

Correctional Service
Canada

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REFERRAL DECISION SHEET FOR:
INST. TRANSFER (VOLUNTARY)

FPS Number

053849C

Family Name

COOPER

Given Name(s)

AMANDA JOY

Decision Number

281

Current Institution or Address

REGIONAL RECEPTION CTRE-QUEBEC

Date of Birth

1967/06/08

Purpose:

PROVIDE ACCESS TO PROGRAMS

Consultation Required

Current Cell Situation RECEPTION

Destination/Institution Requested

JOLIETTE INSTITUTION

Region

QUEBEC

Country

ADDITIONAL RECOMMENDATIONS

MGR ASSESSMENT INTERVENTION

Comment:

In agreement with the CMT's recommendation to refuse this transfer application.

Recommendation: NOT APPROVED

Date

Y M D

2024/08/26

CHOW, NANCY
MGR ASSESSMENT INTERVENTION
FEDERAL TRAINING CENTRE

WARDEN

Comment:

Ms. Cooper is requesting a voluntary transfer to Joliette Institution in order to meet her gender-related needs. She has been approved to undergo gender affirmation surgery. She made a previous application for voluntary transfer to Grand Valley Institution for Women in 2021, which was ultimately denied by the Deputy Commissioner for Women.

Ms. Cooper is a third time Federal offender who is serving an indeterminate sentence as a Dangerous Offender (DO) for Sexual Assault (x4), Assault-Use of Force (x3), Forcible Confinement and Uttering Threats. File information does indicate that Ms. Cooper began engaging in sexually deviant behaviour at the age of 14. All offenses involved adult women except for one that involves a 14-years-old girl.

The subject's criminal dynamic is almost exclusively sexual in nature. Ms. Copper's sex offending involves predominant factors of predation and domination, as well as opportunism with women/girls almost all unknown to her. There is also a significant violence dynamic and/or intrusive, impulsive and/or reactionary behaviour. Verbal abuse and threats are also part of her dynamic, mainly but not exclusively toward women/female staff members. Hostility toward women has been recorded on numerous occasions in the documentation and is one of the objectives that must be worked on. Within the institution, she also committed more than one sexual assault on adult

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CSC 1090 (R-99-05) OMS VERS (9)

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women; but has also used aggressive behaviours towards men Officers.

She was transferred to the Special Handling Unit (SHU) on 2002-01-25 due to threatening to kill and sexually assault women staff as well as inciting other offenders to do so. After this transfer, her disturbing behaviour continued for a lengthy period, and she stayed in the SHU for 16 years before being able to transfer to a maximum security institution in 2018. However, two months after getting out for the first time of the SHU, Ms. Cooper reoffended on a woman officer (CO-II) while she was in the Segregation Unit of Stony Mountain institution on 2018-04-22 and was charged for yet another offence.

In the last years, she has been incarcerated in maximum security institutions. Ms. Cooper arrived at the Federal Training Centre -6099 on 2024-04-09 from Millhaven Institution in Ontario. At that time, she had been in the Structured Intervention Units (SIU) since 2024-01-02. Before her transfer to the SIU in January 2024, she was residing in the Therapeutic Range (TR) in Millhaven for approximately a year and a half. An interregional transfer to FTC-6099 was approved to meet met the subject's security classification (lowered on 2023-05-10) and also alleviate her SIU placement. However, her security classification is currently being revised to maximum after she made serious threatening comments and had harassing behavior towards a female staff member (two separate events).

The CMT is unsupportive of Ms. Cooper's transfer request. Ms. Cooper is assessed as posing a very high risk to the safety of the inmate population at Joliette Institution, since the inmates fit the victim profile listed in Ms. Cooper's criminal record. Female staff can also be potential victims, given the offences committed against them over the last three decades. After consultation with the targeted institution and based on their assessment, the reinforced structure of their institution's maximum unit is not sufficient to prevent access to potential victims. All the recent and previous psychological assessments lead to the same conclusion as the current CMT and Joliette Institution. Additionally, research suggests that reoffending among transgender individuals who have transitioned from male to female retain reoffending patterns of male offenders.

