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THE OFFENDER AND EX-OFFENDER  
AS A CORRECTIONAL  
MANPOWER RESOURCE

Published under the authority of  
The Honourable Warren Allmand,  
Solicitor General of Canada

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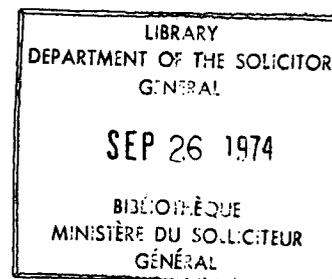


Solicitor General  
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# THE OFFENDER AND EX-OFFENDER AS A CORRECTIONAL MANPOWER RESOURCE

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**THE OFFENDER AND EX-OFFENDER  
AS A CORRECTIONAL MANPOWER RESOURCE**

**NATIONAL CONSULTATION TEAM**

**Chairman**

Colin Sheppard

**Executive Secretary**

Marie Eve Fontaine-Hart

**Committee Members**

Deborah Fox

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Michael Swords

Ottawa,  
May 23, 1974

The Honourable Warren Allmand, P.C., M.P.,  
Solicitor General of Canada,  
340 Laurier Avenue, West,  
Ottawa, Ontario  
K1A 0P8

Dear Sir:

It is with (such) pleasure that I submit to you the Committee's report on "The Offender and Ex-Offender as a Correctional Manpower Resource". Through the course of our enquiries we canvassed the views of persons involved in all aspects of criminal justice work in Canada and this report represents a synthesis of these opinions.

The undertaking of this study was a stimulating experience for all members of the Committee. We were at all times impressed with the earnestness and importance with which persons across the country approached this subject. In our report we have tried to reflect these thoughts and feelings and to interpret them in terms of realistic recommendations.

On behalf of the Committee I wish to say that it is our hope that this report will serve to develop a Federal-Provincial role in encouraging the use of ex-offenders in crime prevention, corrections and after-care.

Yours truly,

A handwritten signature in cursive script that reads "Colin Sheppard". The signature is written in dark ink and is positioned centrally below the typed name.

Colin S. Sheppard,  
Chairman

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It would not have been possible to undertake a study of this kind without the cooperation and help of many individuals and organizations. Despite the fact that for some the subject matter of our research was controversial, the many private, provincial and federal agencies to which we went for information, opinions and ideas, cooperated with us to the fullest extent. The numerous briefs we received from groups and individuals across Canada provided much useful information and proved that the issue under discussion is of vital interest throughout the country.

We have also been greatly assisted by the inter-agency committee made up of representatives of the three agencies of the Ministry of the Solicitor General. The committee was formed to aid us in matters of communication, liaison, information and research and its help was invaluable.

Needless to say, without the staff we recruited, it would have been impossible to execute the task entrusted to us. We thank them warmly for their resourcefulness, enthusiasm and vigour.

Particular thanks go to two people — Madame Marie Eve Fontaine-Hart, whose enthusiasm and spadework provided the impetus for this study, and Donald R. McComb, who we used quite mercilessly for feedback, guidance and advice.

For the members, the study was a stimulating experience, bringing into focus the widely divergent views that surround the subject matter of the study. (the workshops that were held across Canada in the fall of 1973 brought together (the) people with these divergent points of view and we wish to thank them for their interest and the candour with which they presented their ideas. The way in which correctional officers and ex-inmates were able to discuss rationally the issues at stake augurs well for the future of Canadian corrections. We also wish to thank the University of Ottawa, Department of Criminology, for the use of their office facilities and secretarial resources which were much appreciated by the committee and the staff.

C. Sheppard  
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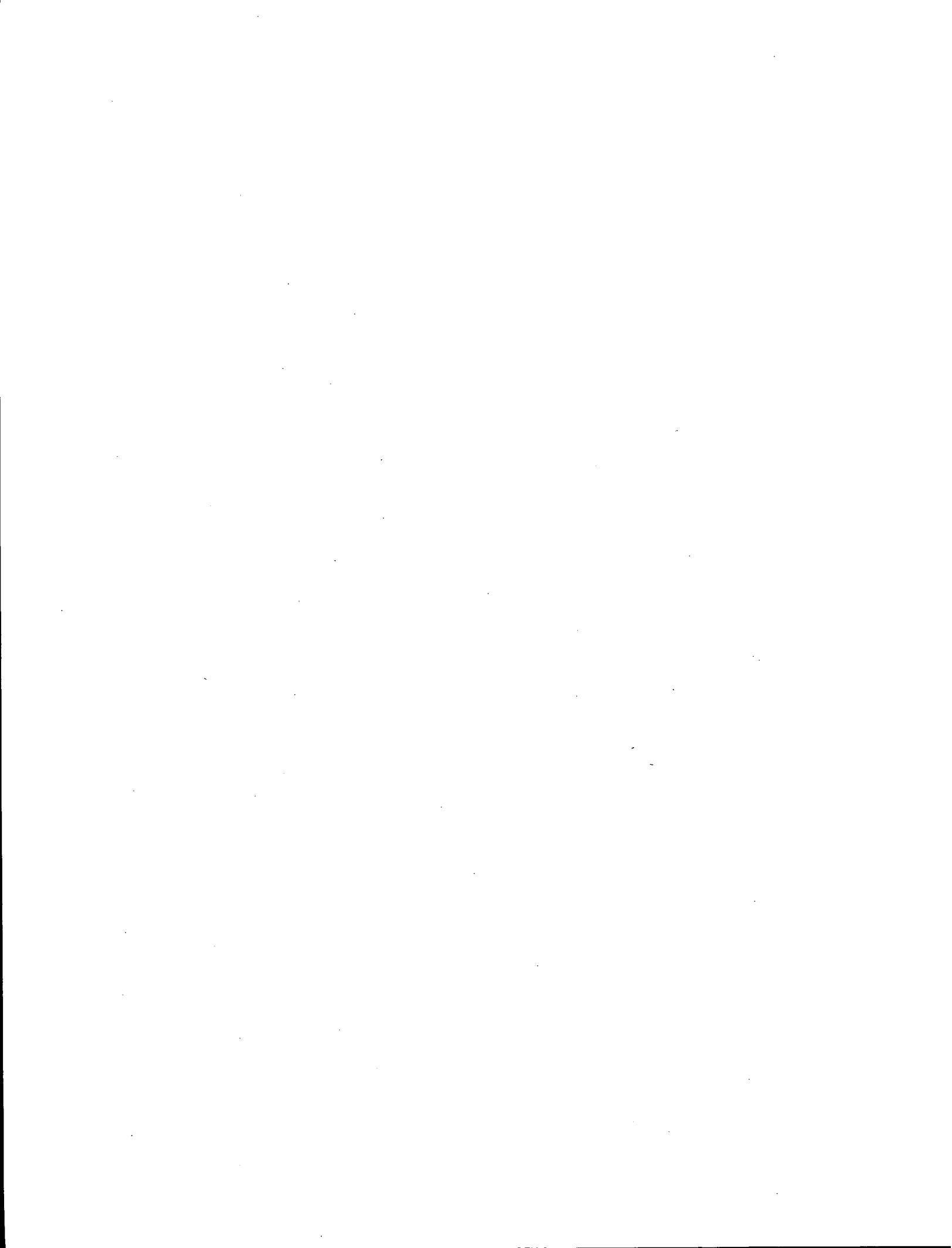
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## PREFACE

