

# REINTEGRATION IN ONTARIO:

PRACTICES, PRIORITIES, AND EFFECTIVE MODELS



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# ABOUT THE JOHN HOWARD SOCIETY OF ONTARIO

The John Howard Society of Ontario (JHSO) is a leading criminal justice organization advancing the mandate, “effective, just and humane responses to crime and its causes.” We work towards our mission through the delivery of services to those in conflict with the law and at-risk, both adult and youth, provided by our 19 local offices who are active in communities across the province. In 2003, JHSO’s provincial office established its Centre of Research, Policy & Program Development (the Centre) to contribute to the evidence-based literature and policy discourse in order to further advance our mandate.

Local John Howard Society (JHS) offices provide services in a broad continuum of care from prevention through aftercare. Programming is sensitive to and reflective of the unique needs of the community it serves.

JHS is often the first point of contact for programs and services for people who have mental health issues and who are justice-involved. JHS has a reputation for providing services that are accessible, welcoming, and safe for those who have experienced the criminal justice system.

JHS staff conduct assessments to identify individual strengths, needs and risk factors. Evidence-based services target the criminogenic risks and needs and the social determinants of health to ensure that the services are responsive to the specific client and his/her circumstances. When a person has mental health issues, staff adjust their case management approach in order to ensure that service delivery targeting identified criminogenic factors is responsive to and addresses a person’s mental health needs. JHS services aim to reduce the risk of criminal behaviour while building on an individual’s strengths. Our offices maintain an open-door policy offering long-term follow-up to clients who have accessed services.

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## ASSOCIATION FOR EFFECTIVE REINTEGRATION IN ONTARIO

The Association for Effective Reintegration in Ontario (AERO) aims to practically address reintegration issues in the province of Ontario through the research and policy activities of this new co-operative network of stakeholders. By clearly defining the barriers to effective reintegration, actively seeking practicable solutions and embracing a collaborative approach, AERO aims to effect real change in Ontario.

The primary motivating factor behind AERO is to bring together a network of community and government stakeholders, academics and service providers committed to actively pursuing practical solutions to reintegration issues in Ontario. Through well-defined goals and a strong commitment to organization, members of this Association collectively identify key challenges and collaboratively find best practice solutions, removing the disconnect between emerging research and practice.



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# INTRODUCTION

The reintegration of individuals exiting correctional facilities (hereafter “releasees”) in Ontario into the larger community has widespread implications for those being released, their families, and the broader society. While many releasees are in need of reintegrative supports, they often struggle to find stable housing, employment and/or educational opportunities, and access to necessary social, physical, and mental health services. Not only are these problems compounded by the social stigma of being labelled “an ex-offender” or “an ex-con”, but also the lack of communication between stakeholders and a fragmented service provision model stretched across a large number of front-line service providers.

Addressing the complex needs of releasees through effective programs, services and practices is crucial for successful reintegration. Research literature is clear that successful reintegration is one of the primary factors in reducing recidivism. Reduction in further criminal justice involvement by releasees has significant implications on enhancing community safety.

The Association for Effective Reintegration in Ontario (AERO) was established in 2013 out of a larger Social Sciences and Humanities Research Council<sup>1</sup> (SSHRC)-funded project entitled Navigating the Road to Reintegration which sought to create a research network to develop a long-term research agenda and knowledge mobilization plan, as well as a practicable policy framework that front-line service providers can readily utilize to begin the process of streamlining and optimizing reintegration efforts in Ontario. AERO’s main object is to address reintegration issues throughout Ontario from the research and policy activities of its stakeholders (academics, front-line service providers, and other individuals from the community), in order to collaboratively develop practical

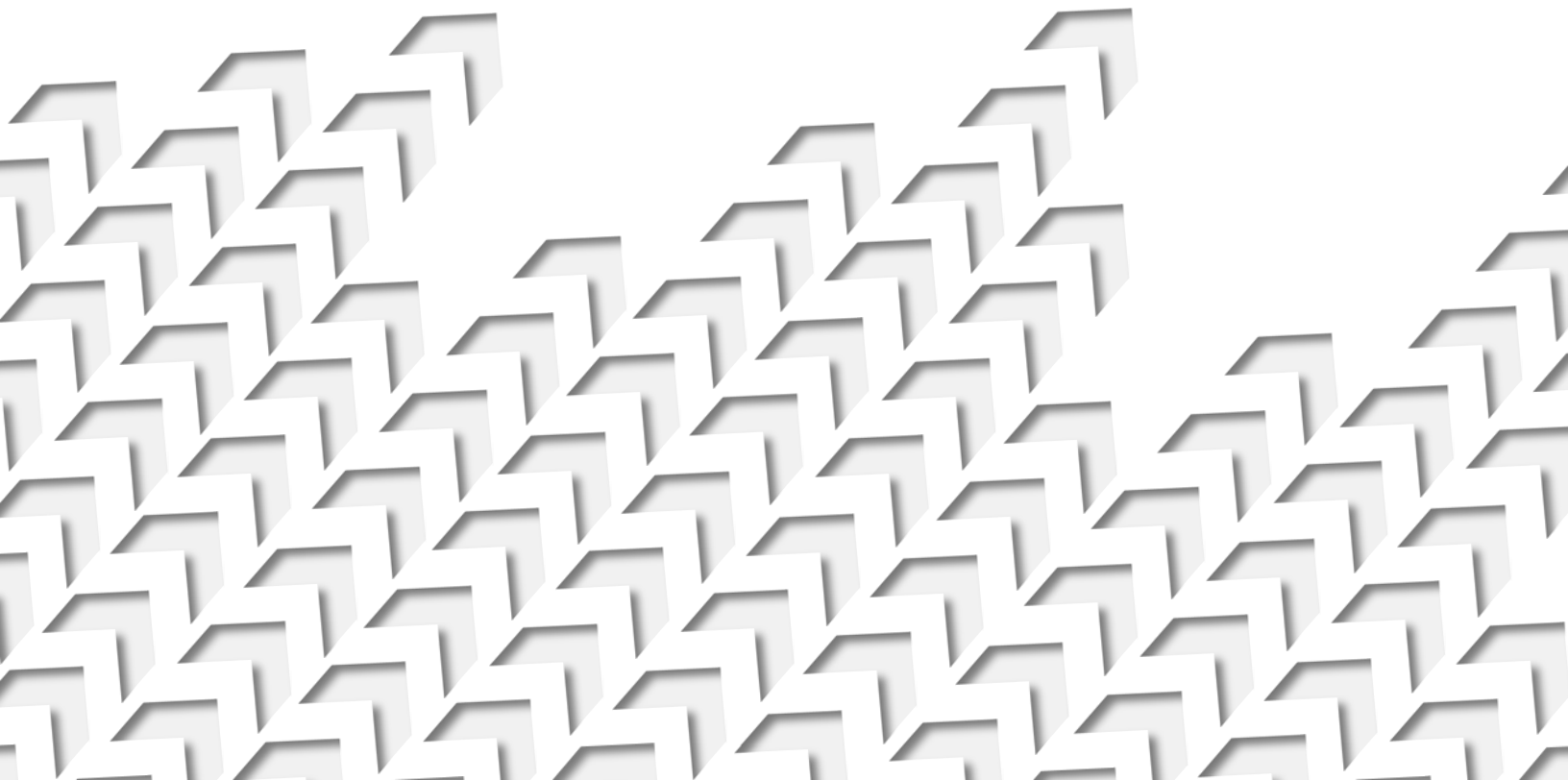
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<sup>1</sup> Social Science and Humanities Research Counsel Partnership Development Grant # 890 2011 107

solutions which would effect real change to the reintegration process.

Over the last three years, AERO has undertaken several activities to mobilize its members and determine what they felt to be the most significant challenges releasees face, as well as identifying the best solutions for ensuring a successful transition from a correctional institution (hereafter prison) to the community. AERO members identify five main priority areas in reintegration: Discharge Planning, Housing, Employment and Education, Social Supports and Complex Needs, and Stigma.

This document provides an overview of each priority area and the relevant research literature, while also highlighting many promising and innovative reintegration programs or practices currently being offered by community-based service providers across Ontario. We conclude with a discussion of the importance of the five priority areas for successful reintegration and emphasize the major themes emerging from the literature on effective reintegration practices and models which, we argue, should guide reintegration services and programming.



# DISCHARGE PLANNING

## INTRODUCTION

The ways in which people are prepared for their release from prison, and how they are cared for in the community post-release, has implications for successful reintegration and ultimately community safety. Discharge planning, release planning, or transition planning is defined as the process of preparing individuals for their eventual release from prison and reintegration into the community (Gaetz and O'Grady 2006). The three main components of discharge planning include: assessment, the development of a release plan, and transferring care for the releasee to the community. Ideally, once an individual is sentenced to custody, it is expected that their risks and needs will be assessed and that their release plan will identify the most pressing needs of the individual whether it be housing and/or or mental health and substance abuse treatment. The last component is the transfer of care to the community, wherein correctional agencies and case managers make efforts to link

releasees with community-based services and supports. This will provide releasees with continuity of care and ease their transition into society (Baillargeon, Hoge & Penn 2010; Gaetz and O'Grady 2006). Successful reintegration reduces the chances of recidivism and thus increase public safety. Unfortunately, research indicates that many provincial releasees in Ontario lack access to adequate discharge plans before their release from prison (Gaetz and O'Grady 2006). Tenuous discharge planning practices have also been linked to negative outcomes such as hospitalization, threats to public safety in terms of greater recidivism rates, physical and mental health problems due to lack of treatment, suicide, homelessness, and increased substance abuse (Hills et al. 2004; Osher et al. 2003). For these reasons, ensuring that people who are incarcerated have highly developed discharge plans and access to institutional programming prior to release is of utmost importance.





## EFFECTIVE DISCHARGE PLANNING: PARTNERSHIPS, CASE MANAGEMENT, & THE APIC MODEL

Multi-sectoral partnerships are critical to successful discharge planning. Rather than operating in their own independent “silos”, correctional agencies, community supervision agencies, and community-based service providers should work closely and collaboratively to provide “continuity of care” to releasees (Matz et al. 2012; Baillargeon, Hoge, and Penn 2010; Travis, 2005; Byrne, Taxman, and Young 2002). In essence, strengthened partnerships will foster a discharge planning process in which there is no disjuncture between institutional and community-based reintegration services, and where organizations can work co-operatively to provide releasees with tailored plans to suit their needs.

Multi-sectoral partnerships also foster the development of an integrated network of service providers to whom individuals are referred or released (Desai 2013; Baron et al. 2008). Because not every agency has expertise in all integrative issues and may not be able to meet an individual's every need, it is preferable to have one lead agency within the network function as a broker of post-release reintegration services (Borzycki and Baldry 2003). The broker or case manager would ultimately be responsible for facilitating and maintaining partnerships, as well as notifying

### SOUTH ETOBICOKE REINTEGRATION CENTRE

The John Howard Society of Toronto's South Etobicoke Reintegration Centre is an innovative reintegration model which serves as a broker of various reintegration services in one central location.

Based loosely on the United Way's Service Hub model, the Reintegration Centre is a one-stop-shop collaboration comprised of service providers specializing in housing, mental health and legal services to address the reintegration needs of men released from the Toronto Intermittent Centre and the Toronto South Detention Centre. These provincial facilities make up the largest jail in Canada and, when at capacity, house over 1,920 men. Most of the releasees will be on remand; charged but not sentenced and waiting for trial. Since they do not have definitive release dates, the jail's discharge planners are often unable to effectively plan for their release. Therefore, it is essential that JHS-Toronto and its partners are able to respond to these individuals as immediately upon their release as possible in order to help to increase community safety by reducing the likelihood of recidivism. While individuals are accessing services at the Reintegration Centre, there is also an opportunity to provide important harm reduction information, education, and tools which can prevent deaths resulting from accidental drug overdoses upon release.

Providing a safe space in immediate proximity to the jail allows just released individuals to access food, clothes and shoes, hygiene items, and support through the identification of their individual needs. The use of a “needs-identification-tool” helps ensure that each person can access appropriate services throughout Toronto via the utilization of “warm” referrals. These referrals may be to internal agencies at the Centre or, externally, to programs across the City. This is especially important given the high number of men released from provincial jails who will be returning to “priority neighbourhoods” and are in need of emergency income assistance and who are homeless (33-44%). Unfortunately, no emergency shelters and only one multi-service provider exist in the jail's vicinity.

Further, the Peer Support Program at the Reintegration Centre has meant the hiring of people with lived experience (in the correctional system and with substance use issues), who receive comprehensive training and the ability to provide released individuals with a sense of hope. Together, Peers and releasees can travel to specified referral points. This accompaniment can reduce feelings of anxiety and increase chances that clients will successfully reach their destinations.

The Reintegration Centre has gained positive attention by local politicians and by service providers in other jurisdictions both in Canada and the United States. Conversations about investigating the possibility of replicating this model in other communities with jails with large numbers of remanded persons are also taking place.



other organizations about new programs, services, research, and other innovations relevant to reintegration (Borzycki and Baldry 2003).

Case management is a central component of effective discharge plans. The use of a sound case management approach by correctional agencies initially will enable case managers to formulate discharge plans as early as possible once an individual is sentenced—not immediately prior to their release (La Vigne et al. 2008; Lurigio, Rollins, and Fallon 2004). This is beneficial in that it will allow case managers to draft individualized discharge plans which identify and address the risks and needs of each individual including: community-based support systems, transportation, government identification, health and healthcare, employment, education, housing, financial resources, and clothing, food, and shelter (La Vigne et al. 2008).

The APIC (Assess, Plan, Identify, and Coordinate) model of discharge planning encapsulates both of the above practices and serves as an effective model to guide reintegration practice. Osher et al. (2003: 83) believe that discharge planning should adhere to the following principles:

- 1. ASSESS:** Assess the individual's clinical and social needs, and public safety risks.
- 2. PLAN:** Plan for the treatment and services required to address the individual's needs.
- 3. IDENTIFY:** Identify required community and correctional programs responsible for post-release services.

**4. COORDINATE:** Coordinate the transition plan to ensure implementation and avoid gaps in care with community-based services.

