina & A. Cicourel (Eds.), *Advances in Social Theory and Methodology. Toward an Integration of Micro- and Macro-Sociologies* (pp. 277–303). London, UK: Routledge and Kegan Paul.
- Callon, M., & Law, J. (1989). On the construction of socio-technical networks: Context and context revisited. *Knowledge and Society: Studies in the Sociology of Science Past and Present*, 8, 57–83.
- Callon, M., Law, J., & Rip, A. (1986). *Mapping the Dynamics of Science and Technology: Sociology of Science in the Real World*. London, UK: Macmillan.
- Campbell, E. (2004). Police narrativity in the risk society. *British Journal of Criminology*, 44, 695–714.

- Campbell, A., French, S., & Gendreau, P. (2007). *Assessing the utility of risk assessment tools and personality measures in the prediction of violent recidivism for adult offenders* (No. User Report 2007-04). Ottawa, ON: Public Safety Canada.
- Canton, R. (2005). Risk assessment and compliance in probation and mental health. In B. Littlechild & D. Fearn (Eds.), *Mental Disorder and Criminal Justice Policy, Provision and Practice*. Lyme Regis, UK: Russell House.
- CASOMB, & SARATSO. (2015). *California Sex Offender Management Board Year End Report (2014)*. Retrieved from California Sex Offender Management Board (CASOMB) and State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) Review Committee website: http://www.casomb.org/docs/CASOMB_End_of_Year_Report_to_Legislature_2014.pdf
- Castel, R. (1991). From dangerousness to risk. In G. Burchell, C. Gordon, & P. Miller (Eds.), *The Foucault Effect: Studies in Governmentality* (pp. 281–298). Chicago, IL: University of Chicago Press.
- Cheatography. (n.d.). Retrieved from <https://www.cheatography.com/davidpol/cheat-sheets/hare-psychopathy-checklist-revised/>
- Chess, C., Burger, J., & McDermott, M. (2005). Speaking like a state: Environmental justice and fish consumption advisories. *Society and Natural Resources*, 18, 267–278.
- Childress, S. (1994). Peace bonds: Ancient anachronisms or viable crime prevention devices? *American Journal Criminal Law*, 21, 407–431.
- Chua, W. (1995). Experts, networks and inscriptions in the fabrication of accounting images: A story of the representation of three public hospitals. *Accounting, Organizations and Society*, 20(2), 111–145.
- City of Edmonton. (2015). *Operating Budget 2016-18*. Retrieved from http://www.edmonton.ca/city_government/budget_taxes/budget-2016-to-2018.aspx
- Clayton, D. (1985). Peace bonds and the maintenance of law and order in late medieval England: The example of Cheshire. *Historical Research*, 58(138), 133–148.
- Clements, C. (1996). Offender classification: Two decades of progress. *Criminal Justice & Behavior*, 23(1), 121–143.
- Cohen, S. (1985). *Vision of Social Control: Crime, Punishment and Classification*. Cambridge, UK: Polity.
- Cooke, D. (2016). Violence risk: The actuarial illusion. In A. Kapardis & D. Farrington (Eds.), *The Psychology of Crime, Policing and Courts* (pp. 78–94). Oxon, UK: Routledge.
- Cooke, D., & Michie, C. (2010). Limitations of diagnostic precision and predictive utility in the individual case: A challenge for forensic practice. *Law and Human Behavior*, 34, 259–274.
- Copas, J., & Marshall, P. (1998). The Offender Group Reconviction Scale: The statistical reconviction score for use by probation officers. *Journal of the Royal Statistical Society*, (47), 159–171.
- Cormier, R. (1997). Yes SIR~ A Stable Risk Prediction Tool. *Forum on Corrections Research*, 9(1), 3–7.
- Correctional Service Canada. (2008). *Report of the Task Force on Security*. Retrieved from http://www.csc-scc.gc.ca/text/pblct/security/security-eng.shtml#P80_1820

- Correctional Service Canada. (2012a). About Correctional Service Canada. Retrieved from <http://www.csc-scc.gc.ca/about-us/index-eng.shtml>
- Correctional Service Canada. (2012b). CCRA Guiding Principles. Retrieved from http://www.csc-scc.gc.ca/acts-and-regulations/005006-1003-eng.shtml#_1
- Correctional Service Canada. (2012c). Risk Management. Retrieved from <http://www.csc-scc.gc.ca/parole/002007-0007-eng.shtml>
- Correctional Service Canada. (2012d). The Correctional Plan. Retrieved from <http://www.csc-scc.gc.ca/parole/002007-0004-eng.shtml>
- Correctional Service Canada. (2013a). *Commissioner's Directive 702: Aboriginal Offenders*. Retrieved from <http://www.csc-scc.gc.ca/politiques-et-lois/702-cd-eng.shtml>
- Correctional Service Canada. (2013b). *Commissioner's Directive 767: Ethnocultural Offenders: Services and Interventions*. Retrieved from <http://www.csc-scc.gc.ca/acts-and-regulations/767-cd-eng.shtml>
- Correctional Service Canada. (2013c). The Offender Management System. Retrieved from <https://www.csc-scc.gc.ca/oms/004003-0001-eng.shtml>
- Correctional Service Canada. (2014). *Commissioner's Directive 712-4: Release Process*. Retrieved from <http://www.csc-scc.gc.ca/politiques-et-lois/712-4-cd-eng.shtml>
- Correctional Service Canada. (2015). *Commissioner's Directive 712-2: Detention*. Retrieved from <http://www.csc-scc.gc.ca/politiques-et-lois/712-2-cd-eng.shtml>
- Correctional Service Canada. (2016a). *Commissioner's Directive 701: Information Sharing*. Retrieved from <http://www.csc-scc.gc.ca/politiques-et-lois/701-cd-eng.shtml>
- Correctional Service Canada. (2016b). *Commissioner's Directive 706: Classification of Institutions*. Retrieved from <http://www.csc-scc.gc.ca/lois-et-reglements/706-cd-eng.shtml>
- Correctional Service Canada. (2017a). *Commissioner's Directive 700: Correctional Interventions*. Retrieved from <http://www.csc-scc.gc.ca/lois-et-reglements/700-cd-eng.shtml>
- Correctional Service Canada. (2017b). *Commissioner's Directive 705-7: Security Classification and Penitentiary Placement*. Retrieved from <http://www.csc-scc.gc.ca/acts-and-regulations/705-7-cd-eng.shtml>
- Correctional Service Canada. (2018a). *Commissioner's Directive 705-6: Correctional Planning and Criminal Profile*. Retrieved from <http://www.csc-scc.gc.ca/acts-and-regulations/705-6-cd-eng.shtml#s5>
- Correctional Service Canada. (2018b). *Commissioner's Directive 710-6: Review of Inmate Security Classification*. Retrieved from <http://www.csc-scc.gc.ca/lois-et-reglements/710-6-cd-eng.shtml>
- Correctional Service Canada. (2018c). *Commissioner's Directive 712-1: Pre-Release Decision Making*. Retrieved from <http://www.csc-scc.gc.ca/politiques-et-lois/712-1-cd-eng.shtml>
- Correctional Service Canada. (2018d). Job profile—Parole Officer. Retrieved from: <https://www.canada.ca/en/parole-board/services/parole/what-is-parole.html>
- Cowling, M. (2011). Can Marxism make sense of crime? *Global Discourse*, 2(2), 59–74.