It has long been recognized that the correctional system has not been effective in achieving its objectives. Neither the punitive approach nor the rehabilitative approach has managed to come to grips with the basic problems of corrections, that of coping with the "offender" in society, understanding his motives and helping him to return to "normal" society.

The rehabilitative ideal, which purports to correct the behaviour of persons committing criminal acts by creating opportunities to help them understand and change their criminal style of life, emanates from a set of values that are the antithesis of those held by criminals. According to the rehabilitative ideal, criminals can be encouraged by means of persuasion and coercion to change their values and, consequently, their behaviour. Those charged with the responsibility of achieving this objective are seen as advocates of the conventional value system, who subscribe to the view that rehabilitation is the best means of eradicating criminal acts. Yet the consensus now voiced by both criminals and rehabilitators alike is that the objectives of the correctional system are not being achieved by the rehabilitative approach and that the methods themselves are suspect and in need of re-examination.

The rehabilitative ideal is not embraced by all persons employed within the correctional system. Many view the "treatment and welfare" approach to criminals with suspicion and often antagonism. Their philosophy of "make the punishment fit the crime" while simplistic, is still pervasive and has perhaps unfortunately become labelled a "positive" approach to crime control. It argues, quite cogently that, the trend towards "treating" the criminal has complicated and diluted the obvious and time proven ways of coping with such problems.

Despite the questions and criticisms directed at those who advocate crime control through rehabilitation, it is unlikely that society will return to a system of control founded solely upon punishment and deterrence. Instead, a re-examination is being made of some of the premises upon which modern day corrections is based. Implicit in the self-examination that is now taking place is a new willingness to experiment and to implement programs that have not evolved from traditional correctional practices. Tradition has always cast the offender as the recipient of correctional services. Utilizing him, instead, as a correctional manpower resource is evidence of a new perspective.

The growth of inmate and ex-offender self-help groups not only challenges traditional correctional practice but is evidence of a growing desire to implement hitherto untried rehabilitative models. The concept of the client as an instrument of change is not new, indeed it has been practiced with demonstrated success by alcoholics and drug addicts for many years. But it is a relatively new innovation in corrections and, to give credit where it is due, emanated from the desire of offenders to be partners and participants in correctional rehabilitation.

This study is the first of its kind to be carried out in Canada. Because of this it is exploratory in nature, aspiring only to document the extent of ex-offender participating in corrections and to pave the way for more refined research in the future.

Although the study intended to focus on the ex-offender employed in corrections, it became difficult to decide which segments of the criminal justice system to include and which to exclude. The concept of a system of criminal justice suggests an aggregate of components including law enforcement, the judicial process, incarceration, probation, parole, and after-care.

It was impossible to discriminate accurately between agencies whose sole function is "correctional" and those whose function is entirely different. Accordingly, for the purposes of this study, it was decided to include ex-offender self-help groups as part of the overall system and to make a distinction between the "formal system" and the "informal system". The "informal system" is made up of those agencies not totally financed by a government department. Thus, the John Howard Society, the Elizabeth Fry Society and all ex-offender self-help organizations are included in the informal system. The "formal system" includes all governmental agencies and departments responsible for the arrest, conviction and disposition of criminal offenders. Thus the formal system includes police, courts, institutions, probation, parole and governmental agencies engaged in planning, policy making and research.

The study of the ex-offender working within the formal system raises two broad questions: (a) should the ex-offender be barred from employment within the system? and (b) can the experience of being an offender be considered a positive attribute for employment?

It is immediately clear that these questions are interdependent. If the person with a criminal record is viewed as unsuitable for employment in the criminal justice system then clearly the second question becomes purely academic. Similarly, if it could be successfully demonstrated that the aims and objectives of the criminal justice system could be achieved by utilizing the skill of its former clients then it is highly unlikely that barriers would be erected to prevent such persons from working within its boundaries.

To approach the first question: "Should the ex-offender be barred from employment within the system?" it is necessary to separate the components of the system, i.e., police, court, corrections, etc., because their functions vary considerably and it might be argued that while the ex-offender should be employed in some components, he should not in others. The trouble with this approach is that it conflicts with the concept of the system as a total process, each component intrinsically linked to the text. Nevertheless, in terms of work roles, there is clearly a difference between law enforcement and custodial functions on the one hand and treatment functions on the other. If a barrier to employing the ex-offender is to be erected, the arguments to support such a step will have to be made for each component within the system.

The second question: "Can the experience of being an offender be considered a positive attribute for employment?" takes into account the ex-offender's life experience within the criminal justice system. The experience of being an ex-offender is unique to those persons convicted of a criminal offence. Yet it is clear that it is the *disposition* of a person's conviction that determines whether or not he has had a unique experience. Being convicted and fined is a very different experience from being continually incarcerated in a variety of penal institutions. Thus, the person who has been processed only through the law enforcement and judiciary components (for example, the person with one conviction leading to a suspended sentence) has little experience of the total process, unlike the person who has been the recipient of institutional and correctional services and who has therefore a broader experience to draw on.