According to Osher et al. (2003), the APIC model demands that an incarcerated individuals' behavioural, psychological, and medical needs are assessed. This assessment may take place more expeditiously (e.g., for those on remand), or may occur over a longer period of time (e.g., for those serving lengthier sentences). The planning phase should identify individuals' imminent and long-term needs, while ensuring that intensive supports—for instance, treatment, employment, medication, or housing—are accessible at the moment of release (Osher et al. 2003). Research suggests that a discharge plan must clearly specify community-based referrals which are relevant to the individual and his or her needs. It is the responsibility of correctional agencies to locate community-based service providers to ensure continuity of care for releasees. Lastly, discharge plans should be coordinated through case management. This will assure that individuals' needs are communicated to correctional staff, and that reintegration services are delivered in a timely manner (Osher et al. 2003). It will also help develop a collaborative, multi-system approach to reintegration involving corrections, community-based service providers, and other actors in the transitional process. While the literature shows that APIC is the ideal discharge planning model for preparing releasees for their return to society, service-providers must have the requisite funding and resources in order to effectively implement this approach in Ontario.

## THE ADVANTAGES OF EFFECTIVE DISCHARGE PLANNING

Reintegration research indicates that discharge planning has particular advantages for specific populations such as those with mental illness, addictions, substance abuse issues, co-occurring disorders, and HIV/AIDS. Firstly, the development of an early and thorough discharge plan encourages individuals to be actively engaged in the discharge planning and reintegration process (Baron et al. 2008). This compels releasees to function as stakeholders with vested interests in their return to society. Secondly, discharge plans foster connections to valuable post-release community resources and services (Cobbina 2010; Baron et al. 2008). Successful reintegration has been shown to be contingent upon access to adequate post-release reintegration programming targeting employment, housing, and other gender-specific needs such as childcare and parenting services (Cobbina 2010). Thirdly, discharge plans allow releasees to maintain any progress they have made while institutionalized—for example, in terms of physical and mental health, housing prospects, or employment skills) through the provision of continuous community-based services and programming (Byrne, Taxman, and Young 2002). Fourthly, research (Kouyoumdjian et al. 2016) shows greater rates of mortality among males and females who had been previously incarcerated in Ontario due to various physical and mental health problems

and behavioural risk factors. Identifying physical and mental health needs during the discharge planning process has the ability to produce fewer emergency room visits and mental health crises that would necessitate EMS response. By addressing infectious diseases, substance use, and mental health issues early in the criminal justice process, individuals will live healthier lives after release. Lastly, the provision of discharge planning may decrease the likelihood of re-offending, re-arrest, and re-incarceration (Clark 2014a; Tartaro 2015; McDonald and Arlinghaus 2014; Kesten et al. 2012; White et al. 2012). A study by Clark (2014a) found that over a 2-year follow-up, those high-risk releasees who participated in a U.S. reintegration program—which linked them to transportation, mentoring, housing, employment, and cognitive-behavioural therapy—lowered rates of re-conviction by 43 percent when compared to the control group not receiving such programming. Overall, early and comprehensive discharge planning has many advantages for both prison releasees and the broader community. Not only will incarcerated individuals be better prepared for release and make stronger connections to community-based service providers, but the public will benefit from increased public safety due to lower rates of recidivism and fewer victims of crime.



## JHS KINGSTON 'S PRE-RELEASE PROGRAM

The John Howard Society of Kingston and District offers a voluntary Pre-release Program to incarcerated individuals in federal institutions. JHS Kingston's pre-release program for incarcerated men, which has existed in some iteration since the 1950s, has evolved significantly over time based on the changing correctional system and participant feedback. The current version includes six modules, each covering a key topic related to release planning. While the program is facilitated in group format, it is also highly individualized, as the participants bring their own cases to the group, and can request resources related to the location where they will be released. The JHS Kingston also offers a toll-free number that incarcerated persons can call from the institutions for information related to release planning.

The first module gives an overview of the different types of releases, from temporary absences to the different parole designations. It looks at the progression of releases, and how the Parole Board is likely to look at the sequencing of releases to help achieve full parole. This module provides up-to-date information on Canadian laws and regulations dealing with release, and their relevance to each case.

The second module covers housing, including correctional housing, and identification. Information on correctional housing (halfway houses) is of particular interest to the participants, as securing support for a bed is necessary for both those who are applying for day parole and those approaching their statutory release date who have a residency condition to live in a Community Residential Facility. The program leads participants through the steps to applying for and obtaining a bed, and facilitates contact with a local correctional housing provider. This module also looks at issue of identification, as many individuals no longer have valid documentation which renders them inaccessible to medical care, opening a bank account, or applying for social assistance.

The third module looks at the issue of employment in the community. For this module, the JHS Kingston brings in an Employment Consultant from its Employment Services program, ReStart. The Employment Consultant takes the participants through the various job options and services which may be available to them, as well as the steps they can take to be ready to transition to employment once released. The material is catered specifically to men who are facing barriers related to having spent time in a correctional institution, such as long gaps in work history, outdated skills and certifications, stigma, and, of course, having a criminal record.

The fourth module addresses personal finances, which is one of the key factors in planning for a successful release and a source of considerable stress for many of the men who are incarcerated. For this topic, JHS Kingston brings in a qualified credit counselor, who leads the participants through the process of getting their finances in order prior to and after release, through looking at issues such as bankruptcy, restitution and outstanding fines, and re-establishing credit.

The last two modules deal with parole. JHS Kingston brings in a lawyer from the Queen's Prison Law Clinic, who presents all of the legal aspects of the parole hearing to the men. The lawyer takes them through how a typical hearing is run, how to best prepare, and the rights of the individual during the hearing. Many participants are unclear as to their rights concerning the option of having a lawyer or advocate present, and how this may affect the Parole Board's decision. In the last module, the facilitator presents a mock parole hearing, and the gives general tips and advice on how to increase their chances of a successful outcome.

This Pre-release Program is completely voluntary, and is not part of the individual's correctional plan. The program has a maximum capacity of 15 participants per session and is always in very high demand. While the program does not profess to solve the paradox of planning for community reintegration from 'inside the prison walls', it has been very successful in ensuring that the participants have greatly improved access to community resources which will increase

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# HOUSING

## THE RELATIONSHIP BETWEEN HOMELESSNESS AND INCARCERATION

The bi-directional relationship between homelessness and incarceration is one of AERO's major focuses. One of the central reintegration challenges is the ability of individuals to secure adequate housing after release from prison (JHSO 2014c). Research by Metraux and Culhane (2004; 2006) has found that nearly one quarter of public homeless shelter users in a major U.S. metropolitan area had been incarcerated within the last two years, and that this population was also at a significantly greater risk of being re-incarcerated after release. In the Canadian context, some research shows that a substantial proportion of prison releasees are prone to homelessness after release. A study carried out by the John Howard Society of Toronto (2010), for example, determined that 44.6 percent of adult male releasees from Toronto jails were either homeless—defined as staying at a public homeless shelter, a treatment centre, a friend's residence, or on the street—or at an increased risk of becoming homeless at release. Another study by the Canada Mortgage and Housing Corporation (2007) has also found that approximately 30 percent of all Canadian individuals incarcerated at both the provincial and federal levels will not have suitable housing when leaving prison. Research by JHS Ontario, Gaetz and O'Grady (2006) also examined rates of homelessness among a sample of provincial releasees in Ontario and British Columbia, and established that 45 percent of these individuals were homeless at the time of their post-release interview, while another 20 percent were underhoused by having precarious or short-term housing accommodations such as residing with a friend or family member.

### QUEEN'S PRISON LAW CLINIC

According to Kathryn Ferreira, Barrister & Solicitor at the Queen's Prison Law Clinic in Kingston, Ontario, there is a pressing need for accommodation on release. Individuals who have been granted parole by the Parole Board of Canada often wait for bed space at a Community-Based Residential Facility (CBRF). Time on parole is 'lost', including lost wages, and lost reintegration adjustment time. Obviously this leads to continuing costs of incarceration and a human frustration cost that may in turn negatively impact on the release to come. Apart from creating more CBRF beds, which is expected in 2016 at the John Howard Society CBRF in Kingston, ensuring contact between CBRFs and incarcerated individuals awaiting release about waitlist placements will help keep expectations manageable.



## THE CAUSES OF POST-RELEASE HOMELESSNESS

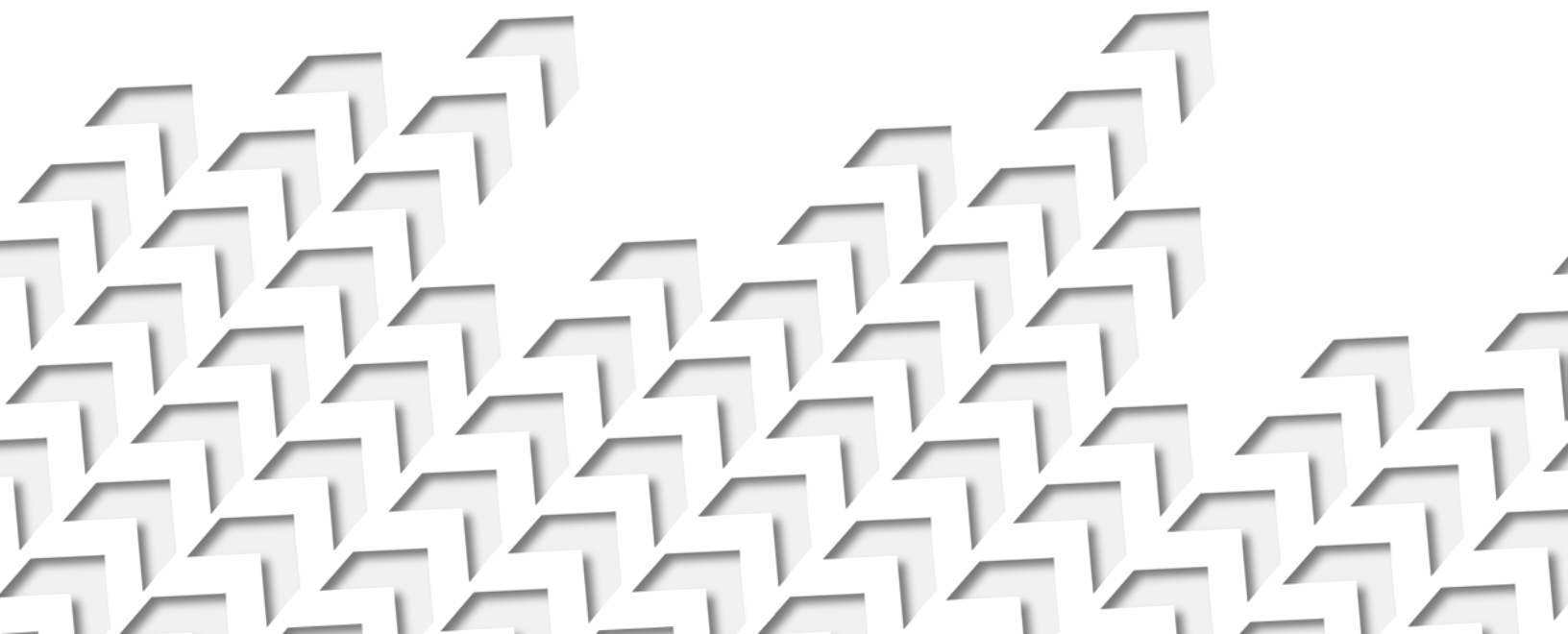
Multiple factors compound the likelihood that releasees will end up homeless when discharged from prison. As individuals move throughout various phases of the criminal justice process, their prospects for becoming homeless increase. If an individual is held in remand or is found guilty of a crime by the courts and is sentenced to a period of incarceration in a provincial or federal prison, they are at an enhanced risk of losing their existing housing by potentially being unable to pay the rental or mortgage payments on their home (CMHC 2007). Even if releasees' families are capable of making such payments, the loss of one income may threaten their ability to maintain their housing situation in the future (CMHC 2007).

Other impediments to secure housing pertain to releasees' background characteristics, geographic location, and parole conditions. Those persons returning to the community who suffer from mental health issues, physical health problems such as HIV and AIDS, or substance dependency tend to have more challenges locating and acquiring stable housing (Roman and Travis 2004). In addition to these factors, releasees may also have low levels of education and unstable employment histories, which are viewed as important elements required to secure adequate housing (CMHC 2007). Moreover, the geographic location into which individuals are released as well as overly restrictive parole conditions may prevent the acquisition of secure housing. Persons who are released from prison into areas far away from their hometowns may find it difficult to find housing (CMHC 2007). This may be attributed to the lack of accessibility to quality housing in such areas. Finally, parolees may have parole conditions that preclude them from returning to safe, secure housing. Specific parole conditions, for instance, may prescribe that individuals refrain from living with friends or family members with criminal pasts (Roman and Travis 2004). The fact that parolees may be unable to associate with those having a criminal record could restrict their ability to find short- or long-term accommodations.

Post-release housing options are also severely limited for those exiting prison, particularly due to social exclusionary measures in

the private-sector housing market. The CMHC (2007) notes that halfway houses, subsidized housing, supportive housing, and private-sector housing are the main housing options for releasees. Unfortunately, because halfway houses are restricted to those on conditional release and the fact that there is limited access to subsidized housing and supportive housing, most releasees must rely on private-sector housing (CMHC 2007). While such housing is the most widely available form of housing for releasees, these individuals may not have the financial resources to obtain such post-release accommodations. Furthermore, this population generally faces discrimination by landlords for having a criminal record, showing past patterns of anti-social behaviour, having multiple complex social and healthcare needs, and having poor tenancy histories (e.g., still owing rental payments to previous landlords) (CMHC 2007; Gojkovic, Mills, and Meek 2012).

Current landlord-tenant legislation in Ontario also dictates that failure to pay rent within a 30 day time period warrants eviction, despite the fact that the average stay in Ontario provincial jails is over 30 days. For releasees, the automatic call-block feature on phones in Ontario jails makes reaching a landlord or even The Landlord and Tenant Board nearly impossible to contest an eviction. This legislation thus poses a threat to secure, post-release housing.