- Craig, L., Thornton, D., Beech, A., & Browne, K. (2007). The relationship of statistical and psychological risk markers to sexual reconviction in child molesters. *Criminal Justice & Behavior*, 34(3), 314–329.
- Creswell, J. (2013). *Qualitative Inquiry and Research Design: Choosing among Five Approaches*. Thousand Oaks, CA: Sage.
- Culpitt, I. (1999). *Social Policy and Risk*. London, UK: Sage.
- Davies, G., & Dedel, K. (2006). Violence risk screening in community corrections. *Criminology and Public Policy*, 5(4), 743–769.
- Dean, M. (1996). Foucault, government, and the enfolding of authority. In B. Osborne & N. Rose (Eds.), *Foucault and Political Reason* (pp. 209–230). Chicago, IL: University of Chicago Press.
- Dean, M. (2000). Risk, calculable and incalculable. In D. Lupton (Ed.), *Risk and Sociocultural Theory: New Directions and Perspectives* (pp. 67–84). Cambridge, UK: Cambridge University Press.
- Department of Justice and Solicitor General. (1990). *A Framework for Sentencing, Corrections and Conditional Release—Directions for Reform in Sentencing, Corrections and Conditional Release*. Ottawa, ON.
- Donaldson, T., & Abbott, B. (2011). Prediction in the individual case: An explanation and application of its use with the Static-99R in sexually violent predator risk assessments. *American Journal of Forensic Psychology*, 29(1), 5–35.
- Donnelly, C. (2009). *Delegation of Governmental Power to Private Parties: A Comparative Perspective*. Oxford, UK: Oxford Scholarship Online.
- Douglas, J., Ressler, R., Burgess, A., & Hartman, C. (1986). Criminal profiling from crime scene analysis. *Behavioral Sciences and the Law*, 4, 401–421.
- Douglas, K., Hart, S., Webster, C., & Belfrage, H. (2013). *HCR-20V3: Assessing risk of violence – User guide*. Burnaby, BC: Simon Fraser University, Mental Health, Law, and Policy Institute.
- Douglas, K., Ogloff, J., & Hart, S. (2003). Evaluation of a model of violence risk assessment among forensic psychiatric patients. *Psychiatric Services*, 54(10), 1372–1379.
- Douglas, M. (1966). *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*. London, UK: Routledge.
- Douglas, M. (1986). *How Institutions Think*. Syracuse, NY: Syracuse University Press.
- Douglas, M. (1992). *Risk and Blame: Essays in Cultural Theory*. London, UK: Routledge.
- Douglas, M., & Wildavsky, A. (1982). *Risk and Culture: An Essay on the Selection of Technological and Environmental Dangers*. Berkeley, CA: University of California Press.
- Elliot, A. (2002). Beck's sociology of risk: A critical assessment. *Sociology*, 36(2), 293–315.
- Epstein, S. (1995). The constructions of lay expertise: AIDS activism and the forging of credibility in the reform of clinical trials. *Science, Technology, & Human Values*, 20(4), 408–437.
- Ericson, R., & Doyle, A. (Eds.). (2003). *Risk and Morality*. Toronto, ON: University of Toronto Press.

- Ericson, R., & Doyle, A. (2004a). Catastrophe risk, insurance and terrorism. *Economy and Society*, 33, 135–173.
- Ericson, R., & Doyle, A. (Eds.). (2004b). *Uncertain Business: Risk, Insurance and the Limits of Knowledge*. Toronto, ON: University of Toronto Press.
- Ericson, R., Doyle, A., & Barry, D. (2003). *Insurance as Governance*. Toronto, ON: University of Toronto Press.
- Ericson, R., & Haggerty, K. (1997). *Policing the Risk Society*. Oxford, UK: Clarendon Press.
- Ericsson, K. (2016). Summing up hours of any type of practice versus identifying optimal practice activities: Commentary on Macnamara, Moreau, & Hambrick (2016). *Perspectives on Psychological Science*, 11(3), 351–354.
- Evans, R. (2008). The sociology of expertise: The distribution of social fluency. *Sociology Compass*, 2(1), 281–298.
- Ewald, F. (1991). Insurance and risks. In G. Burchell, C. Gordon, & P. Miller (Eds.), *The Foucault Effect: Studies in Governmentality* (pp. 197–210). Chicago, IL: University of Chicago Press.
- Ewald, F. (2002). The return of Descartes’s malicious demon: An outline of a philosophy of precaution. In T. Baker & J. Simon (Eds.), *Embracing Risk: The Changing Culture of Insurance and Responsibility* (pp. 273–301). Chicago, IL: University of Chicago Press.
- Failing, L., Gregory, R., & Harstone, M. (2007). Integrating science and local knowledge in environmental risk management: A decision-focused approach. *Ecological Economics*, 64(1), 47–60.
- Fazel, S., Singh, J., & Doll, H. (2012). Use of risk assessment instruments to predict violence and antisocial behaviour in 73 samples involving 24 827 people: Systematic review and meta-analysis. *BMJ*, 345, 1–12.
- Flyvbjerg, B. (2001). *Making Social Science Matter: Why Social Inquiry Fails and How it Can Succeed Again* (S. Sampson, Trans.). Cambridge, UK: Cambridge University Press.
- Flyvbjerg, B. (2006). Five misunderstandings about case-study research. *Qualitative Inquiry*, 12(2), 219–245.
- Foucault, M. (1995). *Discipline and Punish: The Birth of the Prison*. Toronto, ON: Random House.
- Franklin, K. (2012, December 14). Judge bars Static-99R risk tool from SVP trial. Retrieved from <https://forensicpsychologist.blogspot.ca/2012/12/judge-bars-static-99r-risk-tool-from.html>
- Franklin, K. (2017). Static-99 Timeline. Retrieved from <http://www.karenfranklin.com/resources/static-99-a-bumpy-developmental-path/>
- Furedi, F. (2009). Precautionary culture and the rise of possibilistic risk assessment. *Erasmus Law Review*, 2(2), 197–220.
- Garland, D. (1990). *Punishment in Modern Society: A Study in Social Theory*. Chicago, IL: University of Chicago Press.
- Garland, D. (1999). “Governmentality” and the problem of crime. In R. Smandych (Ed.), *Governable Places: Readings on Governmentality and Crime Control*. Oxon, UK: Routledge.