Although the study's only mandate was to explore the phenomenon of the recipient of services becoming the provider of services, there was an implicit reference to the role-reversal aspect, exemplified by the former inmate who later returns as a correctional officer to the same institution in which he was imprisoned, or the parolee who becomes a parole officer. During the course of inquiries, two extreme points of view emerged about the offender who later takes a "helping position" in the lives of other offenders. One held that institutional experience as an inmate should be a prerequisite for such a position and that anybody lacking this experience could not possibly be effective in his work. The other held that the ex-inmate could never "be trusted" to be objective in working with and helping other offenders and that, furthermore, the experience of being an inmate was neither a relevant nor positive asset in working towards the rehabilitation of offenders.

These widely divergent points of view both perceive the offender as an unidimensional person. Yet those who break the law and are duly convicted are not a homogeneous group of citizens who are either all good or all bad. In reading this report it would be as well to remember that ex-offenders are as diverse in their needs and motivations as all human beings and vary, one from another, both in their desire for a career in corrections and in their ability to demonstrate the necessary qualities for this demanding profession.



*Either nature is closed to our demands for futurity in which case thought, the fruit of millions of years of effort, is stifled, stillborn, in a self-abortive and absurd universe. Or else an opening exists. . . .*

Pierre Teilhard de Chardin



# CHAPTER I

## SUMMARY OF FINDINGS AND RECOMMENDATIONS AND SUGGESTIONS FOR IMPLEMENTATION

### Finding 1

#### Definition of offender population

Who is an ex-offender? Obviously, a definition could be formulated to include the whole of society, since most people at one time or another violate a federal, provincial or municipal statute. Our original definition of ex-offender which was formulated to carry out the present study, seemed to satisfy the views of most people. It chose to discriminate between persons committing only petty, minor offences and those committing offences that are generally considered to be more serious.

However, the findings of this study prove that when it comes to viewing the ex-offender as a potential correctional manpower resource, the discrimination we made in our definition is not sufficient. It remains valid for general purposes, but in the minds of employers a clear distinction is made between a person who has served a period of time in an institution and a person who has not. Many respondents, in submitting their views, qualified their remarks on the basis of whether they were talking about an ex-inmate or merely an ex-offender.

#### Commentary

Our findings do not allow us to say whether the variables of imprisonment or non-imprisonment override in the degree of their importance other variables, such as, for example, the type of offence or the number of convictions. We cannot now say whether the difference between imprisonment and non-imprisonment outweighs, in the mind of an employer, the difference between the offence of armed robbery and that of break and enter. Further research would be necessary to determine this. We can only tentatively hypothesize, from the data obtained, that an ex-offender who has no history of imprisonment causes no undue concern to employers in the criminal justice system. Far more concern is expressed about the ex-inmate, regardless of the type of his offence, the number of his convictions, his age and so on.

Obviously, differential degrees of stigmatization exist for ex-inmates and for ex-offenders who have not been inmates. We know very little about the reasons for this, but there is no doubt that the stigma associated with the ex-offender with no prison experience is much less than for the ex-inmate.

#### Recommendation

Future studies on the ex-offender as a correctional manpower resource should focus primarily on the ex-inmate.

## Finding 2

### Employment of the ex-inmate in the criminal justice system

The central issue of this study was the employment of ex-inmates in the criminal justice system. Two questions stemmed from this root:

1. Where in the formal system should they be barred?
2. Where should they be hired?

Neither of these questions produced a consensus from the many people who contributed their point of view.

During the investigative part of the study, 143 ex-offenders were identified as being currently employed in the formal system. Complete data were obtained on 71 of these, 38 of whom were ex-inmates and 33 non ex-inmates. It would appear from this that ex-inmates have not been prevented from employment in the formal system. However, an examination of the various areas of the system in which these ex-inmates are employed reveals that their acceptability as employees varies in direct relation to the type of job. Ex-inmates have been almost totally excluded from employment as custodial officers in federal institutions and from federal, provincial and municipal police forces. The Solicitor General's component of the Public Service Alliance of Canada has expressed the view that this situation should not change and, with one exception, this was supported by police representatives.

### Commentary

If we believe in the ability of human beings to change, which is the backbone of the rehabilitative ideal, then it is unacceptable to erect a barrier which permanently bars an ex-inmate from gaining access to a particular job. We recognize that human beings resist change and that in many cases all that can be hoped for is that they make a better adaptation to the environment; nevertheless, we believe that no door should be permanently closed against ex-inmates.

During the study, it was observed that a limited number of ex-inmates had been hired in all functions in provincial institutions. However, none were found in federal institutions or in police forces. Therefore, the issue whether ex-inmates should be employed either as federal custodial officers or as police officers is, de facto, a red herring, since with perhaps a few rare exceptions, inmates have little interest in careers in these areas. Despite this and with due awareness of the speed with which roles are changing in the criminal justice system, we do not believe that at the level of policy formulation, ex-inmates should be barred from either of these areas. It is quite conceivable, for example, that an ex-inmate who possesses the necessary qualifications could be very effective in being attached to a juvenile police section working in a delinquency prevention program. On a volunteer basis, this is already happening. Because of developing ideas in dynamic security in federal institutions, custody-treatment functions in the future will no longer be clearly separate entities. To recommend that ex-inmates should not be employed as custodial officers is, in fact, to bar them from any job in federal institutions. We believe this to be unacceptable.

### Recommendation

**Impenetrable barriers to the employment of ex-inmates in the criminal justice system should not be erected in any job whatsoever. Nevertheless, in hiring ex-inmates the focus should be on treatment and support roles in all institutions.**

### Finding 3

#### Criteria for the selection of ex-inmates in formal system

The view that the experience of having been an inmate immediately qualifies an ex-inmate for a job as a classification officer, parole officer, probation officer, or correctional counsellor, has been expressed mostly by inmates. This point of view considers the inmate experience as unique and as providing the most useful background for such a position; in effect, the inmate experience overrides all other experiences and qualifications at present required in order to work in these positions.