## JHS OTTAWA'S STE. ANNE RESIDENCE

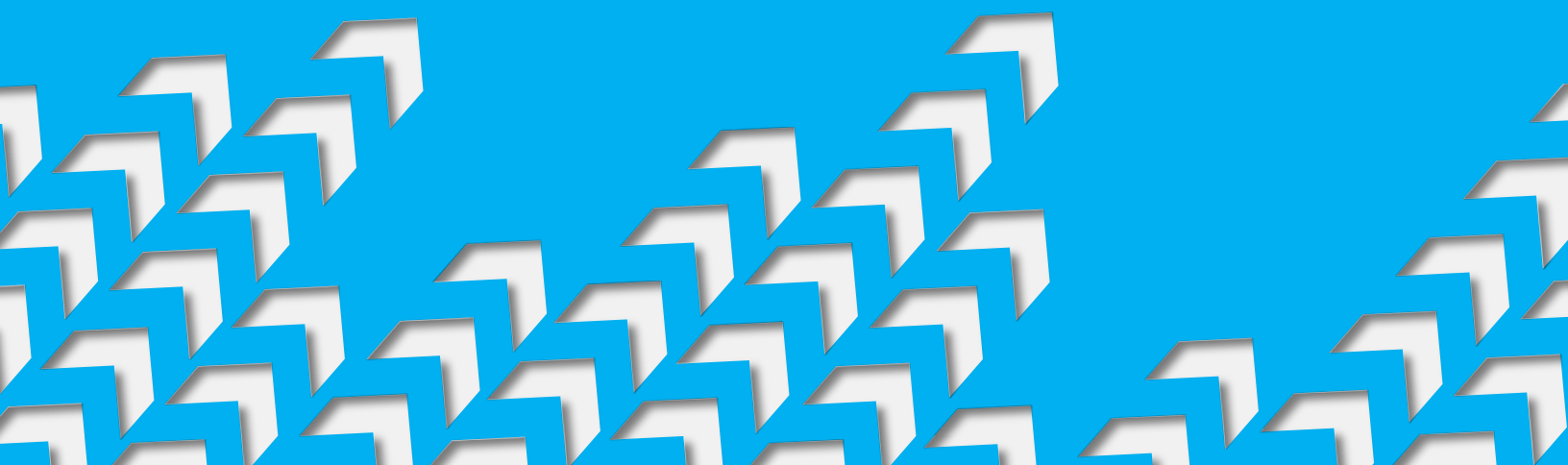
Ste. Anne Residence is one housing option in the Ottawa area for releasees with Long-Term Supervision Orders, those with a Dangerous Offender Status, or those known to have poor histories of community supervision and multiple reintegration challenges. As one of three Community Residential Facilities (including Kirkpatrick House and Tom Lamothe Residence) operated by JHS Ottawa, this CRF is located in Ottawa's east end and was originally opened in 2005 as a transitional residence for federally-sentenced men released on Statutory Release and soon to reach their Warrant Expiry Date. Ste. Anne has 25 bachelor apartments (including accessible units for those requiring accommodations due to injury, disability, illness or age), a laundry room, visitor meeting space and staff offices, and an on-premise food bank which is stocked weekly by Ottawa Food Bank. As apartment living requires, a resident is responsible for his own groceries and meal preparation. Ste. Anne Residence staff team includes a Residential Coordinator, three full-time Caseworkers and three full-time Support Workers.

As do all CRFs, Ste. Anne Residence supports its residents' transition from incarceration to independent community living. Residents are expected to be active participants in their reintegration, including working with their residential caseworker and other members of their Case Management Team to structure their day in productive, prosocial ways. For some, this includes securing and maintaining employment; for others, this means pursuing education or attending treatment. Men with vocational goals are assisted in numerous ways at JHS Ottawa's main location, within walking distance of the residence. Hire Power Employment Services offers specialized job search and maintenance assistance for justice-involved individuals. Skills Plus supports those seeking to improve their literacy skills in order to achieve education, training, and employment goals. Finally, ACE Links, in partnership with Algonquin College, offers academic upgrading in preparation for post-secondary education, apprenticeship, and work. CSC Employment Specialists are also available to match job seekers with job opportunities. For other residents with treatment plans, they may be involved in intensive day programming or be in attendance at professional appointments.

Consistently, Aboriginal men comprise at least one-third of the resident population, and Inuit men make up more than half of that group. As such, one caseworker position at Ste. Anne Residence is himself Aboriginal and works with residents who are First Nations, Metis or Inuit. Ottawa offers well-established and well-regarded resources for Aboriginal people, including Wabano Centre for Aboriginal Health, which is in the neighbourhood, and Tungasuvvingat Inuit which contains the Marmasavik Healing Centre, where Inuit residents attend for addictions and/or trauma treatment.

A former resident has contributed the following, describing the role of Ste. Anne Residence in his reintegration: "Living at Ste. Anne for two years after I was released was the most valuable piece of support I have had so far. You can't anticipate some of the challenges of reintegration, and the support staff helped me navigate them. I was able to save money, which would have been impossible on my own, and having my own space to cook, clean and make a home in, helped me start to feel normal again. The independent living at Ste. Anne was crucial for me."

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## HOUSING AND VULNERABLE POPULATIONS

Housing challenges vary based on whether an individual belongs to one or more vulnerable populations. Women, individuals with serious mental illness or a co-occurring substance use disorder, and Aboriginals (First Nations, Métis, and Inuit peoples), for example, are particularly vulnerable to becoming homeless after being discharged from prison. Research (e.g., Fries, Fedock, and Kubiak 2014) shows that women are not only more likely than men to experience pre-prison and post-prison homelessness, but that this population is also more likely to suffer from mental illness, substance misuse, or both issues. Fries, Fedock, and Kubiak (2014) suggest that prospective homelessness among incarcerated women may be driven by the relationship between the above risk factors and past experiences of intimate partner violence or other sexual and physical abuse. The interrelationship between criminal justice involvement, mental illness, and substance use for women thus highlights the importance of effective institutional treatment and services for decreasing the potential for post-release homelessness (Fries, Fedock, and Kubiak 2014).

Aboriginals are not only significantly overrepresented in the Canadian adult prison population, but are also at a disproportionate risk of homelessness when compared to their non-Aboriginal counterparts (Walsh et al. 2011; Brown et al. 2008). In 2011/2012, Aboriginal comprised nearly 4 percent of the Canadian adult population, yet made up 28 percent of the total prison population (Statistics Canada 2015). When dividing this population based on gender, more Aboriginal women were held on remand or sentenced to custody in a provincial/territorial court (37 percent and 43 percent) than Aboriginal men (23 percent and 27 percent) (Statistics Canada 2015). For Aboriginal women, being homeless at release is the consequence of a wide-array of factors such as returning to poverty, driven by the inaccessibility to social assistance, educational programs, and employment opportunities; receiving harsh prison sentences which are served far away from family and important social support networks; inadequate reintegration supports (e.g., access to mental health treatment); past experiences of intimate partner violence which increase reliance on domestic violence shelters; and, discrimination by landlords based on past tenancy records, substance dependency issues, and involvement in prostitution (Walsh et al. 2011). Similar factors have also been linked to homelessness among Aboriginal men released from prison (see Brown et al. 2008).

### HOUSING FOR WOMEN

Iren Tajbakhsh, Community & Counselling Services Manager at the Elizabeth Fry Society of Toronto, has identified housing as one of the major issues facing women released from Ontario prisons. She states that it is difficult for women to locate safe and affordable housing, while simultaneously trying to comply with conditions of probation or parole, achieve financial stability, access health care, reunite with their families, and find employment, often with few skills and a sporadic work history. Many women find themselves either homeless or in environments that do not support sober living. The threat of homelessness is made worse by women's inferior social, political, and economic status, past experiences of victimization and abuse, their minority status, sexual orientation and gender identification, physical disability, and mental health issues. To address the housing problem, Tajbakhsh argues for greater coordination among the systems providing reintegration services to female releasees as well as the implementation of holistic, gender-specific reintegration programming tailored to addressing women's complex needs.

## THE HOUSING FIRST MODEL

The Housing First (HF) model is one evidence-based approach which has been shown to be effective in reducing homelessness for high-needs individuals with mental illness and/or substance dependency issues (Goering et al. 2014). This model should be extended to prison releasees to aid this population during the reintegration process. Developed in New York City under the name Pathways to Housing, HF aims to take persons who are homeless and provide them with stable, long-term housing and wrap-around services (Goering et al. 2014). This housing model seeks to provide participants with access to housing regardless of their housing readiness, while also enabling these individuals to select the type and location of their housing (Goering et al. 2014). HF is founded on the pillar of harm reduction and aims to help participants in their recovery through the provision of individualized services and supports, in order to facilitate their reintegration back into the community (Goering et al. 2014). The value of HF cannot be understated. The largest trial of HF, At Home/Chez Soi, followed 2,000 participants between 2009 and 2013 across five Canadian cities (Vancouver, Winnipeg, Toronto, Montréal, and Moncton) with impressive results. At the completion of the study, HF participants reported having more stable and higher quality housing, access to necessary treatment programs, and an overall greater quality of life in terms of lower substance use, stronger community and family ties, and participation in conventional social activities such as volunteerism, employment, and going to school when compared to the control group (Goering et al. 2014).

Recent criminological research has found that post-release housing programs based on the HF model are effective in eliminating homelessness for individuals released from prison. A study by Pleggenkuhle, Huebner, and Kras (2015), for instance, found that the immediate provision of supportive housing to U.S. parolees through the Solid Start program increased long-term housing stability and enabled these persons to build autonomy, responsibility, and conventional social networks—three necessary staples for successful reintegration. Similarly, the Corporation for Supportive Housing’s (CHS) Frequent User Services Enhancement program (FUSE) which provides supportive housing and other supports to persons with prior experiences of incarceration and homelessness in New York City, determined that 81 percent of FUSE participants remained housed over a 24-month follow-up period (Aidala et al. 2013). These studies, therefore, reinforce the utility of the HF model in reducing homelessness for at-risk populations such as prison releasees.

### SOUTH ETOBICOKE REINTEGRATION CENTRE

The John Howard Society of Toronto’s South Etobicoke Reintegration Centre aims to tackle homelessness using the HF model. Amber Kellen, Director of Community Initiatives, Research and Policy at JHS Toronto, states that it is their hope to work with the City of Toronto and other stakeholders to build a permanent Reintegration Centre which would include units of transitional housing for homeless releasees. Research has shown the tremendous cost savings (between \$109,000 - \$350,000) associated with providing transitional housing with support for chronic homeless releasees (Stapleton, Pooran & Doucet 2011). Other studies have shown (At Home/Chez Soi) the value of the HF approach with vulnerable persons who have mental health and substance use issues in improving social determinants of health, decreasing emergency department visits, decreasing contact with the justice and correctional system, and, overall stabilizing the lives of those who are housed.



## THE ADVANTAGES OF STABLE HOUSING

The provision of secure, stable housing to prison releasees has several advantages. Some claim that stable housing is not only important for successful reintegration, but it is also a central factor required to address other reintegration challenges such as finding and maintaining employment, remaining sober, and becoming involved in conventional social activities (Fontaine and Biess 2012). Therefore, access to safe, affordable housing may help releasees generate greater social capital in the community (Pleggenkuhle, Huebner, and Kras 2015; Walker et al. 2014).

One of the most significant benefits of providing prison releasees with suitable housing is lowered rates of recidivism. Using a sample of high risk releasees, Lutze et al. (2014) determined that a U.S. reintegration program which provided these individuals with supportive housing and wraparound services reduced the chance of new criminal convictions and re-admission to custody by 14 percent and 19.3 percent respectively versus the control group. Furthermore, research by Clark (2014b) demonstrates that the type of post-release housing has important ramifications for recidivism. Using five categories of housing—residential, treatment, work release, transitional, and emergency shelters—Clark (2014b) found that rates of re-arrest were lower for releasees placed in work release (26 percent) and treatment centres (29 percent) and higher for those using emergency shelters (45 percent) or living in transitional housing (37 percent). In conclusion, stable housing may help releasees accrue more social capital and reduce the likelihood of recidivism. According to the research literature, housing is one of the central pillars of successful reintegration and when stable, secure accommodations are available to prison releasees, it is ultimately the broader community which stands to benefit from reduced rates of recidivism and victimization.

## JHS OTTAWA 'S REINTEGRATION SERVICES

The John Howard Society of Ottawa (JHS Ottawa) administers a number of housing services to adult releasees through its Adult Justice Services Department which contains four streams of services including Services in Court and Detention, Community Reintegration, Housing Supports, and Residences.

### SERVICES IN COURT AND DETENTION: OCDC REINTEGRATION SERVICES

JHS Ottawa, in partnership with the Ottawa-Carleton Detention Centre (OCDC), provides a Community Reintegration Worker to assist men in the remand population and those recently released to prepare for their return to the community. To be eligible, men must be currently or recently in the remand population at the Ottawa-Carleton Detention Centre.