- Garland, D. (2001). *The Culture of Control: Crime and Social Control in Contemporary Society*. Chicago, IL: University of Chicago Press.
- Garland, D. (2003). The rise of risk. In R. Ericson & A. Doyle (Eds.), *Risk and Morality* (pp. 48–86). Toronto, ON: University of Toronto Press.
- Garsten, B. (2006). *Saving Persuasion: A Defense of Rhetoric and Judgment*. Cambridge, MA: Harvard University Press.
- Geertz, C. (1973). *The Interpretation of Cultures*. New York, NY: Basic Books.
- Gendreau, P., Little, T., & Goggin, C. (1996). *A meta-analysis of the predictors of adult offender recidivism: What works!* Ottawa, ON: Public Works and Government Services Canada.
- Giddens, A. (1984). *The Constitution of Society: Outline of the Theory of Structuration*. Berkeley, CA: University of California Press.
- Giddens, A. (1990). *The Consequences of Modernity*. Chicago, IL: Polity Press.
- Giddens, A. (1998). Risk society: The context of British politics. In J. Franklin (Ed.), *The Politics of Risk Society* (pp. 23–34). Cambridge, UK: Polity Press.
- Giddens, A. (1999). Risk and responsibility. *The Modern Law Review*, 62(1), 1–10.
- Giddens, A. (2002). *Runaway World: How Globalization is Reshaping Our Lives*. London, UK: Profile Books.
- Global Institute of Forensic Research. (n.d.). Retrieved from <https://www.gifrinc.com/gears/>
- Government of Canada. (2019a, April 19). Reconciliation. Retrieved from <https://www.rcaanc-cirnac.gc.ca/eng/1400782178444/1529183710887>
- Government of Canada. (2019b, June 12). Table of Public Statutes and Responsible Ministers. Retrieved from <https://laws-lois.justice.gc.ca/eng/TablePublicStatutes/C.html>
- Granovetter, M. (1973). The strength of weak ties. *American Journal of Sociology*, 78(6), 1360–1380.
- Granovetter, M. (1983). The strength of weak ties: A network theory revisited. *Sociological Theory*, 1, 201–233.
- Grant, B., & Luciani, F. (1998). *Security Classification Using the Custody Rating Scale*. Retrieved from https://www.csc-scc.gc.ca/research/092/r67_e.pdf
- Greenberg, D. (1993). *Crime and Capitalism—Readings in Marxist Criminology*. Temple University Press.
- Griffiths, C., Dandurand, Y., & Murdoch, D. (2007). *The Social Reintegration of Offenders and Crime Prevention* (National Crime Prevention Centre Research Report No. 2007–2). Retrieved from <http://www.csc-scc.gc.ca/politiques-et-lois/702-cd-eng.shtml>
- Griffiths, C., & Ekstedt, J. (1984). *Corrections in Canada: Policy and Practice*. Toronto, ON: Butterworths.
- Griffiths, C., & Murdoch, D. (2014). *Canadian Corrections* (Fourth Edition). Toronto, ON: Nelson.
- Groves, W., & Meehl, P. (1996). Comparative efficiency of informal (subjective, impressionistic) and formal (mechanical, algorithmic) prediction procedures: The clinical-statistical controversy. *Psychology, Public Policy, & Law*, 2(2), 293–323.
- Haag, A., Hart, S., Hanson, R., Helmus, L., Gutierrez, L., Olver, M., & Kroner, D. (2016, November). *Virtual Round Table-Ewert v. Canada: Past Experiences and Future*

- Directions*. Webinar. Retrieved from <https://www.concept-ce.com/virtual-round-table-ewert-v-canada-past-experiences-future-directions/>
- Haag, A., Hart, S., Hanson, R., & Olver, M. (2015, November). *Ewert v. Canada: Implications for Forensic Practice*. Webinar. Retrieved from [http://www.catap.org/Community-\(Non-Association\)-Events/3606707](http://www.catap.org/Community-(Non-Association)-Events/3606707)
- Hacking, I. (1975). *The Emergence of Probability*. Cambridge, UK: Cambridge University Press.
- Hacking, I. (1990). *The Taming of Chance*. Cambridge, UK: Cambridge University Press.
- Hall, D., Miraglia, R., Lee, L., Chard-Wierschem, D., & Sawyer, D. (2012). Predictors of general and violent recidivism among SMI Prisoners returning to communities in New York State. *Journal of the American Academy of Psychiatry and the Law*, 40(2), 221–231.
- Hannah-Moffat, K. (2005). Criminogenic needs and the transformative risk subject. *Punishment & Society*, 7, 29–51.
- Hannah-Moffat, K. (2012). Actuarial sentencing: An unsettled proposition. *Justice Quarterly, online*.
- Hannah-Moffat, K., Maurutto, S., & Turnbull, S. (2010). Negotiated risk: Actuarial assessment and discretion in probation. *Canadian Journal of Law & Society*, 24(3).
- Hannah-Moffat, K., & Maurutto, P. (2010). Re-contextualizing pre-sentence reports: Risk and race. *Punishment & Society*, 12(3), 262–286.
- Hannah-Moffat, K., & Shaw, M. (2001a). Risk assessment in Canadian corrections: Some diverse and gendered issues. *Women, Girls and Criminal Justice*, 2(1), 4–45.
- Hannah-Moffat, K., & Shaw, M. (2001b). Situation risquée: Le risque et les services correctionnels au Canada. *Criminologie*, 34(1), 47–72.
- Hannah-Moffat, K., & Yule, C. (2011). Gaining insight, changing attitudes and managing “risk”: Parole release decision for women convicted of violent crimes. *Punishment & Society*, 13(2), 149–175.
- Hanson Correspondence. (2008). Retrieved from <http://www.ourpaws.info/cramer/legal.htm>
- Hanson, R. (2006). Does Static-99 predict recidivism among older sexual offenders? *Sexual Abuse: A Journal of Research and Treatment*, 18(4), 343–355.
- Hanson, R., Babchishin, M., Helmus, L., Thornton, D., & Phenix, A. (2017). Communicating the results of criterion referenced prediction measures: Risk categories for the Static-99R and Static-2002R sexual offender risk assessment tools. *Psychological Assessment*, 29(5), 582–597.
- Hanson, R., & Harris, A. (2000). *The Sex Offender Need Assessment Rating (SONAR): A Method for Measuring Change in Risk Levels 2000-1*. Retrieved from <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/sx-ffndr-nd/sx-ffndr-nd-eng.pdf>
- Hanson, R., Lunetta, A., Phenix, A., Neeley, J., & Epperson, D. (2014). The field validity of Static-99/R sex offender risk assessment tool in California. *Journal of Threat Assessment and Management*, 1(2), 102–117.
- Hanson, R., & Thornton, D. (1999). *Static-99: Improving actuarial risk assessments for sex offenders*. Ottawa, ON: Solicitor General Canada.
- Hanson, R., & Thornton, D. (n.d.-a). Static-99 Coding Form. Retrieved from http://www.static99.org/pdfdocs/Static-99R_coding_form.pdf