The almost unanimous opinion of those rebutting this point of view is that it is entirely unfounded. The majority of inmates have little or no interest in employment in the correctional field and those that are interested constitute only a very small proportion of the total inmate population. While the experience of having been an inmate may lend itself to constructive use in the future, it is not, of itself, sufficient. Neither can the experience of having been an inmate be equated with the experience of having been a staff person in an institution, although these two experiences have more similarities than differences. But, as suitable training for the jobs described above, the experience of having been an inmate and the experience of having been an employee in an institution may be given the same weight.

The criteria proposed as guidelines in the selection of ex-inmates to work in the formal system deal with:

- (a) the nature and type of the offence;
- (b) the number of convictions;
- (c) the length of the criminal record;
- (d) the number of times incarcerated;
- (e) the distance between relocation and institution of release;
- (f) the length of time since last release;
- (g) community adjustment since last release.

The reaction from the participants who took part in the study varied widely as to the relative importance of these criteria in the selection process. A number of offences and associated behaviour, for example, violence, sexual offences, drug trafficking, alcohol and drug addiction, were pinpointed as being of particular concern to employers. The comparative merits of first offenders and recidivists were discussed, some arguing that a recidivist has, in all probability, put his crime behind him; this may not necessarily be true in the case of a first offender. The recidivist could also draw on his experience as an inmate to build a career in corrections; this, again, is not the case for a first offender. In spite of this, many still felt that the first offender was a better prospect as an employee.

Many participants expressed the view that an ex-inmate should not even be considered for employment in the criminal justice system until it had been firmly established that he was "rehabilitated". But the meaning of "rehabilitated" was vague, and factual suggestions as to how it could be brought about varied widely from person to person.

## Commentary

We do not accept the adage, coined by persons other than the members of the study team, that the hiring of ex-inmates in corrections can be summed up by the expression "turning a negative experience into a positive experience". Being an inmate is a subjective experience; it is not necessarily a destructive experience. In fact, many ex-inmates now employed in either the formal or informal system gained the impetus for the work they are now doing from the programs available to them as inmates.

We believe that the concept of "rehabilitation", despite its wide usage, is a meaningless yardstick by which to measure employment ability. It is ill-defined and means different things to different people. It is a term that we hope will go out of use.

We believe that an ex-inmate seeking employment in the formal system should be expected to meet the criteria laid down for the job. Accordingly, we do not support the view that ex-inmates should be granted special privileges or that their inmate experience should be the factor that largely determines their being hired. Nevertheless, this experience can be a positive factor and should be taken into consideration.

Our statement that an ex-inmate should be expected to meet the criteria laid down for a particular job does not mean that we accept some of the academic requirements demanded for many positions. The fact of having or not having a master's degree seems to have little relevance to the skills needed to relate to people, undertake managerial decisions and so on. This argument applies not only to ex-inmates, but to students, volunteers and citizen groups. A broad diversification of citizen input into the criminal justice system is desirable and the formal system should work towards more flexibility and openness to this input.

The selection criteria described above can be subdivided into two groups — those factors which are unalterable facts of the inmate's past and those factors which the inmate has more control over. It is our view that (a), (b), (c), and (d) are variables which the ex-inmate cannot alter to prepare himself as a potential employee. We believe that (e) has little relevance to the question whether or not an ex-inmate should be hired. In our view, the factors to consider are (f) and (g), which are proposed as guidelines to hiring practices.

## Recommendation

The main criteria to be used in the selection of an ex-inmate for a position in the criminal justice system should be the length of time in the community since his last release and his positive accomplishments in the community during that period.

## Finding 4

### Educational requirements of the formal system

The ex-inmate who is motivated to pursue a career in corrections faces two particular barriers. The first is his criminal background, which, as we have already suggested, is an unalterable fact of his past and should not be overemphasized. The second barrier is the high standard of academic training required for most treatment positions in the federal and provincial governments. Ex-inmates who aspire towards positions in the formal system are prevented from competing for such positions because of their lack of academic qualifications. This factor helps to explain why so many ex-inmates work in the informal system even though

similar jobs exist in the formal system; their entry into the formal system is barred by educational requirements.

#### **Commentary**

Many treatment positions in both federal and provincial government departments require at least four years of university study, and in some cases, as many as six years of study, as a minimum qualification. Despite the insistence on these educational standards, the fact remains that they may not be a useful measuring stick for filling treatment jobs. High educational standards appear to be an inevitable trend in our society and it is likely that the demands for highly qualified personnel will increase rather than decrease. We have already stated that we do not believe this problem can be overcome by creating special circumstances for ex-inmates whereby such academic standards would be circumvented. We do believe, however, that any person demonstrating ability for correctional work should have the opportunity to qualify himself to compete effectively for positions in the formal system.

We believe that existing programs for upgrading education, now available to both line staff and institutional inmates, should be extended. Staff persons who have worked in the past on their own towards obtaining academic credits should be granted paid leave of absence to obtain bachelor's and master's degrees. There seems little reason why inmates who demonstrate their motivation, sincerity and willingness to work towards university graduation cannot similarly be encouraged while they are still serving their sentences. If an inmate successfully completes all university correspondence courses that are available to him, he should then be encouraged to go on to obtain or at least move towards obtaining a university degree. This encouragement could take the form of cash grants, special consideration in the granting of day parole, and so on. Special bursaries could perhaps also be made available to both staff and inmates to encourage them in their objectives.

#### **Recommendation**

**Selected staff and inmates should be given increased encouragement to upgrade their academic standing to allow them either to gain entry to, or compete for, higher positions in the formal system.**

#### **Finding 5**

##### **Para-professional roles in the formal system**

Recognition of the contribution made to the formal correctional system by persons without academic qualifications has led to the introduction of para-professional job classifications in corrections. Such a development has occurred most noticeably in the United States where para-professionals roles have been created. Isolated examples of similar programs exist to a very limited extent in Canada although no government agency has ventured very far in this direction. It has been suggested, however, that para-professional job roles could provide the means of opening the correctional doors of the formal system to ex-inmates.