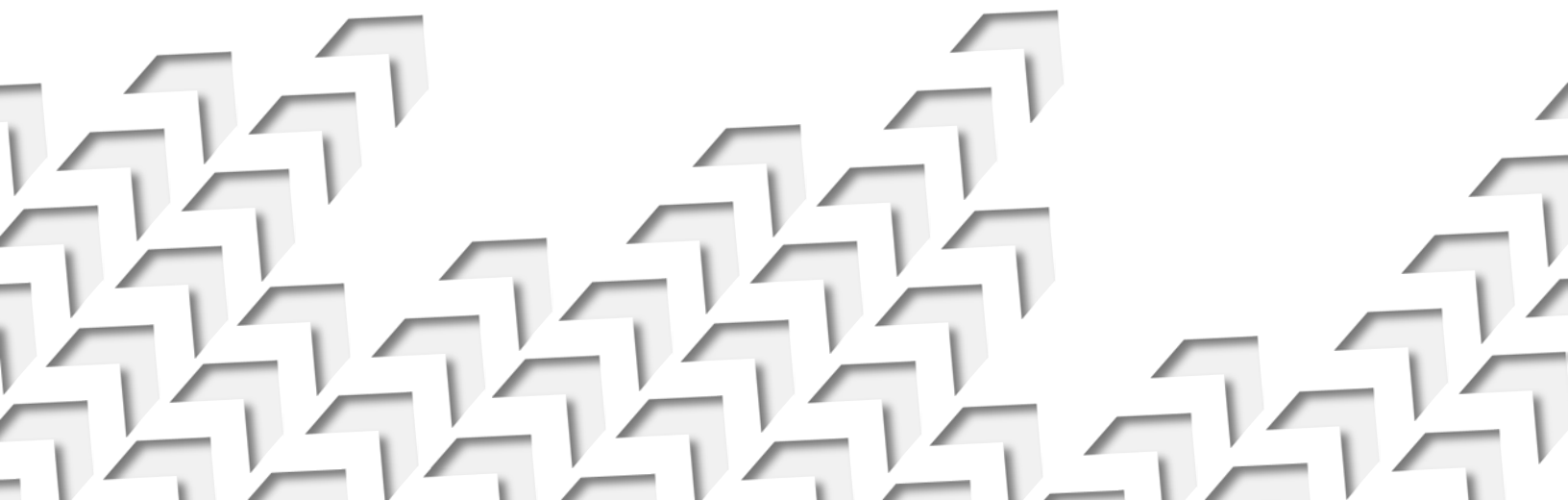
### HOUSING SUPPORTS: HOUSING LINK

JHS Ottawa, in partnership with the City of Ottawa, provides individualized, targeted housing supports to chronically and episodically homeless men exiting correctional institutions and other facilities. The program is strength-based, and low-threshold in that there is no prerequisite for participation beyond a history of homelessness. Housing Link has an underlying recovery orientation to support those striving for community connection and reintegration. Men recently released from jails, correctional centres and federal institutions, including those released at court and through the forensic services of the Royal Ottawa Mental Health Centre are eligible for this program. In-reach services are provided at justice settings in Ottawa (including the courts, the remand centre and residential facilities), and referrals are accepted by phone and correspondence from provincial and federal institutions. The goal of the program is to divert moderate- to high-acuity homeless men away from long-term shelter stays by linking them to stable housing and supports of their choice in the community.

# EMPLOYMENT, TRAINING & EDUCATION

## INTRODUCTION

Stable employment is one of the major pillars for the successful reintegration of releasees. Researchers, academia and frontline service providers widely acknowledge the close relationship between employment and reduction in criminality. In fact, according to some studies, unemployment is one of the top three predictors of criminal recidivism (JHSO 2014a; Motiuk and Vuong 2005). On the other hand, criminal justice involvement of any kind can have deleterious effects on an individual's labour market potential. Criminal justice involvement not only creates barriers to employment but can also have negative effects on an individual's education and training potential (JHSO 2009). While there are a number of employment and training related programs that assist individuals facing employment barriers - including criminal justice involvement - in the labour market, programs designed specifically to cater to the needs and issues related to justice-involved individuals are most effective. These include preparation, education and training prior to release from prison, a focus on cross-agency programs with placement options, addressing blanket employment bans and adopting innovative programs based on a social enterprise model.



## THE RELATIONSHIP BETWEEN EMPLOYMENT, EDUCATION AND REINTEGRATION

There is significant evidence from the literature, both Canadian and international, on the effects criminal convictions and past incarceration have on employment. Most of this literature come from research conducted in the UK, Australia and the US. Findings from these jurisdictions demonstrate that employers generally prefer to hire individuals without any past criminal justice involvement for a variety of reasons. Certain public service and government positions, such as those in law enforcement, may also be closed to individuals with criminal records.

A review of the literature conducted by the John Howard Society of Ontario, for the *Help Wanted\*: Reducing Barriers for Ontario's Youth with Police Records* report, identified a number of barriers facing people entering the labour market with a criminal record (JHSO 2014a). Richard Freeman (2003) found that employers generally prefer other workers to persons with a criminal record because, "employers eschew ex-offenders for fear that customers or other workers would sue them if the ex-offender harmed them during work activities" (pg. 10). Using micro-surveys and data from administrative sources, Rodriguez and Emsellem (2011) found that interaction with the criminal justice system leads to a lifetime of social and economic disadvantage and can reduce the chances of employment by 50%; the effect is even more prominent for individuals from marginalized communities. The same findings are echoed in another study which found that some employers emphasize the importance of trustworthiness, dependability and honesty when it comes to their employees, and view a criminal record as being indicative of the

character of a person when making hiring decisions (Holzer, Raphael & Stoll 2003).

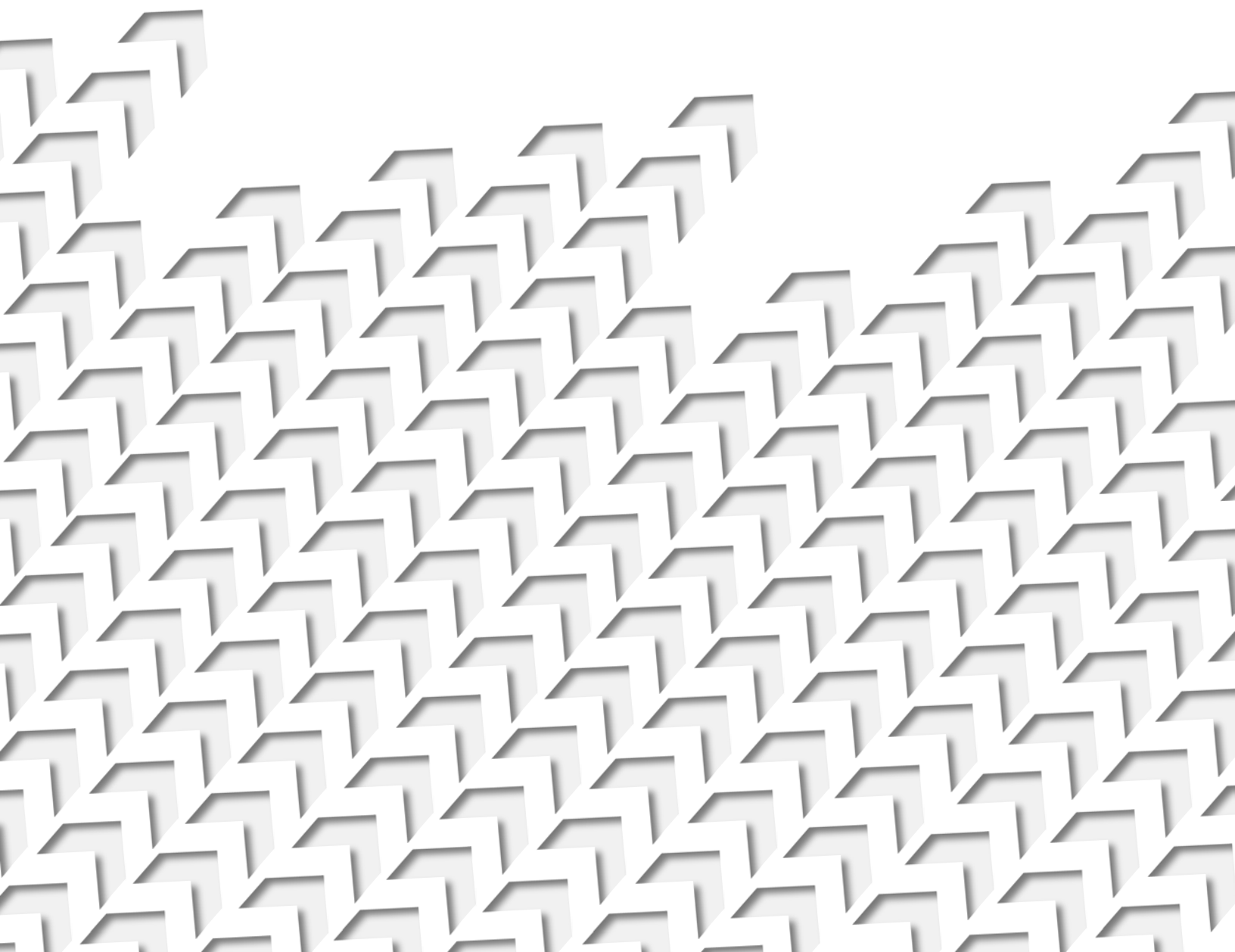
The negative barriers to employment are even more detrimental for individuals who serve time in a correctional institution. Research has shown that the level of skills, education, training and work experience tends to be even lower among individuals who are (or were) incarcerated (Pettit & Western 2004). Further studies discovered evidence that incarceration has negative effects not only on employment prospects but also on future wages (Geller, Garfinkel & Western 2006). Prison leads to a deterioration of a worker's "human capital" including education, job experience and soft skills such as punctuality, customer and loss of social networks that can help individuals find jobs (Wakefield & Uggen 2010; Schmitt & Warner 2010, Hagan 1993). In short, individuals reintegrating back into society after prison have relatively low employment rates and earn significantly less than other workers with comparable demographic characteristics.

On the other hand, there is also evidence that demonstrates that education and employment are crucial components of successful reintegration. Studies have found that employment programs, particularly long term post-release employment programs that emphasize vocational training, placements, and education are effective at reducing recidivism (Uggen and Staff 2001). Furthermore, researchers found evidence that suggested that the quality of employment was an important factor in successful reintegration. A five year follow-up study conducted by Nally et al. (2012) demonstrated that although employment is the

primary predictor of recidivism, length of employment was a decisive factor in reducing post-release recidivism. As discussed earlier, reducing post-release criminal justice involvement has significant implications for enhancing public safety.

Not only is employment an important indicator of successful reintegration but education has been found to play an important role as well. Increasing educational proficiency has shown promise as one strategy for assisting releasees in finding gainful employment after incarceration and ending their involvement with the criminal justice system. Furthermore,

educational programs and interventions in prisons are key to obtaining employment during the reintegration process. Winterfield et al. (2009) conducted an analysis of post-release recidivism and post-secondary education (PSE) programs in prisons, and the findings consistently demonstrated a negative association between PSE and recidivism, meaning individuals who received PSE were less likely to reoffend. In all three states that the study was conducted in, individuals who participated in the PSE program were less likely to engage in crime during the first year of their release (Winterfield et al. 2009).





## WHAT WORKS

Research has shown that supports and services to find and maintain employment through participation in comprehensive education and employment programming while incarcerated and a continued connection to education and employment services after release have been shown to reduce recidivism. Four key strategies that have been shown to help enhance the employability of individuals reintegrating back into the community are as follows:

Firstly, focus should be placed on programs and services that are designed to enhance the workforce preparation of individuals while they are still incarcerated (Centre for the Study of Social Policy 2012). It is important to support educational programs for releasees including general education (high school diplomas and General Education Diplomas) as well as secondary education. Moreover, programs should also enhance job skills development which focus on employable skills (trades, forklift training, etc.) as well as soft skills development to address the loss of “human capital.” One such program designed to provide education and training to incarcerated individuals is the Walls to Bridges (W2B) courses offered by Wilfred Laurier University’s Faculty of Social Work.

Secondly there needs to be a concerted effort to improve occupational placement services with an emphasis on multi-sectoral collaboration. Research has demonstrated that cross-agency collaboration in reintegration is even more crucial because of the lack of formal reintegration processes in place (Bond & Gittell 2010). As a result, effective programs and services need to adopt a multi-sectoral approach between service providers, educational institutions and employers. Programs should expand partnerships with employers in order to align job training with industries in which there is demand and willingness from employers to hire individuals with past

### walls to bridges (w2b)

According to Simone Davis, a co-coordinator of the Walls to Bridges program, W2B is based in the Faculty of Social Work at Wilfrid Laurier University in partnership with Grand Valley Institution for Women in Kitchener. Started in 2011, W2B brings incarcerated and non-incarcerated students together to take for-credit, semester-long courses, offered through the Faculty of Social Work and the Faculty of Arts. Classes are taught by Laurier professors and take place at GVI, and are comprised of incarcerated and non-incarcerated students. Courses are offered in many fields, but W2B pedagogy is always rooted in circle work, mutual learning and dialogue.

W2B provides five-day trainings to faculty interested in this model, which has resulted in courses being offered at Ryerson University, York University, the University of Toronto at Mississauga, Renison College at University of Waterloo, the University of Winnipeg, and Kwantlen Polytechnic University. To date, 22 such courses have run in prisons, jails, halfway houses and community centres in Ontario, Manitoba and British Columbia. Fifty-five educators working in Canada have received the W2B training (with 15 more projected for summer 2016) and 417 people have taken at least one W2B course. Three students in the Winnipeg program have pursued studies upon release at the University of Winnipeg and one W2B course alum and Collective member will begin work on a Masters in Social Work in Fall 2016.

The heart and backbone of the program is the Walls to Bridges Collective (W2BC), a group of people with and without lived experience of criminalization who have been involved as students and facilitators, and who now collaborate on helping the program to flourish. W2BC began in Kitchener at the Grand Valley Institution and now also includes a Toronto collective, which means that some course alumni getting out of prison are able to stay involved as they make the transition beyond incarceration. Both collectives are active in designing and developing workshops about gender, criminalization, social justice and education in both community and correctional contexts.



criminal justice involvement. Job training should be tailored to the needs of those employers and the current labour market and focus on employable skills (Breen 2011). Effective programs also promote a range of placement options – usually through community partnerships - in order to ensure that individuals reintegrating are able to successfully contribute to their community in different capacities which are necessary as not all individuals will demonstrate the same level of work-readiness. Programs should also leverage employment agencies and expand financial hiring incentives for employers to encourage hiring organizations to consider qualified individuals with past criminal justice involvement. The John Howard Society of Hamilton, Burlington and Area (JHS Hamilton) has adopted this multi-sectoral approach to provide training, placement and employment services to clients with past criminal justice involvement.

The third strategy to increase the labour market potential of releasees is the removal of barriers to accessing employment opportunities for those with criminal justice involvement, such as blanket hiring bans and bars on occupational licensing and education. The stigmatizing barriers created by criminal and police records is discussed in great detail in the Stigma section (pages 36 - 43) of the document. However it is important to note that many jurisdictions have taken proactive measures to reduce the barriers created by criminal records through policy change. One initiative addressing the issue of criminal record, which has recently gained significant traction, is the “Ban the Box” campaign in the US and UK.

