



SUBMISSION
**JHSO's Submissions to the
Consultations on Community
Reintegration**



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About the John Howard Society of Ontario

For more than 90 years, we've worked to keep the humanity in justice.

Today we continue to build a safer Ontario by supporting the people and communities affected by the criminal justice system. Our 19 local offices deliver more than 80 evidence-based programs and services focused on prevention, intervention and re-integration across the province. These range from helping youth develop the life skills that will let them achieve their full potential, to helping families navigate issues of criminal justice, to providing job training for those leaving incarceration so they can contribute to their community in a meaningful way. We promote practical, equitable policies while raising awareness of the root causes of crime and calling on Ontarians to share responsibility for addressing them. Within the system itself, we advocate for the fair treatment of every individual. Each year, our work impacts the lives of more than 100,000 Ontarians.

Please accept this document as the submission of the John Howard Society of Ontario (JHSO) to the consultations on community reintegration. We are pleased for the opportunity to share input into this process.

We commend the Ministry of the Solicitor General for its efforts to enhance community reintegration planning to support sentenced and remand populations. We greatly appreciate the opportunity to join the consultation meeting on September 28, 2021. As indicated in that meeting, we have prepared the following written submissions to elaborate on key points we raised during the consultation and share feedback gathered by staff from across the local JHS offices in the province involved in institutional services and reintegration supports.

The following submissions are organized into key points we feel are critical to consider for the Ministry of Solicitor General's community reintegration strategy.

1. Consistent community reintegration planning starting at the point of admissions for all remanded and sentenced individuals

We commend the Ministry for including remanded prisoners in the strategy to strengthen reintegration planning. Even short stays in a provincial correctional institution can have a profoundly disruptive impact on people's lives. They can result in a loss of income, employment, housing and undermine mental health. Effective discharge planning is critical to ensuring a successful re-entry post-release by helping individuals maintain (or regain) access to these vital services and supports.

We recognize the challenges to providing reintegration planning for remanded prisoners, as release dates are often unknown, and time spent in correctional institutions can vary greatly. We have heard from frontline staff that reintegration planning is not consistently available to all individuals in correctional institutions and is sometimes only discussed with individuals shortly before their release. This gap in planning has only become more urgent amid the pandemic, when housing and critical community supports have been in shorter supply and in greater demand than ever before. However, there are key questions that can be asked at the point of admission whether individuals are sentenced or remanded, that can aid in reintegration planning and prevent homelessness or loss of earnings upon release.

JHSO has identified what, in our view, are the minimum and most critical questions to ask of all inmates admitted to institutions – even for short remand stays.**

1. a) Do you have a birth certificate, and are you able to access it?
b) What ID do you need to have replaced? (*not: whether or not they need to replace any ID*)

2. a) Prior to your arrest, where were you residing (e.g., house, apartment or shelter) and what is the address? Do you plan to return there? AND/OR If you were to be released from custody today, where would you stay?
 - i. *Possible additional follow up:* Can we do anything now to help secure a residence for your release?
 - ii. It would also be helpful to ask whether individuals were living in rent-geared-to-income housing or community housing. There are risks of eviction or loss of subsidies due to incarceration in these instances that could be prevented if contact with caseworkers was initiated as early as possible.
- b) How do you plan to get there (to see if they need assistance with transportation)
3. Were you receiving OW or ODSP at the time of your arrest?

***Correctional officers or social workers should let prisoners know, before asking these questions, that their answers will have no bearing on their release or case, and are only to help with reintegration support.*

The above questions can help identify needs like a lack of ID, housing, or income, allowing the reintegration planning process to begin early on. This will help ensure access to services and supports to support a successful release and reduced risk for recidivism. Housing is a key issue that needs to be addressed early. It would be extremely helpful to know from the point of admission if housing is available and if not, to get the appropriate supports in place immediately. The lack of ID and/or birth certificates stalls other processes and can prevent access to services and supports, so addressing these issues early is critical. For instance, JHS assists incarcerated individuals with getting health cards if on methadone, and it would be helpful to know from admission if they require a birth certificate. Recipients of social assistance programs also have reporting requirements that need to be met when they are taken into custody. If it is known who is on these social benefit programs, there can be conversations facilitated with their OW/ODSP caseworkers to alert them that they have been taken into custody and provide them with a release date (if known) to ensure their full income support can be reinstated as soon as they are released and avoid overpayments. It would be good to know if they are supporting family members on their OW/ODSP as well to help prevent issues with their family's receipt of benefits while the main recipient is in custody.