#### **Commentary**

Our enquiries revealed no strong consensus about the direction that Canadian governments should take in para-professional job development, although many respondents suggested that such development would be desirable. It is our opinion that para-professional roles, while enabling ex-inmates to enter the formal system, could yet, in the long run,

create problems that would outweigh the advantages. We are particularly concerned that para-professionals might become locked into job classifications that would not allow them the same opportunities for the promotion, merit salary increases, etc., that are available to other employees. It is conceivable that within one agency, professionals and para-professionals could be working alongside each other doing similar types of work, yet being remunerated at different rates. Since there is no evidence that professionals are more effective than non-professionals, such salary discrimination could lead to serious staff morale problems. We do not support the lowering of educational standards, as we have already stated, yet would caution against creating inequitable staff relationships of this kind.

#### Recommendation

Para-professional job development in police, parole, probation and classification services should be thoroughly examined, bearing in mind the concerns expressed above, before any implementation is undertaken.

#### Finding 6

##### Special offence categories

Respondents to our inquiries about hiring ex-inmates indicated that special feelings and attitudes exist about certain offences. These offences involve personal violence, chronic sexual aberration, and the distribution and sale of hard narcotic drugs. The concern varied from outright refusal to consider offenders of this type to conditional acceptance if certain requirements and restrictions were imposed above and beyond the usual hiring practices. Institutional employers were generally in agreement as to the unacceptability of such offenders.

#### Commentary

It should be pointed out, first, that the distribution of ex-inmates by offence, in both the formal and informal systems, revealed that these particular types of crimes were rare. This could either mean that the attitudes expressed by employers have been reflected in their choice of offenders to work in the system, or that the offenders guilty of these kinds of offences are not motivated towards finding correctional employment. Thus, the question whether to hire these specific categories of offenders is a red-herring issue. Second, any selection process which labels a person incapable of changing, consequently eliminating him forever from consideration for employment within the criminal justice system, is, in our opinion, unacceptable. We accept the fact that human beings resist behavioural change and that this resistance might be particularly strong in those guilty of the offences described above. Nevertheless, permanent exclusion on the basis of a particular manifestation of behaviour appears to be in complete contradiction to the objectives of rehabilitation. Attitudes which stereotype people must also be changed and this can only be done by focussing attention on the individual rather than on the offence the individual has committed.

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#### \*Recommendation

No type of offence pattern should result in permanent exclusion from consideration as a correctional manpower resource.

#### Finding 7

##### Federal policy on hiring ex-inmates

In documenting the attitudes that exist towards hiring ex-inmates in the formal system, we found that the greatest concern was expressed by agencies of the Ministry of the

Solicitor General, in particular the Canadian Penitentiary Service. We believe that some of the views expressed are valid, but as we have pointed out, others are unacceptable to us.

#### Commentary

It is our opinion that ex-inmates have been prevented from being hired in agencies of the Ministry of the Solicitor General as the result of views expressed by a group of employees. The issue is a sensitive one for some persons and has generated feelings that have prevented capable persons from being hired.

It seems desirable to have this matter clarified and we suggest that a policy statement, incorporating the views of this study, be issued by the Solicitor General of Canada to provide the various agencies with guidelines for the hiring of ex-inmates.

Provincial correctional departments, including those responsible for the administration of institutions, are more willing to consider ex-inmates as employees, yet, on the basis of our findings, we are unable to provide reasons why such different attitudes should exist at the federal and provincial levels.

#### Recommendation

**NB** The Solicitor General of Canada should formulate a policy statement on the hiring of ex-inmates in departmental agencies within his jurisdiction.

#### Finding 8

##### Relationship between formal and informal systems

The concept of a criminal justice system implies the existence of an aggregate of components which interact and relate one to the other. Although we do not wish to digress beyond the boundaries of our mandate, we must, nevertheless, express our perturbation about the lack of communication between the formal and informal systems. Communication from the private agencies to the formal system and vice versa is closer than from self-help agencies to the formal systems. This is perhaps attributable to the fact that the private agencies have a longer history and have had the opportunity to establish closer ties with the formal system. An interface clearly exists between the two systems, but it needs strengthening and broadening to include the self-help agencies.

Within the informal system a total of 107 ex-offenders were identified as employees. Of these, 73 persons, i.e. 68 per cent, are ex-inmates. As we have already pointed out, this number can only be considered an accurate estimate at the time of the study. Because of the transitory means of financing available to many of the self-help agencies, not only does their number fluctuate over time, but so does the number of ex-inmates they employ. Of the 73 ex-inmates, only a nucleus could be considered permanent employees. During the course of interviewing and obtaining information from these ex-inmates, two factors emerged:

- (a) The ex-inmates who make up this nucleus of offenders in the informal system are distinguishable not so much by the kinds of crimes they have committed in the past or the total length of time they have served in custody, but by the ability they display in working with their clients. Although it is clear that the fact of having been an inmate was the motivating factor in their present employment, it does not sustain them in their employment and neither does it have a great deal of

bearing on the competence with which they undertake their daily duties. These ex-inmates are distinguished by their warmth, good judgement, common sense in decision making, administrative skills, integrity, and sincerity.

- (b) The vast majority of ex-inmates described in (a) would be very interested in employment in the formal system, if the opportunity was made available to them.

#### **Commentary**

It is not our intention to apportion blame or identify scapegoats. However, the fact remains that many employers in the formal system persist in regarding the ex-inmates who comprise the nucleus of employees in the informal system as the offenders they were, rather than as the correctional practitioners they have become. This inability of employers to change the way in which they regard ex-inmates is one contributing factor to the lack of exchange of resources within the total system.

#### **Recommendation**

**The formal system should accept the ex-inmate personnel in the informal system as a potential resource of service to probationers, inmates, parolees and as staff for research studies and pilot projects.**

#### **Finding 9**

##### **Training and development of self-help agencies**

During the summer of 1973 when our enquiries were undertaken, 107 ex-offenders were identified as employees in the informal system. The vast majority of these ex-offenders are employed in self-help types of agencies and, as we have already indicated, the majority of such agencies are transitory in nature, largely because of their inability to stabilize their source of funding. When their source of funding dries up or is not renewed, many agencies cease to operate due to lack of alternatives.