## PRE-APPRENTICE WELDING PROGRAM

According to Donna de Jong, JHS Hamilton’s Manager of Adult Justice & Community Services, JHS Hamilton identified number of gaps in the current employment programs and services for clients who are reintegrating. Primarily, mainstream employment service providers were unable to address or work successfully with clients who have been involved in the criminal justice system. On the other hand, clients were also reluctant to access mainstream employment support services. JHS Hamilton also identified the lack of commitment from employers to offer employment opportunities to those involved in the criminal justice system and the inability of employers to “see past the record” to recognize the skills, experience and potential of our clients. To address these needs JHS Hamilton investigated the labour market and identified opportunities for welders and metal fabricators in Hamilton.

Partnering with Elizabeth Fry Society Southern Ontario Region, St. Leonard’s Society of Hamilton and Mohawk College, JHS Hamilton was able to receive 12 month funding for the pre-apprentice welding program from Ministry of Training, Colleges and Universities in April 2015. The pre-apprentice welding program helps provide individuals with past criminal justice involvement with intensive training, placements and an opportunity to become licenced professionals while at the same time providing clients with necessary soft skills that are crucial for retaining employment.

Community partners act as referral sources and provide peer support to participants, and JHS Hamilton spearheads the coordination and facilitation of the program. JHS Hamilton provides pre-employment, life skills and employability sessions, they develop and monitor the paid employment placement and they provide intensive case management service provision for participants and employers for the duration of the program including employment retention and maintenance. Mohawk College provides clients with 14 week pre-apprenticeship welding training and the opportunity to achieve up to 4 CWB (Canadian Welding Bureau) tickets. The pre-apprenticeship welding program began with twelve federally sentenced adults, ten males, and two females. Three participants left the program early (during the pre-apprentice training component) for paid employment opportunities. Seven participants who successfully completed the program were employed on a full time basis at the completion the pre-apprentice training component. Currently six of the participants who completed the program continue to work full time and one is seeking self-employment opportunities in a related field. Furthermore, life skill supports, provided during training, also proved vital as all participants reported an increase in self-esteem and confidence as a result of program participation. The success of the program encouraged MTCU to continue the funding for the program. For the second year, the program is funded to support 14 participants both federally and provincially sentenced individuals.



Lastly, more organizations should consider innovative programs based on a social enterprise model. Innovative social enterprises are effective at increasing the employment and training potential of individuals because they are specifically aimed to provide individuals with past criminal justice involvement with training and long-term employment. This focused approach coupled with the training and potential of stable and quality employment can reduce recidivism amongst releasees and increase community safety more generally. Social enterprises also provide the potential of long-term employment to individuals as the model is often designed to become self-sustainable. The St. Leonard's Society of Canada (SLSC) and its local offices have been at the forefront using social innovation to improve reintegration outcomes for individuals involved in the criminal justice system. SLSC has adopted Social Enterprise Council of Canada's definition of social enterprise as: businesses owned by non-profit organizations that are directly involved in the production and/or selling of goods and services for the blended purpose of generating income and achieving social, cultural, and/or environmental aims.

## BAN-THE-BOX

'Ban the Box' refers to the banning of questions regarding an individual's criminal record on employment application forms. Led by numerous organizations the 'campaign aims to reform practices across the US by encouraging the removal of conviction history from the job application to allow persons with criminal records to compete without being screened out right off the top. According to recent reports the reform has been adopted by 56 Jurisdictions across the US over the last nine years (NELP 2014a). These jurisdictions include some of the major cities and urban areas in the US such as Chicago, San Francisco, New York City. Moreover, the campaign has gained momentum; in 2013 alone, 10 cities adopted the reforms (NELP 2014a). As of 2014, 10 states have adopted the ban the box policies statewide, including major states such as California, Illinois, and Massachusetts. However, the degree to which the reform is implemented in each jurisdiction varies greatly. For example, many states have applied ban the box policies to only public service and city job applications. In some cases, cities and jurisdictions have extended these hiring policies to vendors and contractors as well. Massachusetts has the most comprehensive reform where the policy applies to both the public and private employers. In most cases the successful adoption of ban the box campaign is closely related to the efforts of sponsoring organizations and supporters. For example in California the campaign was advocated by organizations such as National Employment Law Project, Legal Services for Prisoners with Children, All of Us or None, and California PICO as well as local newspapers such as The New York Times, Los Angeles Times and Sacramento Bee (NELP 2014b). To complement the ban the box reforms of many jurisdictions, cities such as Chicago and Boston have also introduced legislation to limit police background checks based on position and/or after the conditional offer of employment, incorporated Equal Employment Opportunity Commission language into selection criteria, and have given candidates the right to appeal denial of employment.

In light of recent US based research and the absence of long term evaluation, there needs to be further empirical analysis of the efficacy and impact of Ban the Box initiatives. Several studies have indicated the unintended consequences of Ban the Box reforms in some US jurisdictions, however the applicability and generalizability of the findings to Ontario has not been researched. More research could explore the viability of Ban the Box and strategies to inhibit the unintended consequences in Ontario.



## SOCIAL ENTERPRISES IN CRIMINAL JUSTICE: BEST PRACTICES AND LESSONS LEARNED<sup>2</sup>

Based on the evaluations of five pilots supported by Employment and Social Development Canada, SLSC has found several lessons learned in utilizing social enterprises in a criminal justice context. These lessons learned generally fall under one of three key elements: transparency, flexibility, and collaboration. Each of these elements combine to help implement a successful social enterprise in the criminal justice sector.

### TRANSPARENCY

One evaluation noted that transparency is of the utmost importance among employers, participants, and program staff. In particular, with regards revealing the participant's criminal history to employers, this helps to avoid 'door slamming' from employers if specifics of the history are disclosed after training commences.

### FLEXIBILITY

The majority of the lessons learned related to working with the participants and identifying their needs in relation to employment support. Many of these lessons focused on reintegration needs, and stressed the value of recognizing people's unique needs to help determine their readiness for employment support as failure in the program may negatively impact reintegration. Gainful employment is valuable, but must be balanced against the long term reintegration needs of the

participants. In addition to employment needs, caseworkers can support a range of skills needed by participants for reintegration that they may not have otherwise had access to.

Flexibility around scheduling for program staff, employers, and participants was also noted as a crucial component to the success of a social enterprise. Accommodating participants' schedules increased participation and retention if apprenticeship/training hours were able to be structured around other commitments such as parole or support meetings. Flexibility with regards to compensation was also noted as important. One evaluation found that when pay periods were modified from bi-weekly to weekly helped to facilitate better money management among participants.

One evaluation noted that as participants transition to employment they can also experience changes in their rent subsidies, which further impact their financial stability and consequently their capacity to maintain housing. For example, those living in municipal or provincial housing may not know for several weeks after their employment begins what their maximum earnings can be before a subsidy is lost or decreased. This can make it difficult to know how much an individual should be budgeting for their rent – possibly causing financial

<sup>2</sup> Information Courtesy of Elizabeth White (Executive Director) and Anita Desai of St. Leonard's Society of Canada. Information regarding the evaluation of ESDC pilot programs is excerpted from: Synthesis of 2013-14 Federal Horizontal Pilot Project (FHPP) Final Evaluations prepared by Anita Desai, M.A. for St. Leonard's Society of Canada. Submitted to Employment and Social Development Canada Ottawa, ON February 13, 2015.

instability. It was suggested that integrating the role of a staff person, such as an Employment Transition Specialist, with employment counselling may be the most effective approach in supporting participants' transitions across systems.

### COLLABORATION

Creating links with networks of end users of the enterprise is more successful than being shut out as a competitor. Start-ups take a long time to stabilize and throughout that period organizations need to be able to react and respond to evolving conditions. Equally, if initiated as a pilot with government funding then the government should be flexible in the provision of support beyond the pilot if conditions merit it.

### BEST PRACTICES

SLSC concluded that a best practices policy on Social Enterprise includes the following priorities:

- **CLIENTS:** first and always
- **CLARITY:** of mission and of social purpose
- **COMMUNICATION:** both internal and external
- **COMMUNITY:** expanding the circle of engagement through new connections and building a profile
- **COMPETENCE:** business, legal accounting, leadership style and credentials.

A review of the Federal Horizontal Pilot Project (FHPP) evaluations and relevant literature on social enterprise also offers insight for those who are interested in becoming involved with social enterprise. The FHPP evaluations that provided

recommendations offered the following advice in this regard:

1. Provide strong incentives for program completion
2. Link with existing work release programs for candidates interested in the employment opportunity to better prepare them for eventual return to community
3. Make data collection tools available to service providers/evaluators as these are critical for providing in-depth information and analysis of participant barriers and challenges (particularly for issues such as homelessness, mental health, and criminal justice)
4. Standardize employment programs to assist with evaluation
5. Adopt the common communication practices of the industry based on an understanding of partners and target audiences to facilitate information sharing
6. Identify the capacity for available work and adjust the number of people hired so that they can be offered a liveable wage and appropriate hours
7. Request program staff to conduct exit-interviews with all employees leaving the social enterprise
8. Focus on rapid reinstatement of social assistance when people leave a job so they can avoid potential crisis if they do not have sufficient funds to meet basic needs
9. Provide more clarity for people who are trying to understand how much money they can earn before it impacts their social assistance



ST. LEONARD'S  
SOCIETY OF CANADA

## KLINK COFFEE

An example of successful social enterprise specifically designed to improve access to employment for persons returning home from prison is KLINK Coffee. According to Ted Addie, director of KLINK Coffee, the social enterprise was an informed response to the question of what more could be done to improve the successful reintegration of releasees. Created in 2013 using seed funding from the former Human Resources and Skills Development Canada by parent charities, the St. Leonard's Society of Toronto and the John Howard Society of Toronto, KLINK works especially with clients coming out of the criminal justice system. Employment readiness training is offered by an employment specialist and covers topics such as work attitudes, employer expectations, long term employment behaviour patterns, job search skills, interview skills, budgeting, and credit scores. In addition, clients are trained in topics such as disclosing a criminal record, institutional gaps in a client's resume, and the rights of a job seeker.

Following the employment readiness training, the client has the option of entering into a work placement ranging from 4 weeks to 4 months in the coffee industry. Some placements have led to clients permanently working for our employment partners such as Reunion Island Coffee and Out of This World Cafe. Skills and knowledge in the coffee industry, in addition to work experience and a reference, help set individuals on the right foot when entering the job market and leaving the criminal justice system.

While KLINK Coffee directly employs a few participants, the majority re-enter the work force through a program of pre-employment training, then employment placement, usually at one of KLINK's coffee industry partners. KLINK works closely with Employment Ontario Service Providers like Dixon Hall, The Centre for Education and Training (TCET), JVS Toronto, and St. Stephen's House to assist in the subsidies offered to our employment partners. These placements are often made through an Employment Ontario provider and always enjoy case management support.

From its outset, KLINK was intended for a specifically stigmatized and underserved population; and intentionally among them, participants facing multiple barriers to employment and persons with high needs. Since July 2013, a KLINK employment opportunity has helped 45 such men and women, positively affecting the lives of most and having life changing effects for some. It's encouraging to see who KLINK helps and how well the collaboration works for them. It's exciting to see the positive community response and to know that KLINK's growth and sustainability can be supported as simply as one's choice of coffee brand.



# SOCIAL SUPPORTS & COMPLEX NEEDS

## INTRODUCTION

While discharge planning, housing and employment and education issues are crucial to successful reintegration, there is a plethora of issues and needs that should also be considered when it comes to effective reintegration. While some of these social supports and complex needs often intersect or overlap other priority areas, others are individual issues that need careful consideration in order to be addressed. Social supports and complex needs can

range drastically depending on the releasee, effective models for reintegration require wrap-around services that address the distinct needs of each individual. For the purposes of the current document, the social supports and complex needs chapter will discuss issues related to health, mental health and addiction, issues specifically related to women and issues related to families.

## HEALTH, MENTAL ILLNESS AND ADDICTION POST-INCARCERATION

Health, mental illness and addiction are important priorities during the reintegration process. A number of studies have, unsurprisingly, demonstrated that incarceration negatively impacts health, mental illness and addictions issues. Research from US found that at the time of prison release, half of men and two-thirds of women reported having been diagnosed with a chronic physical health condition (Mallik-Kane & Visser 2008). Furthermore, approximately 20% of returning releasees reported having been diagnosed with a

chronic communicable disease (Mallik-Kane & Visser 2008). Further research in the US has also demonstrated that releasees not only have high rates of infectious diseases but also mental illness (Wakefield & Uggan 2010).

As reported in JHS Ontario's *Unlocking Change: Decriminalizing Mental Health Issues in Ontario*, individuals with mental health issues are more likely to come into contact with the police and thus become involved in the criminal justice system (JHSO

2015). To make matters worse they are more likely to be held in detention and denied bail; and those held in detention are more likely to plead guilty and be convicted of their charges, regardless of their innocence (JHSO 2015). Research on the population of persons under bail supervision in Ontario shows significant health and social challenges: 70% of all bail supervision clients had issues with substances (alcohol or drugs), over 40% reported that they have current mental health issues and 31% had concurring mental health and substance use issues (JHSO 2013).

A considerable number of releasees also suffer from a plethora of addiction related issues. A large proportion of incarcerated individuals reported using drugs and being intoxicated at least once a week prior to being imprisoned (Mallik-Kane & Visser 2008). In most cases substance abuse issues go untreated in the institution. Even amongst releasees who utilized some of treatment while incarcerated participation in treatment drops drastically upon release (Mallik-Kane & Visser 2008). According to Mallik-Kane & Visser (2008) over 33% of formerly incarcerated individuals reported using drugs or being intoxicated eight to ten months after being released. The study concludes that post release substance abuse is directly linked to higher recidivism and reincarceration.