- Hanson, R., & Thornton, D. (n.d.-b). Static-99 Tally Sheet. Retrieved from http://www.static99.org/pdfdocs/static-99-coding-rules_e71.pdf
- Hanson, R., Thornton, D., Helmus, L., & Babchishin, M. (2016). What sexual recidivism rates are associated with Static-99R and Static-2002R scores? *Sexual Abuse: A Journal of Research and Treatment*, 28(3), 218–252.
- Hansson, S. (2010). Risk: Objective or subjective, facts or values. *Journal of Risk Research*, 13(2), 231–238. <https://doi.org/10.1080/13669870903126226>
- Hare, R. (1991). The Hare psychopathy checklist-revised. *Multi-Health Systems*.
- Hare, R. (1998). The Hare PCL-R: Some issues concerning its use and misuse. *Legal and Criminological Psychology*, 3, 101–122.
- Hare, R. (2003). The Hare psychopathy checklist-revised, second ed. *Multi-Health Systems*. Retrieved from <https://www.mhs.com/MHS-Publicsafety?prodname=pcl-r2>
- Harris, A., Phenix, A., & Hanson, R. (2003). *Static-99 coding rules: Revised 2003*. Ottawa, ON: Solicitor General Canada.
- Harris, A., Walfield, S., Shields, R., & Letourneau, E. (2016). Collateral Consequences of Juvenile Sex Offender Registration and Notification. *Sexual Abuse: A Journal of Research and Treatment*, 28(8), 770–790.
- Hart, S. (2016). Culture and violence risk assessment: The case of Ewert v. Canada. *Journal of Threat Assessment and Management*, 3(2), 76–96.
- Hart, S., Michie, C., & Cooke, D. (2007). Precision of actuarial risk assessment instruments: Evaluating the ‘margins of error’ of group v. Individual predictions of violence. *British Journal of Psychiatry*, 190(49), 160–165.
- Hartelius, J. (2010). *The Rhetoric of Expertise*. Lanham, MD: Lexington Books.
- Hartelius, J. (2011). Rhetorics of expertise. *Social Epistemology*, 25(3), 211–215.
- Harvey, K. (2003). Events and “horizons”: Reading ideology in the “bindings of translation.” In M. Calzada Perez (Ed.), *Apropos of Ideology* (pp. 43–69). Manchester, UK: St. Jerome Publishing.
- Helmus, L. (2009). *Re-norming Static-99 recidivism estimates: Exploring base rate variability across sex offender samples* (Master’s Thesis). Carleton University, Ottawa, ON.
- Helmus, L. (2015). *Developing and Validating a Risk Assessment Scale to Predict Inmate Placements in Administrative Segregation in the Correctional Service of Canada* (Doctoral Dissertation). Carleton University, Ottawa, ON.
- Helmus, L., & Forrester, T. (2017). Validating the Predictive Accuracy of the Static Factors Assessment (SFA) Risk Scale for Federally Sentenced Offenders in Canada. *Canadian Journal of Criminology and Criminal Justice*, 9(1), 1–25.
- Helmus, L., Hanson, R., & Thornton, D. (2009). Reporting Static-99 in light of new research on recidivism norms. *The Forum (Association for the Treatment of Sexual Abusers)*, 21(1), 38–45.
- High Risk Offenders. (n.d.). Retrieved from https://www.solgps.alberta.ca/safe_communities/community_awareness/serious_violent_offenders/Pages/default.aspx
- Historical, Clinical, Risk Management-20. (2019). In *Encyclopedia of Mental Disorders*. Retrieved from <http://www.minddisorders.com/Flu-Inv/Historical-Clinical-Risk-Management-20.html>

- Jackson, S., & Scott, S. (2000). Risk anxiety and the social construction of childhood. In D. Lupton (Ed.), *Risk and Sociocultural Theory: New Directions and Perspectives* (pp. 86–107). Cambridge, UK: Cambridge University Press.
- Johansson, V. (2012). Negotiating bureaucrats. *Public Administration*, 90(4), 1032–1046.
- John Howard Society of Alberta. (2000). *Offender Risk Assessment*. Retrieved from <https://www.johnhoward.ab.ca/document/offender-risk-assessment-2000/>
- Jones, R. (2001). An environmental risk assessment/management framework for climate change impact assessments. *Natural Hazards*, 23(2–3), 197–230.
- Kaghan, W., & Bowker, G. (2001). Out of machine age?: Complexity, sociotechnical systems and actor network theory. *Journal of Engineering and Technology Management*, 18(3–4), 253–269.
- Kemshall, H. (2001). *Risk assessment and management of known sexual and violent offenders: A review of current issues* (No. 140). London, UK: Home Office.
- Kemshall, H. (2003). *Understanding Risk in Criminal Justice*. Maidenhead, UK: Open University Press.
- Kemshall, H. (2007). MAPPA, parole and the management of high-risk offenders in the community. In N. Padfield (Ed.), *Who to Release? Parole, Fairness and Criminal Justice* (pp. 202–214). Cullompton, UK: Willan.
- Kemshall, H. (2008). *Understanding the Community Management of High Risk Offenders*. Berkshire, UK: Open University Press.
- Kemshall, H., Mackenzie, G., Miller, J., & Wilkinson, B. (2006). *Risk of Harm Guidance and Training Resources, CD-rom*. Leicester and London, UK: De Montfort University and NOMS.
- Kirk, D., Barnes, G., Hyatt, J., & Kearley, B. (2018). The impact of residential change and housing stability on recidivism: Pilot results from the Maryland Opportunities through Vouchers Experiment (MOVE). *Journal of Experimental Criminology*, 14(2), 213–226.
- Klinke, A., & Renn, O. (2002). A new approach to risk evaluation and management: Risk-based, precaution-based, and discourse-based strategies. *Risk Analysis*, 22(6), 1071–1094.
- Knight, F. (1921). *Risk, Uncertainty and Profit*. Boston, MA: Houghton Mifflin Company.
- Kompetenznetzwerk Forensische Psychologie. (n.d.). Retrieved from <https://www.knfp.ch/en/contact.html>
- Kropp, P. (2008). Intimate partner violence risk assessment and management. *Violence and Victims*, 23(2), 202–220.
- Lampland, M. (2010). False numbers as formalizing practices. *Social Studies of Science*, 40(3), 377–404.
- Lampland, M., & Star, S. (Eds.). (2009). *Standards and Their Stories: How Quantifying, Classifying, and Formalizing Practices Shape Everyday Life*. Ithaca, NY: Cornell University Press.
- Larkin, B. (2013). The politics and poetics of infrastructure. *Annual Review of Anthropology*, 43, 327–343.
- Latour, B. (1986). Visualization and cognition: Thinking with eyes. In H. Kuklick (Ed.), *Knowledge and Society—Studies in the Sociology of Culture Past and Present* (pp. 1–40). Greenwich, CT: JAI Press.