#### **Commentary**

We believe than many self-help agencies could continue to exist after their initial period of government financing if their managerial and financial skills and their knowledge of community resources were enhanced by means of training programs. Two specific problems seem to face self-help agencies. First, their initial funding is so limited that they are unable to devote any money towards exploring means whereby they can continue beyond the period covered by the demonstration grant. Second, finances to allow self-help agencies to communicate with each other and to learn by mutual experience are not available. Enhanced communication between agencies would not only enable them to share funding problems, but could provide other benefits, for example, the sharing of information about programming, training staff, etc.

In view of the undeniable contribution the informal system is making to the objectives of criminal justice, we believe that the formal system should take an increased interest in its long-term financing.

Where there are examples of formal and informal agencies working quite closely together, this arrangement seems to have a significant effect on the reduction of recidivism. In

one region a self-help organization works in the main office of the National Parole Service. When a parole interview is over, the parolee merely steps across the hall, where his peers are waiting to give him support, and help in finding a job and accommodation. In some institutions classification departments have begun to refer inmates to self-help groups and, on occasion, employees of the self-help agencies sit in on case conferences and help with family and inmate counselling sessions in conjunction with the institutional employees.

John Howard Societies are so firmly established that they have become increasingly involved with the formal agencies in parole supervision and the development of parole plans. Recently, some societies have taken on the role of sponsor for new self-help organizations in all parts of Canada.

### **Recommendation**

**The formal system should take steps to encourage and develop the growth of inmate self-help agencies by means of increased communication, advice, sharing of training and staff development skills and facilities, information on programming, budgeting and administration.**

### **Finding 10**

#### **Funding sources for informal agencies**

The majority of informal agencies fall into the category of "self-help" organizations. To a large degree, these are founded and staffed by ex-offenders. Self-help organizations provide services ranging from work with juvenile offenders to after-care programs for federal offenders. No matter who their clients are in the criminal justice system, the one common problem each agency faces is the constant struggle to find funding sources to meet the daily expenditures of their program. Consequently, much of the time that should be spent working with clients is devoted to fund-raising.

### **Commentary**

The main source of funding for informal agencies, and particularly for self-help organizations, is the Department of Manpower and Immigration, in the form of LIP, LEAP, and Outreach grants. The increased number of groups working in the correctional field has recently put a strain on Manpower, whose role is to develop programs across a broad spectrum of community services. Other funding has come from the Secretary of State, Health and Welfare, private foundations and the Ministry of the Solicitor General in the form of short-term development grants.

However, the demand continues to be greater than the supply and the situation can only get worse as such programs as LIP are phased out.

The basic problem is that the Ministry of the Solicitor General does not have funds for the continuing financial support of informal agencies. This means that development or "seed" money cannot be backed up with further financial assistance once an agency has passed the development stage and has established its services. The logical progression from "seed" money to on-going support money has never been established.

People working in formal correctional agencies generally agree that if the needs of the clients are to be met, the manpower resources of self-help organizations are essential. Staff

shortages and the increase in the inmate population add credence to this opinion. If the formal agencies and their clients are reaping the benefits of the supplementary manpower resources of self-help groups, it seems only fair that the formal agencies should contribute to the support of these organizations.

#### Recommendations

1. The Ministry of the Solicitor General in conjunction with its provincial counterparts should establish a major source of funds to be used as on-going funding for those self-help organizations that have proved themselves to be credible manpower resources.
2. More self-help organizations should be given short-term development grants to test innovative and specific proposals for assisting clients.
3. The Ministry of the Solicitor General should continue its efforts to consult with agencies in the formal criminal justice system for the purpose of cooperatively funding self-help organizations within regions.

#### Finding 11

##### The inmate as a correctional manpower resource

Institutional programs continue to neglect the need to motivate inmates for self-development. Many inmates, during the course of serving their sentences, demonstrate their motivation, their skills in helping their peers and their interest in self-enhancement. We have documented two institutional programs where inmate resources were utilized towards these objectives. A few other institutions have also fostered the development of inmate self-help groups, but, in general, the encouragement has been limited.

#### Commentary

In recent years prison and penitentiary administrators have shown increasing interest in overcoming the barriers that exist between inmates and staff and in changing the traditional dependent-recipient role of the inmate, which is a feature of institutional life. Obviously, such dependency ill prepares inmates for life outside as responsible citizens. We applaud the developments that are being made in this direction, while still recognizing that simple solutions do not exist.

Those inmates who, while still serving their sentences, demonstrate an interest in correctional work, are few in number. We urge that the initiative they show in attempting to prepare themselves for such a career following release, receives the full encouragement of institutional authorities.

We realize that programs fostering inmate responsibility and initiative can cause many problems for the prison administrator. Inevitably, some inmates will abuse the program, just as some staff members will resent the inmate's being given the responsibility to do things for himself and his fellow inmates. However, if any impact is to be made on the prison population, whether prisoners are interested in a correctional career or not, their independence and self-reliance must be fostered and encouraged. It is our belief that the success of any program within an institution depends on the support of the line staff. It follows from this that line staff should be made aware of the aims of a program and given a part to play in that program. In our opinion this is one way in which resentment between staff and inmates could be reduced. It

could be argued that this is now being done through the conception and development of the living-unit officer in the Canadian Penitentiary Service, but the living-unit officer cannot maintain programs in isolation. He is not immune to the pressures brought to bear by his fellow staff members.

~~Line staff members are not against self-development programs for inmates. What they resent, it seems, is the erosion of their authority without anything being done to replace or re-define that authority.~~

### **Recommendation**

**Administrators and policy-makers in prisons and penitentiaries should continue to promote programs which help the personal self-development of inmates. They should also make sure that the line staff are aware of the aims of these programs and the role they can play in them.**

### **Finding 12**

#### **Application form question regarding criminal record**

During the course of the study, an investigation was made of the means by which an applicant for employment in the formal system is identified as an ex-offender. It was revealed that a number of provincial government application forms retain the question "Do you have a criminal record?". The federal government and some provincial governments have deleted this question from their application forms, although they still elicit this information at a later stage in the processing of applicants.