Individuals in the Ontario jails are not provided with adequate or proper medical or psychiatric assessments and treatment (JHSO 2015). Furthermore prisons are not equipped to deal with people who have severe mental health issues due to the limited access to prescription medication and healthcare for mental health issues. Segregation and overcrowding can also compound mental health issues. There is

clear evidence that prolonged periods of isolation can cause a variety of negative physical and mental health effects (Smith 2006). The JHSO (2015) report concludes that segregation is particularly damaging for individuals with pre-existing mental health issues, as it can aggravate or lead to other psychiatric symptoms.

Research has also shown that physical and mental health problems linked to incarceration tend to appear after an individual has been released (Schnittker & John 2007). These issues also negatively effect and increase barriers to other important needs issues such as housing, employment and stigma. In fact individuals with physical and mental health and addiction problems tend to be less successful reintegrating back to society (Baillargeon, Hoge, and Penn 2010 and Mallik-Kane & Visser 2008).

To aid those with health, addiction and particularly mental illness in the reintegration process, and to prevent them from being further criminalized, the St. Leonard's Society of Canada (Desai 2013) has identified four key components of effective partnerships: 1) Communication and information sharing; 2) Cross-sectoral relations and horizontal initiatives ; 3) Program development and evaluations; and 4) Protocols and agreements. A multidisciplinary strategy demands that service providers from various sectors have strong interagency communication. This will not only facilitate the sharing of information—for example, about an individual's needs, social supports, and networks—but also ensure that service



providers are aware of other programs and services in their jurisdiction which may benefit the individual (Desai 2013). Ultimately, this multi-sectoral collaboration will enhance service delivery times efficiency for those discharged from custody.

Establishing cross-sectoral and horizontal relations with government is also crucial for successful partnerships. The collaboration between governmental and non-governmental actors in the provision of care for releasees has the potential to generate a variety of efficiencies including: more effective resource allocation through the elimination of duplicate services and programs; more collaborative discharge planning initiatives between the public and non-profit sectors; and, greater funding prospects for transitional programming (Desai 2013).

Finally, service providers should be actively involved in program development by assessing the strengths and weaknesses of existing programs, determining what methods are most effective, and what still needs to be done to effectively assist those discharged from prison (Desai 2013). Ideally, this information will be shared with other organizations through protocols and agreements outlining the most efficient practices. Interagency agreements will ensure that individuals seeking particular forms of treatment are not denied the services and programs they require once transferred to another service provider (Desai 2013).

## JHS OTTAWA'S MENTAL HEALTH & SUBSTANCE ABUSE REINTEGRATION SERVICES

John Howard Society of Ottawa provides comprehensive reintegration services with a focus on mental health and addiction services while utilizing a multi-sectoral model. JHS Ottawa's Reintegration Services include assistance in obtaining personal identification including birth certificates, Ontario Health Cards, and social insurance cards. Liaising with correctional staff, mental health nurses, and Centre for Mental Health and Addiction, addiction treatment centres and other community agencies JHS Ottawa reintegration staff are able develop appropriate plans and facilitate programs for individuals with mental health and addiction issues.

In response to the growing demands in the community JHS Ottawa developed crisis intervention services for those being released from custody without support. The purpose of Crisis Intervention program is to connect individuals at various stages of reintegration with needed supports and services. Through partnerships with other community agencies the program helps clients address financial, housing, treatment, and employment needs; and, provides advocacy and support in crisis situations through referral and follow-up with social services, shelters, landlords, employment and training programs, and treatment resources.

Approximately 1000 individuals access the JHS Ottawa's Crisis Intervention program every year, over 70% of these individuals have mental health or addiction needs. These individuals are referred to the appropriate community service that is best able to assist them. The aim of the program is to provide individuals with mental health and addiction issues with the appropriate information and guidance so that they are able to navigate the often complex and difficult maze of services in the community.



## SOCIAL SUPPORTS AND COMPLEX NEEDS OF WOMEN IN REINTEGRATION<sup>3</sup>

Similar to all individuals, women who are returning to their communities from prison must often comply with conditions of probation or parole, achieve financial stability, access health care, locate housing, and try to reunite with their families. They must find employment often with few skills and a sporadic work history, find safe and drug-free housing, and, in many cases, maintain recovery from addiction. However, many women find themselves either homeless or in environments that do not support sober living. Without strong support in the community to help them navigate the multiple systems and agencies, many women fall back into a life of substance abuse and criminal activity. These issues have already been discussed in this document in earlier chapters however the majority of women in the correctional system are mothers, and a major consideration for them is reunification with their children. This adds to an additional “level of burden,” (Brown, Melchior, & Huba 1999) as the requirements of these women for safe housing, economic support, medical services, and so on include the needs of their children. There is little or no coordination among the systems a woman must navigate in the community, and there are often conflicting expectations that increase the risk of relapse and recidivism.

Women reintegrating back into the community, post incarceration, face a number of barriers and have a host of complex needs. There is the first, and most

obvious, and that is making the transition from a highly structured environment, where the majority of a woman’s movements are prescribed and her decision making abilities have been reduced to the absolute minimum, back to the community.

Moving past the initial transition of reintegration and the expectations that are placed on a woman by her case management team there are still the realities she needs to face. Most women that are incarcerated are mothers and this is probably one of the most difficult transitions for the women. They have been removed from being the primary care giver and decision maker for their children and have to make the transition back into their children’s lives. Contending with the alternative care givers to become the primary care giver once again and decision maker can be very difficult. Women experience guilt and shame when returning to the community especially if they recognize that they need to focus on their needs and health prior to making the leap back into motherhood.

Women involved in the criminal justice system often present many inter-related and concurrent problems which need to be addressed simultaneously or comprehensively in order to effectively enable them to move forward. Common issues are low self-esteem, dependency, poor educational and vocational achievement, parental death at an early age, foster care placement, constant changes in

<sup>3</sup> By Iren Tajbakhsh *Community & Counselling Services Manager*, Elizabeth Fry Society of Toronto



the location of foster care, residential placement, living on the streets, participation in the sex trade, suicide attempts, self-injury, and substance abuse. While women are held accountable for criminal behaviour, interventions must take into account the social, political and cultural context unique to women in society and be gender specific. “Crime is a choice, or series of choices, made according to the social context” and mediated by an individual’s perception of her environment (Law Commission of Canada 2003, pg. 38).

An experience that is unique to women is the double stigmatization of being part of a vulnerable population as being a woman and then adding the label of “offender”. Women appear, more often, as a member of more than one vulnerable population whether it be socio-economically based, victim/survivor of abuse, an ethnic minority, sexual orientation and gender identification, physical disability, mental health, etc. Women are over representative of our most vulnerable in society and that additional label or “offender” raises the barriers she is facing already even higher.

Gender plays a critical role throughout the criminal justice process. A review of women’s life circumstances and of the backgrounds of female releasees in the system makes clear that there are more effective ways to prevent and address women’s criminality than are currently in use. Criminal justice practice could be improved by addressing women’s pathways into the criminal justice system, their differences in offense patterns from the

patterns of male releasees, their experiences in the criminal justice system, and their responses to programs.

At present, both the availability of programming for female releasees and the types of services offered fall short of what is needed. For example, because women in treatment find recovery complicated by trauma, child-care issues, inadequate social support systems, and lack of financial resources, programming for women must take these issues into account. Additionally, it is critical that programs provide appropriate screening and assessment of the needs not risks of individual clients, along with a range of services designed to meet those needs. In creating appropriate services that truly take into account and respond to gender and cultural factors, we need first to reassess our current criminal justice policies. We can then work to adjust those policies so that the response to female criminal justice involvement is one that emphasizes human needs, specifically those that reflect the realities of women’s lives. Rather than focusing solely on punitive sanctions, we can begin to systematically consider the least restrictive appropriate alternatives to incarceration. The savings to society from a reduction in women’s imprisonment and from improved reintegration of women into the community will benefit not only the women themselves, but also generations to come. Best practices in effective reintegration for women should start at the point of incarceration, preparation for eventual release and continuing beyond release into community.



## ELIZABETH FRY SOCIETY OF TORONTO

Elizabeth Fry Society of Toronto provides holistic wrap-around reintegration services to women using with a particular emphasis on the following approaches:

**WOMEN-CENTRED:** each woman's actions must be understood and addressed within the context in which they live. Programs must take into account the socio-political and economic environment from which female releasees have evolved and to which they will return to once released. Recognition of the need for ongoing support must be integrated in all programs. Current programming must also respect the importance and centrality of relationships in women's emotional development.

**HOLISTIC:** The approach to women's successful reintegration is multi-dimensional; therefore the approach to programming must be holistic. Programs designed for women must recognise the importance of understanding the link with all the areas of a woman's life such as her own self-awareness, her relationships with significant others, her sexuality, and her spirituality.

**SUPPORTIVE ENVIRONMENT:** Loss of freedom is the primary consequence of incarceration. An environment that is safe and supportive in its physical layout and which promotes personal interaction and the exercise of responsible choices will help to empower women. It is also essential for staff to assist women in working towards a safe and successful reintegration. To do so, staff must be sensitive to women's issues, and should be fully aware of the goals of correctional programs, mental health programs, education, employment and employability programs, and social programs. The generalisation and transference of skills acquired in reintegration programs is essential to successful reintegration.

**RELATIONAL:** Contemporary thinking in this area suggests that women place great value in the development and maintenance of relationships, therefore, "situational pressures such as the loss of valued relationships play a greater role in female offending" (Bloom, Owen & Covington 2003). While social learning theories and cognitive behavioural interventions have proven effective with releasee population of both genders, some academics believe that relational theory is an approach that adds effectiveness to programming for women. Relational theory focuses on building and maintaining positive connections and relationships. The main goal is to increase women's capacity to engage in mutually empathic and mutually empowering relationships. To enable change, women need to develop relationships that are not reflective of previous loss or abuse.

Best Practices should be Trauma Informed, Gender Specific and Inclusivity, recognizing that each individuals experience is very specific to that individual. Language is extremely important when working with vulnerable populations, recognizing the unique qualities and experiences of that individual. Knowing that certain words or labels can be triggering, derogatory, inappropriate, and even oppressive



## SUPPORTING THE ROLE OF FAMILIES IN REINTEGRATION<sup>4</sup>

Incarcerated persons who maintain contact with their families while incarcerated have a better chance at successful reintegration (Visser & Travis 2003). In part, this is because family connections provide a conduit to community life for the incarcerated person. They hear about what goes on outside the prison environment and maintain a stake in it. Sometimes involvement extends to helping with decision making on important decisions. Hearing about the lives of former social contacts also helps to keep incarcerated individuals connected with people on the outside. Many incarcerated persons report that outside connections make longer sentences more difficult, as they may hear about things that are going on but find themselves unable to help, totally without control over the outcome. In the long run, however, isolating themselves from their support system can lead to more serious consequences, including a more difficult reconnection with family and friends.

Families play an important role in the reintegration process of a releasee. Families often provide immediate housing, employment connections as well as social and emotional supports (Gaetz & O'Grady 2006). The role of community organizations and service providers should be to help support and encourage families in the reintegration process. Many families go through a great deal of angst about what they should do to help prevent a return to substance abuse or criminal behaviour (Naser & Visser 2006). It is important for family members

to understand that they are ultimately not responsible for the releasee's behaviour. Providing encouragement and emotional support as well as helping them to avoid temptation can ease reintegration. Keeping a home free of alcohol and other substances and refraining from partaking in personal intoxication can go a long way toward helping releasees who want to remain clean and sober. Family members can also be sensitive to inviting the releasee to activities where drinking or other intoxication is expected, especially in the first few weeks after release. Similarly, living a wholly pro-social lifestyle provides a good model for the releasee.

One action to specifically avoid is to enable the releasee either to return to an addiction or to return to criminal behaviour. Enabling refers to removing the natural consequences of the person's behaviour. Releasees with addiction issues can pose special challenges to family members, as can those with mental illness. Approaches aimed at addressing mental health and addiction needs were discussed earlier in this chapter; however there are a number of provincial programs, not for profit organizations, or fully volunteer run organizations dedicated to helping families struggling with addictions and mental illness. To encourage participation, agencies should ensure that programs and services are accessible and easy to navigate so that families are able identify the correct service for their needs.

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<sup>4</sup> By Joanne Kehayas, Caring for Families.

## SOCIAL SUPPORTS FOR FAMILIES

In Ontario, The Family Outreach and Response Program of the **CANADIAN MENTAL HEALTH ASSOCIATION** in Toronto offers recovery-oriented mental health support services to families. The **FAMILY ASSOCIATION FOR MENTAL HEALTH EVERYWHERE (FAME)** offers support to families where any mental illness is an issue by providing one-on-one supportive counselling, education, resources, peer support groups and coping strategies to family members in the Greater Toronto area. Also in Toronto, The **CENTRE FOR ADDICTION AND MENTAL HEALTH (CAMH)**, offers free support and educational groups for families and friends of people with addictions, problem gambling, various mental illnesses and law and mental health issues. The **MOOD DISORDERS ASSOCIATION OF ONTARIO** and its chapters across Ontario provide a range of peer-based, self-help support groups. These groups take place in 31 different communities across Ontario for individuals living with depression, anxiety, or bipolar disorder. Some communities provide separate groups for family members, while others have one group for both the person with the mood disorder and their family members. The **SCHIZOPHRENIA SOCIETY OF ONTARIO** offers self-help support groups for family members of individuals with schizophrenia as well as a 4-week educational program called **Strengthening Families Together** that aims to provide valuable information to families, including about mental health and the justice system. This course is also offered online for those who live in communities without a nearby group. **AL ANON** and **NAR ANON** hold groups throughout Ontario for family members of people living with problem drinking or substance use.

For support groups specifically created for families of people who are or have been incarcerated, the **CANADIAN FAMILIES AND CORRECTIONS NETWORK** provides a list of organizations that sponsor such groups across Canada. These groups are largely informal, volunteer-run, and unaffiliated with each other. They usually offer information about the justice system, emotional support, and an opportunity to socialize with people who understand the circumstances of families with incarcerated family members. Some offer programs for children as well as adult family members. The Canadian Families and Corrections Network also makes available a number of research reports, books and other resources for families with incarcerated and formerly incarcerated members. These include research articles containing suggestions on how to involve children during incarceration and reintegration and on how to both offer support for and require accountability from their formerly incarcerated family member. CFCN has developed a handbook, titled *Coping Over Time*, of responses to common questions that have been answered by people who have lived through the situations (CFCN 2015). It can be a great resource for people who wish to explore alternatives to help them cope with the incarceration and community reintegration of their family member.