- Latour, B. (1987). *Science in Action: How to Follow Scientists and Engineers through Society*. Cambridge, MA: Harvard University Press.
- Latour, B. (1991). Technology is society made durable. In J. Law (Ed.), *A Sociology of Monsters, Essays on Power, Technology, and Domination* (pp. 103–131). London, UK: Routledge.
- Latour, B. (1993). *We Have Never Been Modern*. Hemel Hempstead, UK: Harvester Wheatsheaf.
- Latour, B. (1996). On actor-network theory: A few clarifications. *Soziale Welt*, 47(4), 369–381.
- Latour, B. (1999). *Pandora's Hope: Essays on the Reality of Science Studies*. Cambridge, MA: Harvard University Press.
- Latour, B. (2005). *Reassembling the Social: An Introduction to Actor-Network-Theory*. Oxford, UK: Oxford University Press.
- Latour, B., & Woolgar, S. (1979). *Laboratory Life: The Construction of Scientific Facts*. Beverly Hills, CA: Sage.
- Law, J. (1991). Introduction: Monsters, machines and sociotechnical relations. In J. Law (Ed.), *A Sociology of Monsters, Essays on Power, Technology, and Domination* (pp. 1–23). London, UK: Routledge.
- Law, J. (1992). Notes on the theory of Actor-Network: Ordering, strategy and heterogeneity. *Systems Practice*, 5, 379–393.
- Law, J. (1999). After ANT: Complexity, naming and topology. In J. Law & J. Hassard (Eds.), *Actor Network Theory and After* (pp. 1–14). Oxford, UK: Blackwell.
- Law, J. (2008). On sociology and STS. *The Sociological Review*, 56, 623–649.
- Laws, D. (1996). Relapse prevention or harm reduction? *Sexual Abuse: A Journal of Research and Treatment*, 8(3), 243–248.
- Laws, D. (2000). Sexual offending as a public health problem: A North American perspective. *Journal of Sexual Aggression*, 5(1), 30–44.
- Lowe, A. (2004). Objects and the production of technological forms of life: Understanding organisational arrangements from a post-social perspective. *Journal of Organizational Change Management*, 17(4), 337–351.
- Luhmann, N. (1993). *Risk: A Sociological Theory*. New York, NY: Aldine de Gruyter.
- Lupton, D. (1999). *Risk: Key Ideas*. London and New York: Routledge.
- Lupton, D. (2000). *Risk and Sociocultural Theory: New Directions and Perspectives*. Cambridge, UK: Cambridge University Press.
- Lupton, D. (2006). Sociology and risk. In G. Mythen & S. Walklate (Eds.), *Beyond the Risk Society: Critical Reflections on Risk and Human Society* (pp. 11–24). London, UK: McGraw-Hill.
- Lutze, F., Rosky, J., & Hamilton, Z. (2014). Homelessness and reentry: A multisite outcome evaluation of Washington State's reentry housing program for high risk offenders. *Criminal Justice & Behavior*, 41(4), 471–491.
- MacGuigan, M. (1977). *Report of the Subcommittee on the Penitentiary System in Canada (MacGuigan Report)*. Ottawa, ON: Supply and Services Canada.
- Martel, J., Brassard, R., & Jaccoud, M. (2011). When two worlds collide: Aboriginal risk management in Canadian corrections. *British Journal of Criminology*, 51, 235–255.
- Martinson, R. (1974). What works? Questions and answers about prison reform. *Public Interest*, 35, 22–54.

- Martinson, R. (1979). New findings, new views: A note of caution regarding sentencing reform. *Hofstra Law Review*, 7, 243–258.
- Marx, K., & Engels, F. (2004). *The Communist Manifesto (1848)*. Peterborough, ON: Broadview Press.
- Maurutto, P., & Hannah-Moffat, H. (2006). Assembling Risk and the Restructuring of Penal Control. *British Journal of Criminology*, 46(3), 438–454.
- McCann, B. (2011). Queering expertise: Counterpublics, social change, and corporeal dilemmas of LGBTQ equality. *Social Epistemology*, 25(3), 249–262.
- McDonald, D. (2014). *Edmonton's Crime Zones: Criminal Profiling Techniques Reveal Patterns of Violent Crime* (Master's Thesis). University of Alberta, Edmonton, AB.
- McDonald, D. (2015). Electronic monitoring in Canada: Federal and provincial/territorial law and practice. *The Journal of Offender Monitoring*, 27(1), 13–27.
- McLean, C., & Hassard, J. (2004). Symmetrical absence/symmetrical absurdity: Critical notes on the production of actor-network accounts. *Journal of Management Studies*, 41(3), 493–519.
- Meehl, P. (1954). *Clinical Versus Statistical Prediction: A Theoretical Analysis and a Review of the Evidence* (Vol. 1). Minneapolis, MN: University of Minnesota Press.
- Meehl, P., McArthur, C., & Tiedeman, D. (1956). Symposium on clinical and statistical prediction: The tie that binds. *Journal of Consulting Psychology*, 3(3), 163–175.
- Menzies, R., Webster, C., McMain, S., Staley, S., & Scaglione, R. (1994). The dimensions of dangerousness revisited: Assessing forensic predictions about violence. *Law and Human Behavior*, 18(1), 1–28.
- Messerschmidt, J. (1986). *Capitalism, Patriarchy, and Crime—Toward a Socialist Feminist Criminology*. Totowa, NJ: Roman and Littlefield.
- Miles, M., & Huberman, M. (1994). *Qualitative Data Analysis: An Expanded Sourcebook, Second Edition*. Thousand Oaks, CA: Sage.
- Miles, M., Huberman, M., & Saldaña, J. (2014). *Qualitative Data Analysis: A Methods Sourcebook* (Third). Thousand Oaks, CA: Sage.
- Mills, C. (1959). *The Sociological Imagination*. New York: NY: Oxford University Press.
- Mol, A. (2010). Actor-Network theory: Sensitive terms and enduring tensions. *Kölner Zeitschrift Für Soziologie Und Sozialpsychologie. Sonderheft*, 50, 253–269.
- Moore, B. (1996). *Risk Assessment: A Practitioners Guide to Predicting Harmful Behaviours*. London, UK: Whiting and Birch.
- Motiuk, L. (2001). The safe return of offenders through selection, intervention and supervision. *Forum*, 13(1), 3–5.
- Motiuk, L., Cousineau, C., & Gileno, J. (2006). *The Safe Return of Offenders to the Community: Statistical Overview 2006*. Retrieved from <http://www.csc-scc.gc.ca/research/sr2005-eng.shtml>
- Motiuk, L., & Serin, R. (Series Ed.). (2001). *Compendium 2000 on Effective Correctional Programming*. Retrieved from <https://www.csc-scc.gc.ca/recherche/com2000-index-eng.shtml>
- Mythen, G. (2004). *Ulrich Beck: A Critical Reading to the Risk Society*. London, UK: Pluto Press.
- Mythen, G. (2007). Reappraising the risk society thesis: Telescopic sight or myopic vision? *Current Sociology*, 55(6), 793–813.