After an applicant with a criminal record has been hired and his record identified, by whatever means, variations exist in the way personnel files are stored. For example, some departments protect the employee having this information placed in a special security filing cabinet so that only certain persons have access to it. Other departments make no distinction in how their personnel files are stored, thus allowing anybody access to the files of fellow employees.

### **Commentary**

The retention of the question, "Do you have a criminal record?" on the original application form is, in our opinion, a discriminatory screening process at a crucial stage. We believe that it is the employer's prerogative to obtain this information but that it should be obtained at a later stage, for example, when an applicant is personally interviewed. Many applicants do not apply for jobs if the question about their criminal record is on the application form, because they do not wish this information to be made generally available, or they regard the question as a negative indication of their chances of being hired. Having the question on the original application form indicates that such information is of prime importance in selecting an applicant for a job. We believe, as we have already stated, that it is of only secondary importance and should not be emphasized.

~~We also believe that an applicant, once hired, should be entitled to privacy about his background, and this information about his criminal background should not be readily accessible. The decision as to who else besides senior personnel staff should know about his criminal record, should be made by the employee at his discretion.~~

## Recommendations

1. Those provincial governments retaining the question, "Do you have a criminal record?" on their initial application forms should give consideration to its deletion.
2. Employees should have information about their criminal record placed in a special personnel file under conditions of restricted access.

## Finding 13

### \*The Criminal Records Act

The Criminal Records Act provides for the granting of pardons to those persons convicted of an offence under the Criminal Code or under any act of the Parliament of Canada. If granted a pardon, the applicant receives an official document describing the offence for which the pardon has been granted. Throughout the course of the study, we attempted to find out what the effect of the granting of a pardon has on employees in the criminal justice system. We asked employers if the granting of a pardon would affect their decision whether or not to hire an ex-inmate. We also made general enquiries of ex-inmates to gain a better understanding of how they perceived the granting of pardons. Two questions arose:

- (a) What precisely does the pardon mean for the successful applicant? , and
- (b) What does it mean to the employer who is considering hiring an ex-inmate who has been granted a pardon?

We should make it clear that these enquiries are only an off shoot of our study and this matter needs investigation in far greater detail.

Generally speaking, neither ex-inmates nor employers are very impressed with the effects of the Criminal Records Act. According to an official memorandum issued by the National Parole Board, the effect of a pardon should be to remove the stigma of conviction from the recipient of the pardon and deprive the conviction itself of any subsequent effect. It is clear, however, that in practice this is not achieved.

The records pertaining to a conviction for which a person has been pardoned are not destroyed. Those held by the R.C.M.P. are placed under special security and only the Solicitor General of Canada may authorize their disclosure. But police records held elsewhere are not affected by the Act, since it has no jurisdiction in the administration of justice in any province. The granting of a pardon has a limited effect for the recipient.

As we have pointed out, many employers retain the question pertaining to a criminal record on their original application form. Even if he has been pardoned, an applicant must, nevertheless, admit to his conviction. If he appears as a witness in court and is asked about his conviction, he cannot deny it.

~~The majority of the employers we questioned indicated that the granting of a pardon would not make the difference between their hiring or not hiring an applicant. Most of the ex-inmates we interviewed expressed disenchantment about the pardon, feeling that it was a meaningless gesture.~~

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\*Currently under review by the Ministry.

### **Commentary**

It is clear that the granting of a pardon, while never pretending to erase the fact of the conviction, does not even remove the stigma of the offence. As presently constituted, it patronizes the applicant by formally "forgiving" him for his past behaviour, but it has no real effect on the relationship between the inmate and society. It creates the illusion in the mind of the ex-inmate that society will be induced to treat him like any other citizen, but in fact, that is not the case.

### **Recommendation**

**The Criminal Records Act should be amended so that the recipient of a pardon does not have to reveal the conviction for which he has been pardoned to anybody under any circumstances unless he wishes to do so.**

### **Finding 14**

#### **Role of the federal government**

The activities of ex-inmates and ex-offender self-help agencies have been documented with specific reference to agencies in the formal system that fall within the Ministry of the Solicitor General. The desirability of strengthening the links between the informal and formal systems has been emphasized in an attempt to foster the contribution that the informal system makes to the aims of criminal justice. Our findings indicate that the Canadian Penitentiary Service and the National Parole Service are the federal agencies most closely related to the activities of the informal system; however, we believe that the federal role should extend beyond the boundaries of these agencies.

### **Commentary**

The following suggestions represent the interface responsibilities that we believe the federal government should fulfill in the development of ex-inmate potential as a correctional manpower resource. These suggestions should be viewed as feasible objectives which evolved out of the findings of this study. Because the agencies of the Ministry of the Solicitor General are themselves diversified, the implementation of future planning is further complicated. However, we believe that the current and proposed restructuring of the Ministry, which will place increased emphasis on consultation, planning, research and policy development, will provide a viable means of implementing the following suggestions for future development.

1. The utilization of the ex-inmate as a correctional manpower resource should be a cooperative venture between the federal, provincial and private sectors in corrections. We believe that the main role of the federal government should be as coordinator and that the emphasis should be on obtaining a wider variety of viewpoints from which to start future discussions. Corrections already has an overfragmentization of service but, nevertheless, the development of further resources, i.e., the ex-offender, should be undertaken in a spirit of mutual cooperation, drawing on federal, provincial and private input. To develop the constructive working environment that is needed, the federal government should continue to expand its present consultative services, geared towards creating an atmosphere that is receptive to a diverse input of information and opinion from all sectors of the criminal justice system.
2. Consultation on the ex-inmate as a correctional manpower resource was undertaken with the aid of an intra-ministerial committee composed of representatives from the National Parole

Service, the Canadian Penitentiary Service and the Royal Canadian Mounted Police. Continued collaboration between these agencies should be encouraged and all future activities undertaken by the Ministry in relation to the ex-offender should have input from these agencies.