**CARING  
FOR  
FAMILIES**



**CFCN**  
Canadian Families and  
Corrections Network

**RCAFD**  
Regroupement canadien d'aide aux  
families des détenu(e)s

# STIGMA

## INTRODUCTION

The denunciation of criminal behaviour and holding people convicted of crimes accountable for their actions are goals of our justice system. These are very important functions. In addition, the justice and corrections systems also aim to rehabilitate individuals who have been found guilty in order to prevent future offending. An essential way to prevent recidivism is by providing an effective reintegration process; one that offers reintegrating individuals services, supports and treatment to address the issues that brought them into conflict with the law in the first place. Reintegration is a crucial component of community safety.

People who have experienced time in jail and/or have police records are often eager to move beyond their past and to create a new life and identity for themselves. They may have accessed programming and treatment that address their underlying issues, such as mental illness or unemployment, and have a vision of how they want their future free from crime to look. Roadblocks arise, however, on the road to realizing those aspirations. One major barrier facing reintegrating individuals is the stigma (and discrimination) that is

associated with having a police record (Goofman 1963; Small 2005). Police records are an often intractable stigma for people exiting the justice system. While as a society we want to denounce crime and criminal acts, we also need to foster effective re-entry for reintegrating citizens. Stigmatizing (and punishing) people indefinitely for having committed a crime in the past is counterproductive to building safer communities.

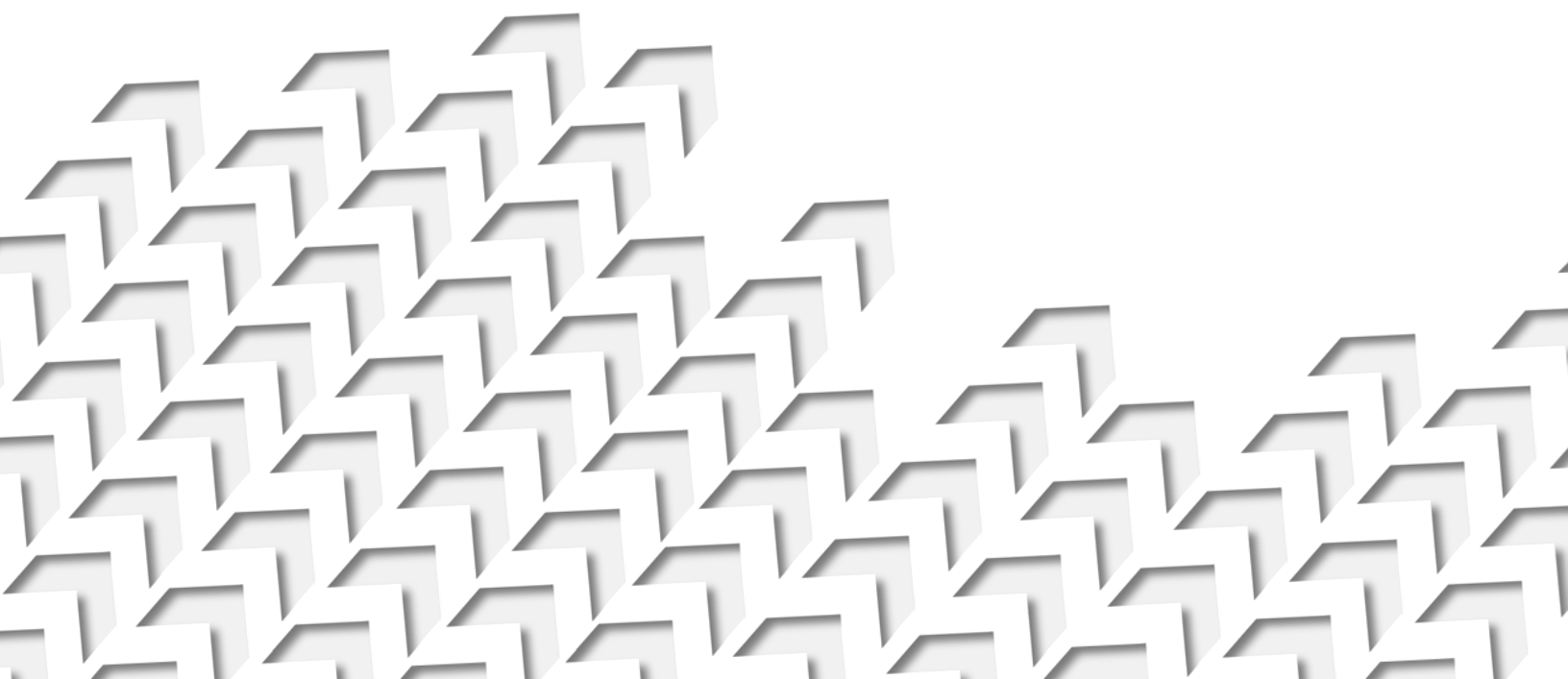
Imagine having to begin every job interview by describing the event in your life that you are most ashamed of. Or by recounting the worst thing you have done. This thing may have been ages ago, you may have atoned for it, and it may not be reflective of your character overall (now or ever). Further, it may have absolutely nothing to do with the job you are seeking. But once you have disclosed this information, you know it will colour people's immediate impressions of you, while your prior experience and qualifications recede into the background. In a very real way, people with police records often have to put "their worst foot forward." Police record checks or questions about criminal history on application forms for

employment, volunteer, housing, insurance and other opportunities force people to lead with the thing about themselves they are often most ashamed. People are judged upfront without being given the chance to demonstrate who they are today, and the unique skillsets they bring. The current societal demand for background screening and risk management has a dual effect: it renders a person incapable of redefining themselves (instead, they are constantly labelled an “ex-offender” or “ex-convict”), and it leads to the social exclusion of a significant proportion of the Canadian population from pro-social engagement.

There is some literature that explores how people internalize the labels assigned to them, and how this impacts reintegration outcomes. These studies identify how

reintegrating individuals feel like outsiders, occupying a status that is ‘less than the average citizen’; they feel marked and vulnerable (Uggen, Manza & Behrens 2004). Reintegrating individuals are expected to turn their lives around, but are consistently denied access to opportunities that would allow them to do so. This results in diminished self-worth, disillusionment and a sense of hopelessness and futility.

How do we combat the stigma associated with police records? How do we challenge prevailing assumptions about people with past criminal justice involvement? The first thing to do is arm ourselves with evidence, and the second is to change the language we use, our behaviour and ultimately, policies.



## THE EVIDENCE

Police records are incredibly common: over 4.1 million Canadians (and roughly 20% of the adult male population) have a record of criminal conviction(s) (JHSO 2014a). When you include the much broader range of non-conviction police records individuals can have in police databases (e.g. charges that did not result in convictions, non-criminal police contacts), that number is significantly higher.

Police record checks are a snapshot in time that tell you if a person has had any interactions with the police and criminal justice system. Clear record checks, however, are not “seals of approval” or certifications that a person will be a safe employee. Nor will they tell you if a candidate will perform well or be a good fit with the organization. Having stated this, we know based on research and public education work that employers and agencies frequently rely on record checks as *the* determining factor of whether or not to hire a person. In fact, some employers have eschewed other important methods of screening – such as reference checks – in favour of relying on the results of a record check. It is therefore critical to highlight that police record checks have not been found to be effective at predicting future criminal behaviour in the workplace (Kurlychek, Brame & Bushway 2007; Harris & Keller 2005). Said differently, relying on the presence of a criminal record to predict how a person will behave in the workplace is not supported by the existing social science evidence. How this information should inform agency policies, and where police

records should fit in human resources practices, is addressed below.

While it is clear that the existence of a police record on its own cannot predict future behaviour with any certainty, the stigma of a police record can have lasting impacts. Meaningful employment, stable housing and the positive social networks that come with employment all help prevent people from (re)offending in the future. Labelling someone permanently as a “criminal” or “bad” because they have a police record undermines community safety: the more we socially exclude persons with police records the more we edge toward creating a class of Canadians who are un-employable. It is a faulty assumption, based on stereotypes, that people with police records are universally dangerous or “bad” people who lack character.

Despite the lack of evidence regarding the utility of police record checks, an increasing number of employers, organizations and post-secondary institutions are requiring record checks from job applicants, potential volunteers, and even prospective students. In its 2014 report, JHSO surveyed Ontario employers in two counties and found that 51% of the employers require police background checks of prospective employees during the hiring process (JHSO 2014a). The businesses requiring these checks tended to be the largest employers, meaning that the majority of jobs available in those counties required a police record check upon application. Of those businesses that required record checks, 15% had a zero tolerance policy and simply excluded all



applicants with any police records from employment. While the remaining 85% of the employers indicated that they would be willing to consider hiring someone with a police record, the majority (61%) had never knowingly done so in the past. There are highly sensitive occupations where police record checks can be justified and even prudent to conduct, police record checks are often vastly overused. Entry level positions and positions that do not have ongoing and unsupervised contact with vulnerable populations, are increasingly subject to record checking. As diverse sectors increase demands for record check products, the negative social and fiscal costs of excluding a major subset of our population from the labour market mount.

It is also important to note that many people with police records faced social exclusion, marginalization and discrimination prior to any justice contact. People from racialized and Indigenous communities, people with mental health issues, and people who are homeless all face increased risk of coming into contact with the law. Having a police record reduces chances of securing employment by 50%, and the effect is more pronounced for racialized populations (Rodriguez & Emsellem 2011). Many people with police records have faced significant and overlapping challenges in their lives that gave rise to their justice involvement, and will also face heightened challenges to re-entry following incarceration or conflict with the law. Currently in Ontario, there are no human rights protections for job applications with criminal convictions that have not been subject to a record suspension (formerly known as a pardon).

Having said that, it is important to keep in mind that other human rights-protected grounds in Ontario – such as race, disability or age – are strongly implicated among those who have police records.

In Canada, criminal convictions are never sealed automatically, regardless of how much time elapses. The only way to seal records of criminal convictions is to receive a record suspension (pardon) from the Parole Board of Canada. It is very difficult to access record suspensions in Canada today. Record suspensions keep a person's record of criminal convictions separate and apart from the main databases that are queried when a person is getting a police record check. The process does not erase a criminal record. Record suspensions serve an important function: they enable people who have made positive life changes and who have abstained from criminal behaviour to be freed from many of the negative impacts and long term consequences of having a criminal record, such as securing employment and housing.

A person can only apply for a record suspension if they meet strict criteria: they must have completed their sentence, then remained crime-free for a minimum of five or ten years, and then pay a \$631 application fee as well as other associated application costs. For example, a youth from a marginalized community who was convicted of a criminal offence at age 18 could have to wait until his late twenties or early thirties to begin the record suspension application process (assuming he can afford to apply). Having a criminal record during these formative stages can significantly



undermine meaningful (and pro-social) community engagement.

In summary, the stigma of a police record can create significant and lifelong barriers for reintegrating individuals. Putting aside

solutions that require law or policy change to better protect the privacy and human of reintegrating persons, there are ways social service agencies can begin to combat stigma in our communities today.

## LANGUAGE AND ANTI-STIGMA EFFORTS

As noted, the labels we assign and the language we use to describe people have significant impacts on their self-perception and consequently their reintegration outcomes. Even among agencies in the justice sector (both government and non-profit) who serve clients in the reintegration process, labelling language is frequently used. Calling clients “offenders,” “criminals,” “convicts,” “ex-offenders,” and “ex-convicts” reinforces to both the community at large and the people labelled that their primary identifying characteristic is the fact that they have been convicted of a crime. People are people; this should always come first and foremost. For example, instead of using the term “ex-offender,” say instead, “person who is reintegrating” or “person with a police record.”

An example of a jurisdiction that has given thought to reducing stigmatizing language is Philadelphia. Recently the city’s council passed an ordinance amending The Philadelphia Code by replacing the term “ex-offender” with the term “returning citizen” (JHSO 2014a). In addition, the Mayor of

Philadelphia also signed an Executive Order to change the name of the city’s “Office of Re-integration Services for Ex-Offenders” to the “Office of Re-integration Services” in order to comply with the ordinance. Consistent with this Executive Order, the City of Philadelphia must cease use of the term “ex-offender” on any official and unofficial communication, document, or other written material.

In addition to changing the language individual organizations use, social service agencies could also develop and undertake awareness programs that aim to reduce the stigma associated with police records, or host existing public education workshops in their communities. For example, the John Howard Society of Ontario and Canadian Civil Liberties Association offers public education workshops<sup>5</sup> on police record checks for employers, volunteer agencies and human resources professionals to inform them about police records, the social science evidence, and best hiring practices that are consistent with human and privacy rights.

<sup>5</sup> These workshops, called [On the Record](#), have been delivered across the province. Contact the [John Howard Society of Ontario](#) and/or the Canadian Civil Liberties Association for more information.

## IMPROVING ACCESS TO EMPLOYMENT AND VOLUNTEER OPPORTUNITIES

In order to help minimize the amount of stigma individuals feel when entering the labour market, skills training, matching reintegrating individuals with mentors and involving them in neighbourhood projects have all been identified in the literature as essential (Edgar, Aresti & Cornish 2012; Clear, Rose & Ryder 2001; Uggen, Manza & Behrens 2004; Wakefield & Uggen 2010). As noted, employment is a game-changer for reintegrating individuals, if they are able to access it. For a review of best practices around employment and skills training, see pages 19 - 27 of this booklet.

Even when individuals have impressive resumes and job skills, finding employment with a police record is daunting. Currently, Ontario's *Human Rights Code* provides for protection against discrimination in employment on the basis of a "record of offences". The definition of this ground, however, is quite narrow: it includes only convictions for which a record suspension has been obtained, and convictions for provincial offences.<sup>6</sup> Other provinces and territories, in contrast, provide much broader protection in this area, encompassing all forms of criminal and police records. Employers in Ontario can (and frequently do) legally exclude anyone with a police record that is not captured under the "record of offences" definition, regardless of whether the record is tied to a *bona fide* occupational requirement.