- Mythen, G. (2018). The critical theory of world risk society: A retrospective analysis. *Risk Analysis*, 0(0), 1–11.
- Mythen, G., & Walklate, S. (Eds.). (2006). *Beyond the Risk Society*. London, UK: McGraw-Hill.
- Mythen, G., & Walklate, S. (2013). Risk, nichtwissen, and fear: Searching for solidity in liquid times? In M. Davis (Ed.), *Liquid Sociology: Metaphor in Zygmunt Bauman's Analysis of Modernity* (pp. 139–156). London, UK: Routledge.
- Nafekh, M. (2015). *Using Proxy Measures for Correctional Research*. Retrieved from <http://www.csc-scc.gc.ca/research/forum/e152/e152o-eng.shtml>
- Nafekh, M., & Motiuk, L. (2002). *The Statistical Information on Recidivism—Revised 1 (SIR-R1) Scale: A Psychometric*. Retrieved from <http://publications.gc.ca/site/eng/380358/publication.html>
- Native Law Centre. (n.d.). *Ewert v. Canada*. Retrieved from <https://www.usask.ca/nativelaw/news/2015/ewert-v.-canada.php>
- Native Women's Association of Canada. (2015). *What is Gladue?* Retrieved from <https://www.nwac.ca/wp-content/uploads/2015/05/What-Is-Gladue.pdf>
- Nuffield, J. (1982). *Parole Decision-Making in Canada*. Ottawa, ON: Solicitor General Canada.
- Office of the Correctional Investigator. (2014). *A Case Study of Diversity in Corrections: The Black Inmate Experience in Federal Penitentiaries, Final Report*. Retrieved from <http://www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20131126-eng.aspx>
- Olver, M., Neumann, C., Kingston, D., Nicholaichuk, T., & Wong, S. (2018). Construct validity of the Violence Risk Scale–Sexual Offender version instrument in a multisite sample of treated sexual offenders. *Assessment*, 25(1), 40–55.
- Olver, M., Neumann, C., Wong, S., & Hare, R. (2013). The structural and predictive properties of the Psychopathy Checklist–Revised in Canadian Aboriginal and non-Aboriginal offenders. *Psychological Assessment*, 25(1), 167–179.
- Olver, M., Sowden, J., Kingston, D., Nicholaichuk, T., Gordon, A., Beggs Christofferson, S., & Wong, S. (2018). Predictive accuracy of Violence Risk Scale–Sexual Offender version risk and change Scores in treated Canadian Aboriginal and non-Aboriginal sexual offenders. *Sexual Abuse: A Journal of Research and Treatment*, 30(3), 254–275.
- O'Malley, P. (1996). Risk and responsibility. In A. Barry, T. Osborne, & N. Rose (Eds.), *Foucault and Political Reason: Liberalism, Neo-Liberalism and Rationalities of Government* (pp. 189–208). London, UK: University College London Press.
- O'Malley, P. (Ed.). (1998). *Crime and the Risk Society*. Hants, UK: Dartmouth Publishing Co. Ltd.
- O'Malley, P. (2008). Governmentality and risk. In J. Zinn (Ed.), *Social Theories of Risk and Uncertainty: An Introduction* (pp. 57–75). Malden, MA: Blackwell Publishing.
- Otto, R., & Douglas, K. (2010). *Handbook of Violence Risk Assessment Tools*. Milton Park, UK: Routledge.
- Pacific Region NJC. (2005). *Inter-Agency Manual on the Investigation, Prosecution and Correctional Management of Dangerous and Long-Term Offenders*. Vancouver, BC: Pacific Region National Joint Committee.

- Parole Board of Canada. (2011). *Parole Board of Canada: Contributing to Public Safety*. Ottawa, ON: Parole Board of Canada, Minister of Public Works and Government Services Canada.
- Parole Board of Canada [PBC]. (2014). *Decision-Making Policy Manual for Board Members, Second Edition*. Ottawa, ON: Parole Board of Canada, Minister of Public Works and Government Services Canada.
- Patton, M. (2002). *Qualitative Research and Evaluation Methods* (Third). Thousand Oaks, CA: Sage.
- Phenix, A., Fernandez, L., Harris, A., Helmus, L., Hanson, R., & Thornton, D. (2017). *Static-99R Coding Rules, Revised—2016* (Research Report No. 2017-R012). Ottawa, ON: Public Safety Canada.
- Phenix, A., Helmus, L., & Hanson, R. (2016). *Static-99R & Static-2002R Evaluators' Workbook*. Retrieved from http://www.static99.org/pdfdocs/Evaluators_Workbook_2016-10-19.pdf
- Porter, T. (1995). *Trust in Numbers: The Pursuit of Objectivity in Science and Publication*. Princeton, NJ: Princeton University Press.
- Power, M. (1997). *The Audit Society: Ritual of Verification*. Oxford, UK: Oxford University Press.
- Power, M. (2011). Foucault and sociology. *Annual Review of Sociology*, 37, 35–56.
- Public Safety Canada. (1999). *Approaches to offender risk assessment: Static vs dynamic: Research Summary, Vol. 4(2)*. Retrieved from <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/pprchs-rsksmnt/index-en.aspx>
- Public Safety Canada. (2003). Guidelines for offender risk assessment. *Research Summary*, 7(6). Retrieved from <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/gdlns-smnt/gdlns-smnt-eng.pdf>
- Public Safety Canada. (2007). *Corrections Fast Facts*. Retrieved from http://publications.gc.ca/collections/collection_2010/sp-ps/PS3-2-4-2005-eng.pdf
- Public Safety Canada. (2009). *The Investigation, Prosecution and Correctional Management of High-Risk Offenders: A National Guide*. Ottawa, ON: Public Safety Canada.
- Public Safety Canada. (2015, November 20). Warrant Expiry Date. Retrieved from <https://www.publicsafety.gc.ca/cnt/cntrng-crm/crrctns/protctn-gnst-hgh-rsk-ffndrs/wrrnt-xpr-dt-en.aspx>
- Public Safety Canada. (2018). About Public Safety Canada. Retrieved from <https://www.publicsafety.gc.ca/cnt/bt/index-en.aspx>
- Public Safety Canada. (2019a). Public Safety Canada-Countering Crime. Retrieved from <https://www.publicsafety.gc.ca/cnt/cntrng-crm/index-en.aspx>
- Public Safety Canada. (2019b). Raison d'être, Mandate and Role: Who We Are and What We Do. Retrieved from <https://www.publicsafety.gc.ca/cnt/bt/rsn-dtr-en.aspx>
- Quinney, R. (1980). *Class, State, & Crime: On the Theory & Practice of Criminal Justice*. New York, NY: Longman.
- Quinsey, V., Harris, G., Rice, M., & Cormier, C. (1998). *Violent Offenders: Appraising and Managing Risk* (Fourth). Washington, DC: American Psychological Association.