2. Collaboration with community-based service providers enhances success of community reintegration strategies

Partnering with community-based organizations with expertise serving populations that are justice-involved, and are responsive to the particular needs of BIPOC communities, is critical to ensure re-entry planning is tailored to the needs of returning individuals. Frontline service workers are also often in a position of trust with justice-involved individuals allowing for the

identification of needs and the facilitation of referrals to services and supports.¹ In our 2020 research study, which included surveys of justice-involved clients, JHSO heard repeatedly that lack of trust was a barrier preventing those in conflict with the law from engaging with staff or professionals working within legal/justice systems. The research found, as other reports² have also recently highlighted, that people who are justice-involved seek help and support from staff at trusted community-based social service agencies. It is crucial that any examination and transformation of community reintegration and discharge planning contemplate how to better partner with and enhance the role of community-based stakeholders in these essential processes.

Having stated this, frontline staff have cited difficulties connecting with prisoners before release, therefore being unable to create a plan of support upon release or identify necessary referrals. Where service providers have access to institutions, lockdowns and, of course, the public health crisis resulting from the pandemic, have presented issues in terms of accessing individuals within institutions to support with release planning. Phone calls are costly and without a toll-free line, individuals are often unable to call community services providers to make connections while they are incarcerated. Community service providers may also experience challenges being added to the call list. Often, individuals will leave institutions and end up at the door of their local John Howard Society, looking for support. Increased collaboration between service providers like JHS can support Ministry staff's community reintegration planning, identify needs early on and ensure individuals are connected with the appropriate supports upon release.

We have previously recommended that the Ministry of the Solicitor General invest in and partner with community-based agencies, like JHSO, on a pilot basis to establish embedded release planners who work alongside correctional staff and social workers, at 5 or more correctional institutions across Ontario, reflecting the different regions.

In short, community-based partners could work alongside correctional staff to triage admissions, once newly admitted individuals have cleared the security measures. Embedded release planners could administer a brief release planning screening tool, and then case manage screened individuals. This pilot would build on organizations like JHSO's existing expertise that we have acquired from providing in-reach and institutional services in provincial correctional institutions across the province for decades. JHSO currently provides institutional services at more than half of all adult correctional facilities on a routine basis, including the five largest institutions. JHSO also partnered with the Ministry of Solicitor General during the pandemic to provide post-release emergency supports to those exiting six correctional institutions; this type of model could be

¹ John Howard Society of Ontario. (2020) Legally Bound: Addressing the Civil Legal Needs of Justice-Involved Ontarians. Retrieved from: <https://johnhoward.on.ca/wp-content/uploads/2020/07/Legally-Bound-The-Civil-Legal-Needs-of-Justice-Involved-Populations.pdf>

² CLEO. (2018). Trusted Help: The role of community workers as trusted intermediaries who help people with legal problems - CLEO Connect

greatly improved upon if partnerships and therefore access to clients could begin prior to release. Community-based agencies deliver evidence-based programs in the community that incarcerated persons could be connected to upon release; if intakes and plans for these programs could be commenced prior to discharge, the transition to community process would be much smoother and more effective. The release planners could support the screening of all admitted individuals – remanded or sentenced – but emphasis would be on more rapid triaging of remand populations, given that there is discharge planning provided for sentenced individuals by correctional social workers. Government-community partnership models such as these are worthy of exploration and evaluation, and we would be delighted to discuss how such collaborations could be implemented.

3. Rehabilitation programs for all prisoners regardless of length of stay to promote successful re-entry into community

Greater access to rehabilitation programs and meaningful work opportunities should be provided to both sentenced and remanded prisoners to support their successful re-entry into the community. Frontline staff have cited concerns over inconsistent access to ongoing programming and support while incarcerated, particularly for those on remand. We suggest that the Ministry pilot a risk classification tool to house incarcerated individuals in different types of security settings, to better prepare them for release. We would recommend the use of these tools to allow for greater freedoms, movement and privileges ahead of release, even in maximum security settings.

Community service providers, like JHSO, are also in a unique position to help provide programming and other supports to incarcerated individuals at institutions across the province. These could bolster the Ministry's current suite of programming (e.g., caring dads, health relationships, coping skills & strategies), and work alongside the anger management and addiction-based programs that were offered via groups prior to COVID-19. In newer builds, the potential for meaningful outdoor programming, such as farms or gardens, should also be explored.

4. Avoid releases on evenings and weekends

Short notice releases that occur on evenings or weekends can create a barrier to reintegration for incarcerated individuals. The days following release are a critical time period wherein if a person doesn't stabilize, they will be more likely to re-engage with the justice system quickly. This has become even more pronounced in light of COVID-19. When individuals are released in the evening hours or on weekends, they are often unable to access much-needed services due to reduced hours, reduced staff availability or capacity limits. This is especially concerning in light of the capacity limits on shelters. With many having to wait multiple days to access these critical services, the risk of recidivism increases.