Although she seems to have an increasing motivation to change and has demonstrated some improvement of her institutional behaviour since a few years, Ms. Cooper continues to present challenging issues in her relationship dynamics with others, more specifically with women. She presents difficulties in coping with feeling of rejection. More importantly, she presents a risk of sexual recidivism assessed at "Well above average" and she has not yet undertaken the clinical work demonstrating measurable and stable results over a significant period of time, in order to address her many shortcomings and mitigate the risk she represents.

All the consultations and the file review lead to the conclusion that Ms. Cooper represents a very high risk for the inmate population of Joliette's Institution and I concur with the recommendation of CMT to deny her transfer application.

Recommendation: NOT APPROVED

Date

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Y M D

2024/08/26

BARTUCCI, SANDRO
A/WARDEN
FEDERAL TRAINING CENTRE

FINAL DECISION

Rationale:

Ms. Cooper, this is in response to your application for a Voluntary Transfer from the Federal Training Centre to Joliette Institution in order to reside in an institution that aligns with your gender identity, as well as to be in your home community in the Quebec region.

As per the Commissioner's Directive 100 - Gender Diverse Offenders, you may request a transfer to an institution according to your gender identity or expression. As the decision-maker, I acknowledge that you identify as a woman and have requested a transfer to a women's institution. I must also consider whether there are health and safety concerns that cannot be resolved if you were to transfer at a women's institution.

In making my decision with regard to your Voluntary Transfer, I have reviewed all relevant information, including file information regarding your index offence, your criminal history, the recommendations from both sending and receiving institutions, and I have given consideration to the correctional environment. It has been noted that you are currently serving an indeterminate sentence for Sexual Assault x4, Assault - Intentional Use of Force x3, Forcible Confinement and Utter Threat to Cause Harm/Death. This represents your third federal sentence and I note that you have been designated a Dangerous Offender in 2001.

Ms. Cooper, I have reviewed the entirety of your file and have considered the information brought forth by the Federal Training Centre and Joliette Institution. You began your sentence at Port-Cartier Institution in 2001, as a Maximum-Security Offender. You maintained this security level, until your reclassification to Medium Security in 2023, which was later followed by a transfer from Millhaven Institution to the Federal Training Centre, located in your home region of Quebec. During the 22 years you were assessed as Maximum Security, I note that you spent over 16 years in the Special Handling Unit, as well as 7 years in segregation, which impacted your ability to participate in recommended programs and interventions.

More specifically, given the nature of your index offences, your Case Management Team (CMT) referred you for participation in the Sex Offender Non-Intake Primer, which you successfully completed in 2022, as well as the Sex Offender High Intensity Program, to which you were assigned recently. Through programs and interventions, you can gain insight towards your need areas, particularly those that contributed directly to your offence cycle, including your personal and emotional orientation, your marital and family relationships, as well as your attitude.

Regarding your institutional behaviour, I note that you have been involved in 44 institutional incidents, including many of a violent and highly disruptive nature. Some of your serious incidents, including sexual assaults against women staff, have resulted in concurrent convictions. Your latest incident happened on 2024-07-12, after a period of compliance which lasted 3 months, where you uttered threats of harm and death on a voicemail to the Office of the Correctional Investigator. This incident led to a placement on Restricted Movement, followed by an Involuntary Transfer to the

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Regional Reception Centre, as well as a recommendation for Security Reclassification to Maximum Security. I also note that staff at the Federal Training Centre noted concerning behaviours in the last few weeks, including targeting women employees, and crossing boundaries with your CMT. During the case conference held on 2024-07-31, you expressed remorse regarding your recent threats towards staff, indicated that you recognized that your behaviour was not appropriate and mentioned that you would benefit from anger management interventions. Nevertheless, those recent events demonstrate that there are current significant concerns with your institutional adjustment within a medium-security facility, as you are increasingly displaying problematic behaviours, such as predation, fixation and overall aggression when facing negative situations. You have yet to internalize the skills and tools acquired from interventions and programs, as you continue to struggle with decision making, emotional regulation and interpersonal skills. Ms. Cooper, your commitment towards yourself is of the utmost importance and by engaging meaningfully with your CMT and making responsible decisions, you can put yourself in a favorable position to achieve your institutional goals.