- Quinsey, V., Harris, G., Rice, M., & Cormier, C. (2006). *Violent Offenders: Appraising and Managing Risk* (Second). Washington, DC: American Psychological Association.
- Quinsey, V., Harris, G., Rice, M., & Cormier, C. (2015). *Violent Offenders: Appraising and Managing Risk* (Third). Washington, DC: American Psychological Association.
- Rankin, B., Maedel, T., & Logan, M. (2007). Community Supervision of Offenders: The Case of Mr. Z. *Let's Talk, Correctional Service Canada*, 31(3), 14–16.
- Risk, n. (2019). In *Oxford English Dictionary Online*. Retrieved from <https://www.oed.com>
- Risk, v. (2019). In *Oxford English Dictionary Online*. Retrieved from <https://www.oed.com>
- Rosa, E. (1998). Metatheoretical foundations for post-normal risk. *Journal of Risk Research*, 1(1), 15–44.
- Rose, N. (1998). *Inventing Our Selves: Psychology, Power, and Personhood*. Cambridge, UK: Cambridge University Press.
- Rose, N. (1999). *Powers of Freedom*. Cambridge, UK: Cambridge University Press.
- Rose, N., & Miller, P. (2010). Political power beyond the state: Problematics of government. *The British Journal of Sociology*, 61(1), 271–303.
- Rowland, N., & Gieryn, T. (2008). Transfer troubles: Outsourcing information technology in higher education. In T. Pinch & R. Swedberg (Eds.), *Living in a Material World: Economic Sociology Meets Science and Technology Studies* (pp. 375–391). Cambridge, MA: MIT Press.
- Rugge, T. (2006). *Risk assessment of male Aboriginal offenders: A 2006 perspective*. Ottawa, ON: Public Safety and Emergency Preparedness Canada.
- Saldaña, J. (2009). *The Coding Manual for Qualitative Researchers*. Thousand Oaks, CA: Sage.
- Sapers, H. (2015). *Annual Report: Office of the Correctional Investigator 2014-2015*. Retrieved from <http://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20142015-eng.aspx>
- Sapers, H. (2016). *Annual Report: Office of the Correctional Investigator 2015-2016*. Retrieved from <http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20152016-eng.pdf>
- Sheptycki, J. (1998). Policing the risk society. *British Journal of Criminology*, 38(3).
- Schöbel, M., Rieskamp, J., & Huber, R. (n.d.). Social Influences in sequential decision making. *PLOS ONE*, 11(1). Retrieved from <https://doi.org/10.1371/journal.pone.0146536>
- Schweitzer, D., & Ginsburg, G. (1966). Factors of communicator credibility. In C. Backman & P. Secord (Eds.), *Problems in Social Psychology: Selected Readings* (pp. 94–101). New York, NY: McGraw-Hill.
- Serin, R. (1993). Decision issues in risk assessment. *Forum on Corrections Research*, 5(2), 22–25.
- Shepherd, S., & Lewis-Fernandez, R. (2016). Forensic risk assessment and cultural diversity: Contemporary challenges and future directions. *Psychology, Public Policy, & Law*, 22(4), 427–438.
- Simon, J. (1993). *Poor Discipline: Parole and the Social Control of the Underclass, 1890-1990*. Chicago, IL: University of Chicago Press.

- Smith, P., Cullen, F., & Latessa, E. (2009). Can 14,737, women be wrong? A meta-analysis of the LSI-R and recidivism for female offenders. *Criminology and Public Policy*, 8(1), 183–208.
- Solicitor General Canada. (1998). *Module 8- Risk assessment and risk management*. Retrieved from <http://www.sgc.gc.ca/espeaker/emod8.htm>
- Solicitor General Canada. (2001). *High-Risk Offenders: A Handbook for Criminal Justice Professionals*. Ottawa, ON: Solicitor General Canada.
- Sreenivasan, S., Weinberger, L., Frances, A., & Cusworth-Walker, S. (2010). Alice in actuarial land: Through the looking glass of changing Static-99 norms. *The Journal of the American Academy of Psychiatry and the Law*, 38, 400–406.
- Star, S. (1991). Power, technologies, and the phenomenology of standards: On being allergic to onions. In J. Law (Ed.), *A Sociology of Monsters? Power, Technology and the Modern World: Sociological Review Monograph* (pp. 26–56). London, UK: Routledge.
- Star, S., & Griesemer, J. (1989). Institutional ecology, “translations,” and boundary objects: Amateurs and professionals in Berkeley’s Museum of Vertebrate Zoology, 1907–39. *Social Studies of Science*, 19, 387–420.
- Star, S., & Lampland, M. (2009). Reckoning with standards. In M. Lampland & S. Star (Eds.), *Standards and Their Stories: How Quantifying, Classifying, and Formalizing Practices Shape Everyday Life* (pp. 3–34). Ithaca, NY: Cornell University Press.
- Star, S., & Strauss, A. (1999). Layers of silence, arenas of voice: The ecology of visible and invisible work. *Computer Supported Cooperative Work: The Journal of Collaborative Computing*, 8, 9–30.
- Static-99. (n.d.). Retrieved from <http://www.static99.org/index.html>
- Static99.org. (n.d.). *Reporting Static-99R scores with 2009 recidivism norms (routine samples): A template for cases for which the norms for routine samples apply*. Retrieved from <http://www.static99.org/pdfdocs/static-99rroutinetemplate20091015.pdf>
- Statistics Canada. (2016). *General Social Survey—Victimization 2014*. Retrieved from <http://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=4504&lang=en&db=imdb&adm=8&dis=2>
- Statistics Canada. (2017a). *Crimes, by type of violation, and by province and territory 2016*. Retrieved from <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/legal50a-eng.htm>
- Statistics Canada. (2017b). *Uniform Crime Reporting Survey 2016*. Retrieved from <http://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=3302>
- Statistics Canada. (2018, July 23). 2017 Uniform Crime Reporting Survey (UCR). Retrieved from <http://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=3302>
- Statutory Release and the Parole Board of Canada. (2013, November). Retrieved from <https://www.canada.ca/content/dam/canada/parole-board/migration/001/093/001-3003-en.pdf>
- Stoker, G. (1998). Governance as theory: Five propositions. *International Social Science Journal*, 50(155), 17–28.
- Strydom, P. (2002). *Risk, Environment and Modernity: Ongoing Debates, Current Issues and Future Prospects*. Buckingham, UK: Open University Press.