In spite of this reality, there are important things social service providers can do to help individuals with police records find employment. Social service agencies often have strong connections to local employers and other non-profits in their communities. Staff from social service agencies can try to proactively advocate for more inclusive hiring practices among employers in their community, and especially those who may accept volunteer or job placements for reintegrating clients. Social service agencies should also reflect on their own screening practices, asking themselves if they are being the most inclusive employers possible.

In other jurisdictions (e.g. the U.S. and the UK) there has been a rise of the aforementioned "Ban the Box" campaigns, where companies and even entire states have banned including a question or checkbox about criminal history on job application forms. This allows people who have police records to get the chance to be interviewed on their merits, before ultimately undergoing a record check. Too often the criminal history checkbox on the application form is used to automatically screen out any applicants who check it, or it deters people with police records from applying at all. In 2014 the John Howard Society of Ontario and the Canadian Civil Liberties Association published an information guide for employers, volunteer agencies and human resources professionals on the use of police record checks. In this

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<sup>6</sup> Ontario Human Rights Code, R.S.O. 1990.

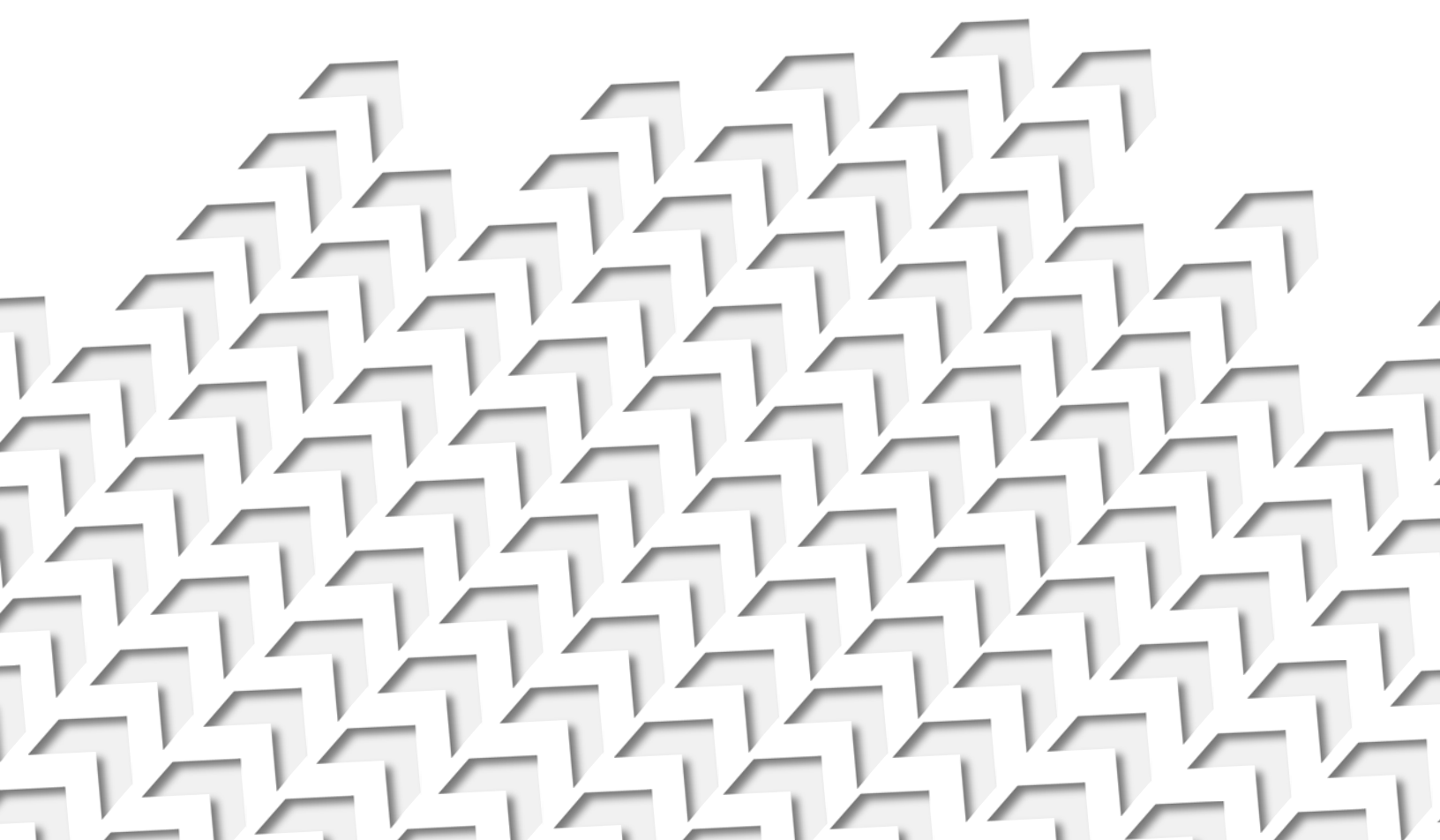
guide, entitled *On the Record*, best practices around the use of police record checks are outlined, consistent with the social science evidence, human rights and privacy rights (JHSO 2014b). Some key recommendations detailed further in the *On the Record* guide include:

- If your organization requests record checks, understand why you are requesting record checks, and that rationale should inform your policy and practices.
- Zero tolerance policies – i.e. automatically excluding any candidate with a police record – are discriminatory and should be avoided.
- All organizations that require record checks should develop a clear company policy around police record checking, and assess each position individually to determine whether or not a police record check is required.
- Always request the least intrusive record check necessary for a position. In Ontario, the recently enacted *Police Record Checks Reform Act, 2015* established three levels of record check that will be offered by police services across the province: the criminal record check; the criminal record and judicial matters check; and the vulnerable sector check.<sup>7</sup>
- Where it is determined that a police record check is justified for a specific position, position-specific assessments to determine what criminal convictions would potentially bar a person from meeting *bona fide* occupational requirements of that position should be undertaken. This should be a narrow subset of criminal convictions that are clearly connected to the position being sought, and would prevent a candidate from meeting their job duties (i.e. a *bona fide* occupational job requirement). This list should be developed before the job ad is posted, form part of the criminal record policy, and should be shared with candidates if requested.
- Protocol should also be developed to inform Human Resources staff about how to assess a criminal record's relevance to a job position, should a criminal record reveal a record of convictions. Questions that could inform this protocol are outlined in *On the Record*.
- Always treat people with dignity and respect, even if you cannot hire them based on their record check's contents.

<sup>7</sup> The *Police Record Checks Reform Act, 2015*. Accessed from: [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&BillID=3416&detailPage=bills\\_detail\\_the\\_bill](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=3416&detailPage=bills_detail_the_bill)

## RECORD SUSPENSIONS

With respect to applying for a record suspension, the requisite information and application forms can be found on the Parole Board of Canada's website.<sup>8</sup> One does not require a lawyer or private company to help with the application process. If clients are interested in applying for a record suspension, a number of agencies like the John Howard Society offer free or low-cost assistance with the application process. In addition, in some communities in Ontario, if individuals are receiving social assistance, these benefit programs may cover the cost of applying for a record suspension, as a criminal record is seen (quite rightly) as a barrier to an individual finding work (and therefore exiting social assistance).



<sup>8</sup> Parole Board of Canada: Record Suspension Application Guide and Forms. Accessible from: <http://pbc-clcc.gc.ca/prdons/pardon-eng.shtml>

## CONCLUSION

Successful reintegration requires careful consideration of many issues and challenges facing releasees in Ontario. The most pressing challenges facing releasees are Discharge Planning, Housing, Employment and Education, Social Supports and Complex Needs, and Stigma. As discussed throughout this document, many releasees in Ontario lack access to adequate discharge plans before their release from prison. The lack of discharge planning is linked to negative outcomes that aggravate the already enhanced challenges faced by releasees such health, housing and stigma. Releasees have higher rates of homelessness, unemployment, physical and mental illness, substance abuse issues and social stigma than the average Ontarian.

Although each releasee has distinct needs the majority face most of, if not all, the barriers outlined in the priority areas. Priority areas are often interconnected and have significant implications on one another. As such it is crucial for service providers to address all of the priorities in order to successfully support a releasee throughout the reintegration process. This document provides a number of effective models and examples from organizations across Ontario on how to address the issues in each priority area. Although each best practice discussed often addresses specific needs and has a specific focus and goal, there are a number of common themes that emerge across all priority areas.

Firstly, the most effective programs and services are often those that are specifically designed to address the needs of releasees and/or individuals with past criminal justice involvement. Traditional services designed to provide supports to a wide spectrum of clients facing different barriers are not equipped to meet the many intricate and intersecting needs of releasees.

Often, these services do not take into account the complex and multifaceted barriers faced by individuals. Services and programs that are effective for releasees require qualified staff and a focused approach to deal specifically with the intrinsic barriers faced during the reintegrative process.

Secondly, many of the programs and services identified as effective have adopted a multi-sectoral or inter-organizational approach. Organizations elected to collaborate and leverage the expertise and services of other agencies in order to develop services that adequately met the complex needs of releasees. Related to the multi-sectoral approach, the third common best practice observed was wrap-around or holistic approaches to services. As discussed, the barriers faced by releasees often intersect and can, and do, negatively augment other barriers. For example not having a job can lead to homelessness, have detrimental effects of physical and mental health and increase stigma. Addressing multiple barriers through comprehensive programs and services in a timely manner ensures that all the priority needs of releasees are met and thus expedite the process of reintegration.

Lastly, it is becoming clear traditional programs and services are no longer adequate in dealing with complex nature of reintegration. More and more organizations and service providers are moving towards innovative or unconventional approaches to address particular issues for releasees. As highlighted throughout the document, innovative best practices can be applied to all the issues in the priority areas. For example using social innovation for long term employment, adopting different pedagogical approaches to education and utilizing the Housing First Models to homelessness, mental illness and substance abuse issues.

Reintegration has important implications not only for releasees and their family but the wider community as well. As illustrated throughout this document addressing the complex issues in each priority area can significantly reduce further criminal justice involvement. Reduction in post-release recidivism not only keeps an individual out of prison but enhances community safety.



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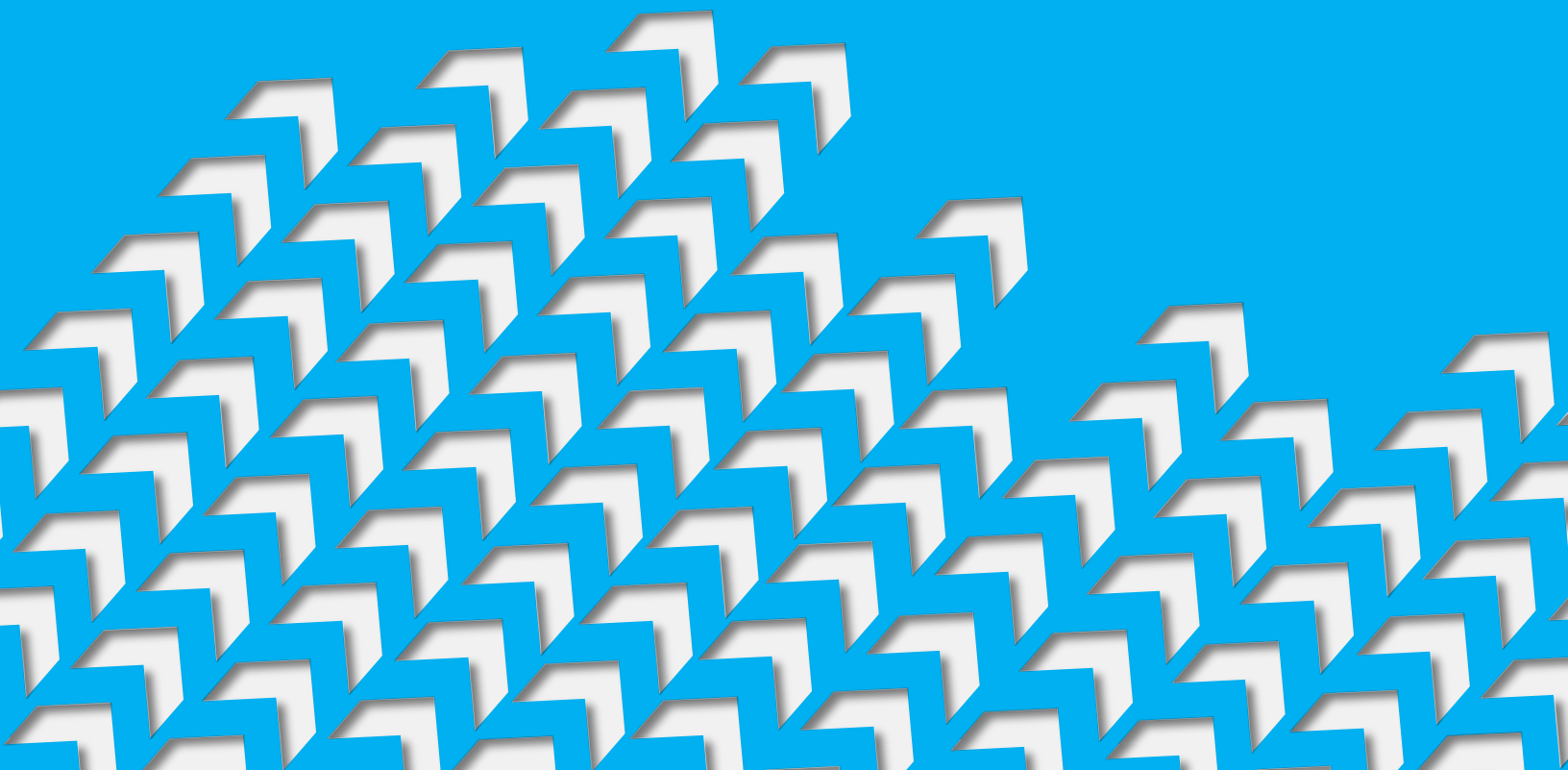
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