I have also taken into consideration your latest Psychological Risk Assessment, completed on 2022-05-10 by Dr. S. Cunningham. According to this assessment, your risk for sexual recidivism is considered as Well-Above Average, and that your treatment needs were in the areas of impulsivity, problem solving, hostility towards women, lack of concern for others and deviant sexual preferences. Dr. Cunningham also advised against a transfer to a women's institution, unless you can demonstrate a significant period of incident-free behaviour, notably within a medium-security environment. Given the recent disruptive incidents in which you have been involved as the instigator, you are being recommended for a security reclassification to Maximum.

I have also considered the recommendation from Joliette Institution for Women that, despite potential mitigation strategies, your risk in their institution is deemed to be unmanageable. Women institutions' security infrastructure differs significantly from those in men's institutions as they are designed to empower federally incarcerated women, while encouraging autonomy and self-sufficiency in a community-type setting. For example, Joliette Institution for Women's medium and minimum-security offenders are housed together, in a communal setting, with several offenders per house. The houses do not provide constant direct supervision. In addition, the federally sentenced women's institutions have a Mother-Child Program, in which offenders in the medium-minimum population are able to have their children reside with them in custody. According to Joliette Institution for Women's assessment, their existing supervision model is insufficient to manage your risk, and the mitigating strategies required to manage your risk would not only be detrimental to the existing population, which includes vulnerable women, but could also have an impact on your ability to progress through your Correctional Plan to address your outstanding risk and need areas and to adhere to institutional rules. A placement in the Secure Unit as a Maximum-Security offender, with constant supervision and controlled movement on the range has also been explored as a possible mitigating strategy, in order to control the risk you would present in a congregate living environment. Given the safety concerns towards staff and the women population, associated with your presence in their institution, Joliette Institution for Women has assessed additional staffing or supervision would be required to an extent which is not in line with the operational model or deployment standards for the Secure Unit, is inconsistent with the principles of Creating Choices, and would also compromise the supportive role and dynamic security functions of the Primary Workers. Given the unique social histories of women offenders, especially Indigenous women offenders, excessive security presence could create apprehension and fear. A classification to

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Maximum Security in a women's institution, as well as your presence in the Secure Unit would significantly impact your ability to make progress in your correctional journey, as this environment would not be conducive for addressing your areas of need and increased risk.

Having assessed the information from the Federal Training Centre that there are overriding safety issues that could not be resolved, and the agreement from Joliette Institution that the mitigation strategies to manage the risk you pose to others cannot be implemented, I deny your transfer. Ms. Cooper, I strongly encourage you to work with your CMT in order to address your areas of risk and need. I also encourage you to remain compliant with institutional rules and to focus on your progress in your correctional journey. I note that you had recently begun the Sex Offender High Intensity Program, prior to your transfer to the Regional Reception Centre, and I urge you to re-engage in this program as soon as possible, as it can give you skills and tools to address your offence cycle. I would also like to mention that your CMT will continue to ensure that your Individualized Protocol is respected, including accommodation measures that will allow you to express your gender identity and to live as your true self.

If you are not satisfied with the decision, you may submit a grievance pursuant to sections 90-91 of the CCRA, sections 74-82 of the CCRR and CD 081 - Offender Complaints and Grievances by providing the Grievance Coordinator at your institution with a written submission that outlines your concerns. A national toll-free phone number (1-800-263-1019) is also available to you to inquire about the offender complaint and grievance process.

Special Condition(s)		Received by	Effective Date	End Date
Action	Condition/Comment			

Decision:	NOT APPROVED	Decision Date	Effective Date
		2024/09/06	2024/09/06

Institutional Adjustment	MODERATE
Escape Risk	MODERATE
Risk to Public Safety	HIGH

Signature

JARRETTE, AMY
DC WOMEN
NATIONAL HEADQUARTERS - CSC

Date
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Copy provided to offender by:

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Signature _____

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