We encourage efforts to release individuals during the weekday business hours wherever possible, as well as the continued use of temporary access passes (TAPs) and parole to facilitate the gradual release of individuals. We would recommend the exploration of mechanisms or processes to support remanded individuals who are released outside of regular business hours without a plan, transportation, or anywhere to go.

5. Integrate health services for correctional populations into the broader health care system to ensure greater continuity of care upon release

Individuals who come into contact with the criminal justice system have higher rates of physical and mental health issues than the general population. This population often lacks access to primary health services in the community and relies heavily on expensive emergency services for their health issues. We laud the Ministry's creation of a Corporate Health Care and Wellness Branch dedicated to improving health care delivery in correctional facilities. The establishment of this Branch demonstrates a commitment to prioritizing health care delivery for provincial correctional populations. Incarcerated populations present an opportunity to bring hard to reach, vulnerable populations into the health care system. This improves individual and public health outcomes and reduces the burden on costly emergency services and complex, long-term care by improving access to early intervention and primary care services.

Health screening at the point of admissions should inform treatment plans for the individual while incarcerated and inform their transition to Ontario Health Teams (OHTs) to continue the care required for the individual upon release. Frontline staff have cited concerns with individuals being released without sufficient medication or supports, beyond a few days. Connecting discharged individuals to CHCs and other forms of primary health care in the community is needed to promote continued treatment upon release and meaningful community reintegration support. Individuals transitioning into community should also be released with a month's supply of medication to ensure continuity while they are connected to community based health care providers.

Frontline staff have also cited mental health and addictions supports as an opportunity for enhancement in the community reintegration process. Often, justice-involved populations experience mental health and addictions challenges or have other complex needs. In the provincial correctional system, 35% of incarcerated people have a mental health alert on file and this increases to 50% for female prisoners.³ Substance use issues are also common. Mental health screening is included in the current state journey. This is a crucial step and can allow for risks and needs to be identified and to connect individuals with mental health and addictions supports during and after release. Triage and screening by a regulated health professional should take place no later than 96 hours after admissions and reassessments should occur on

³ Office of the Auditor General of Ontario (AGO). (2019). Annual Report 2019. Reports on Correctional Services and Court Operations. Volume 3. Toronto, Ontario: Office of the Auditor General of Ontario. Retrieved from: http://www.auditor.on.ca/en/content/annualreports/arreports/en19/2019AR_v3_en_web.pdf.

a regular basis. This streamlined approach will not only benefit the individual by improving their health, but it would also help prevent future contact with the criminal justice system and acute care/emergency departments.

Investments in correctional health care create safer, healthier communities and contribute to successful reintegration and reduced recidivism. Ensuring adequate care for individuals while incarcerated, and the appropriate connections upon release, also reduces the risk of re-incarceration and saves money on emergency and acute care in the community.

6. The need for dedicated supportive housing justice beds to promote successful reintegration

Limited housing options is often raised as a key issue for successful reintegration. Justice-involved populations often face higher incidences of homelessness due to loss of income and an inability to pay rent or mortgage payments, higher rates of complex mental health and addictions issues, as well as stigma associated with having a criminal record, resulting in significant barriers to accessing stable housing and some emergency housing options. Dedicated beds for justice-involved clients would address this issue.

There are examples across the province of supportive housing models that aim to reduce homelessness and reliance on emergency shelters for justice-involved populations. John Howard Society of Thunder Bay operates a rehabilitative residence service that offers housing with supports to men and women that are involved or at risk of involvement with the criminal justice system. The program provides shelter while also connecting individuals with the services needed to address underlying issues and a personalized case plan to build strength and resilience and protect against future criminal justice involvement. Similarly, John Howard Society of Ottawa runs residential programs that employ a housing first model, providing long-term housing with supports to individuals who have experienced chronic homelessness. Services like these, particularly for justice-involved populations, are essential and should be scaled up throughout the province.

We recognize the housing supply is not within the (exclusive) jurisdiction of the Ministry of Solicitor General. However, we recommend continued exploration of engagement between the Ministry of Solicitor General, Ministry of Attorney General and others to expand existing supportive housing justice beds (programs like bail beds) and the creation of dedicated housing facilities for justice involved populations including those on bail and those recently released or probation clients.

Thank you for the opportunity to provide submissions to the consultations on community reintegration. We would be happy to discuss this further and answer any questions you may have and would invite continued engagement as you determine next steps following

stakeholder consultations. Please let us know if there are any other ways we can be helpful to the Ministry as it aims to improve community reintegration.