- Taylor, G. (2015). *Implementing Risk and Needs Classification in the Correctional Service of Canada*. Retrieved from http://www.csc-scc.gc.ca/research/forum/special/espe_g-eng.shtml
- Taylor-Gooby, P., & Zinn, J. (2006). *Risk in Social Science*. Oxford, UK: Oxford University Press.
- The Hare PCL-R Training Program. (n.d.). Retrieved from <http://www.hare.org/training/>
- The Risk for Sexual Violence Protocol (RSVP). (n.d.). Retrieved from <https://proactive-resolutions.com/shop/the-risk-for-sexual-violence-protocol-rsvp/>
- Thornton, D., Mann, R., Webster, S., Blud, L., Travers, R., Friendship, C., & Erikson, M. (2003). Distinguishing and combining risks for sexual and violent recidivism. *Annals of the New York Academy of Sciences*, 989, 225–235.
- Truth and Reconciliation Canada. (2015). *Honouring the truth, reconciling for the future: Summary of the final report of the Truth and Reconciliation Commission of Canada*. Winnipeg, MB: Truth and Reconciliation Commission of Canada.
- Tulloch, J., & Lupton, D. (2003). *Risk and Everyday Life*. London, UK: Sage.
- Tully Forensic Psychology. (n.d.). Full HCR-20v3 Certified 2-day Training. Retrieved from <http://tullytraining.com/hcr-20v3/>
- Tversky, A., & Fox, C. (1995). Weighing risk and uncertainty. *Psychological Review*, 102(2), 269–283.
- van Essen, L., van Alphen, H., & van Tuijn, J. (2017). Risk assessment the Dutch way: A scalable, easy to use tool for probation reports. *Dutch Probation Service. Variability in Static-99R and Static-2002R recidivism rates*. (n.d.).
- Voeten, J., de Haan, R., & de Groot, G. (2015). Understanding responsible innovation in small producers' clusters in Vietnam through Actor Network Theory (ANT). *The European Journal of Development Research*, 27(2), 289–307.
- Waggoner, J., Wollert, R., & Cramer, E. (2008). A respecification of Hanson's updated Static-99 experience table that controls for the effects of age on sexual recidivism among young offenders. *Law, Probability and Risk*, 7, 305–312.
- Walsham, G. (1997). Actor-network theory and IS research: Current status and future prospects. In A. Lee, J. Liebenau, & J. Degross (Eds.), *Information Systems and Qualitative Research* (pp. 467–480). London, UK: Chapman and Hall.
- Wandall, R. (2006). Actuarial risk assessment: The loss of recognition of the individual offender. *Law, Probability and Risk*, 5(3–4), 175–200.
- Webster, C., Dickens, B., & Addario, S. (1985). *Constructing Dangerousness: Scientific, Legal and Policy Implications*. Toronto, ON: Centre for Criminology, University of Toronto.
- Webster, C., Douglas, K., Eaves, D., & Hart, S. (1997). *HCR-20: Assessing risk for violence (version 2)*. Burnaby, BC: Simon Fraser University, Mental Health, Law, and Policy Institute.
- Webster, C., Eaves, D., Douglas, K., & Wintrup, A. (1995). *The HCR-20 scheme: The assessment of dangerousness and risk*. Vancouver, BC: Forensic Psychiatric Services Commission of British Columbia.
- Webster, C., Harris, G., Rice, M., Cormier, C., & Quinsey, V. (1994). *The Violence Prediction Scheme: Assessing dangerousness in high risk men*. Toronto, ON: Centre for Criminology, University of Toronto.

- Wei, Q. (2014). A sociology of translation: From text world to life world. *Theory and Practice in Language Studies*, 4(1), 88–92.
- Wells, C. (1998). Policing the risk society. *Journal of Law and Society*, 25(2), 306–308.
- Whelan, E. (2000). “Well now, who’s the doctor here?” *Boundary-work and transgression in patient and expert knowledges of endometriosis* (Doctoral Dissertation). Carleton University, Ottawa, ON.
- Whiteford, A. (2009). *A Reappraisal of Economic Development: Perspectives for Cooperative Research*. Chicago, IL: Library of International Relations.
- Wilkinson, I. (2001). Social theories of risk perception: At once indispensable and insufficient. *Current Sociology*, 49(1), 1–22.
- Williams-Jones, B., & Graham, J. (2003). Actor-network theory: A tool to support ethical analysis of commercial genetic testing. *New Genetics & Society*, 22(3), 271–296.
- Wolf, M., & Fukari, A. (Eds.). (2007). *Constructing a Sociology of Translation*. John Benjamins Publishing Co.
- Wollert, R. (2006). Low base rates limit expert certainty when current actuarials are used to identify sexually violent predators: An application of Bayes’s theorem. *Psychology, Public Policy, & Law*, 12(1), 56–85.
- Wollert, R., Cramer, E., Waggoner, J., Skelton, A., & Vess, J. (2010). Recent research (N = 9,305) underscores the importance of using age-stratified actuarial tables in sex offender risk assessments. *Sex Abuse*, 22(4), 471–490.
- Woodman, D. (2009). The mysterious case of the pervasive choice biography: Ulrich Beck, structure/agency, and the middling state theory in the sociology of youth. *Journal of Youth Studies*, 12(3), 243–256.
- Woolgar, S. (1990). Configuring the user: The case of usability trials. *The Sociological Review*, 38(1), 58–99.
- Woolgar, S., Coopmans, C., & Neyland, D. (2009). Does STS Mean Business? *Organization*, 16(1), 5–30.
- Wormith, J. (1997). Research to practice: Applying risk/needs assessment to offender classification. *Forum on Corrections Research*, 9(1).
- Yang, M., Wong, S., & Coid, J. (2010). The efficacy of violence prediction: A meta-analytic comparison of nine risk assessment tools. *Psychological Bulletin*, 136(5), 740–767.
- Yin, R. (2009). *Case Study Research: Design and Methods*. Thousand Oaks, CA: Sage.
- Young, D. (2008). Claims for recognition and the generalized other: The reasonable person and judgment in criminal law. *Canadian Journal of Law and Society*, 22(1–2), 15–37.
- Younging, G. (2018). *Elements of Indigenous Style: A Guide for Writing by and about Indigenous Peoples*. Edmonton, AB: Brush Education Inc.
- Zheng, J. (2017). An overview of sociology of translation: Past, present and future. *International Journal of English Linguistics*, 7(4), 28–32.
- Zinger, I. (2017). *Annual Report: Office of the Correctional Investigator 2016-2017*. Retrieved from <http://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20162017-eng.aspx>
- Zinger, I. (2018). *Annual Report of the Office of the Correctional Investigator 2017-2018*. Retrieved from <https://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20172018-eng.aspx>

Zinn, J. (2008a). Risk society and reflexive modernization. In J. Zinn (Ed.), *Social Theories of Risk and Uncertainty: An Introduction* (pp. 18–51). Malden, MA: Blackwell Publishing.

Zinn, J. (Ed.). (2008b). *Social Theories of Risk and Uncertainty: An Introduction*. Malden, MA: Blackwell Publishing.