3. In Canada, the past five years has witnessed the emergence of ex-inmate leadership which has expressed a desire for participation and involvement in correctional planning. A national committee of ex-inmates has recently been developing liaison at the regional level through consultation with municipal, provincial and federal resources. It has also been in liaison with the agencies of the Ministry of the Solicitor General in Ottawa. This national committee seems a good way to channel the input of ex-inmates into the criminal justice system. However, it has not developed in a steady manner. Its progress has faltered from time to time and it has failed to build on its initial impetus. We believe that this organization of ex-inmates has the potential to develop into a useful and constructive advisory group. While it is the energy of the group itself that will largely determine its contribution, we believe that the federal government has a responsibility to foster its development. The ex-inmate group must retain its autonomy if it is to present a true inmate perspective, so the federal role should not extend beyond assistance in organizing, some coordinating activities, the dissemination of information and the provision of financial aid.
4. Additional responsibilities that we believe belong to the federal government are:
  - (a) research projects related to the ex-inmate in corrections;
  - (b) the evaluation of inmate self-help program;
  - (c) the provision of information pertaining to program priorities, and
  - (d) the implementation of the recommendations which evolve out of this study.

#### **Recommendation**

**The federal government should develop and foster the ex-inmate as a correctional manpower resource as outlined in this section.**

#### **Finding 15**

##### **\*Composition of the National Parole Board**

The National Parole Board of Canada reflects a diversified point of view based upon the expertise of a number of related disciplines and areas of expertise. As presently constituted, however, it lacks the experience of those persons who are the subjects of its daily deliberations, i.e. the inmate population itself.

#### **Commentary**

We believe that the National Parole Board should include a former parolee who has completed a number of years of dedicated work as a correctional practitioner in either the formal or the informal system.

The decision-making process in parole is complex and the prediction of human behaviour can only be made tentatively, bearing in mind the current state of the knowledge of

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\*This recommendation has now been implemented.

human behaviour. Accordingly, persons charged with this difficult responsibility should represent every point of view that might ensure the efficacy of the predictions. We believe that further diversification of Parole Board members is necessary to enhance the Board's effectiveness.

#### **Recommendation**

**The Solicitor General of Canada should appoint to the National Parole Board a former parolee who:**

- (a) has served time in a penal institution;**
- (b) otherwise meets the selection criteria, and**
- (c) has worked in either the formal or informal system for a number of years.**

#### **Finding 16**

##### **Measurement of the effectiveness of ex-inmate correctional practitioners**

It has been suggested that to justify the inclusion of ex-inmates in the formal system, research should be undertaken to quantify their effectiveness in comparison to the effectiveness of non ex-inmate employees.

#### **Commentary**

In our opinion, the step suggested above would be detrimental to the aims of correctional rehabilitation and might lead to the creation of a caste-like division in the formal system. In addition, it is contrary to the present requirements of hiring in the formal system.

Any attempt which aims to prove the superiority of one group over another is using artificial standards and can only do considerable harm. The present measuring stick used by employers in the formal system takes little account of whether or not an applicant has demonstrated the skills necessary to relate effectively with clients. We have already referred to this in our comments pertaining to academic qualifications. This failure to take these skills into account would only further militate against the ex-offender, already at a disadvantage because of his lack of academic skills.

We strongly support any research that would identify effective ingredients in counselling, correctional management and administration but such research should not be undertaken on the basis of variables which attempt to discredit a group of people by factors having no relationship to work performance.

#### **Recommendation**

**Research to prove the superior effectiveness of ex-inmates over other employees or vice versa should not be undertaken. Research efforts should be directed towards identifying the effective ingredients of correctional counselling, management and administration.**

#### **Findind 17**

##### **Anti-Discrimination Branch of The Public Service Commission of Canada**

The Anti-Discrimination Branch of the Public Service Commission was established to ensure the incorporation of certain sections of the United Nations Declaration of Human Rights

into the hiring process of federal public servants. The Branch formally recognizes discrimination on the grounds of sex, race, national origin, colour and religion. It has also handled allegations of discrimination by sex and marital status.

No formal recognition is extended to discrimination on the basis of criminal background although the Anti-Discrimination Branch has handled such cases when referred to them.

#### **Commentary**

Since the Anti-Discrimination Branch is prepared to handle cases involving criminal background, thus recognizing them as problems pertinent to its function, we believe that it should formally recognize discrimination on the basis of criminal background as falling within its mandate. We have documented an allegation of discrimination against the Public Service\* and in the event that increasing numbers of ex-inmates should seek employment in the formal system, particularly work in federal institutions, some means of redress should be available to them if they are refused because of their criminal backgrounds.

The Anti-Discrimination Branch's brochure, which describes its activities, should at the very least, advertise a willingness to handle this type of case.

#### **Recommendation**

**The Anti-Discrimination Branch of The Public Service Commission should formally recognize discrimination by virtue of criminal background as being within its mandate.**

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\*See Case Studies

## CHAPTER II

### EMPLOYMENT OF EX-OFFENDERS IN THE CRIMINAL JUSTICE SYSTEM

#### 1. Terms of reference

To document the current employment of ex-offenders in the criminal justice system, in particular those functioning in positions related to custody or treatment.

#### 2. Selection of the sample

At a very early stage of the study it became obvious that we must arrive at a definition of ex-offender that would allow us to meet the terms of reference within the constraints of time and available funds. No ready definition was available and it is doubtful that any meaning that would be universally acceptable exists. That an ex-inmate is always an ex-offender is true; the converse is not necessarily true.

It was decided that the definition of offender and ex-offender would exclude those convicted solely under provincial or municipal statutes, but would include convictions (other than these) that did not result in incarceration. To equate "offender" with "inmate" seemed too narrow; it would exclude all persons with repeated criminal convictions who did not also have institutional experience. The limitation of the definition we prefer is that it includes those with only a single minor conviction and no incarceration.

Accordingly, in this paper, *offender* refers to a male or female person who: (a) is currently incarcerated in an adult institution as a result of a criminal or penal conviction (an inmate), or (b) is now satisfying the disposition of a sentence other than incarceration, as the result of a criminal or penal conviction. *Ex-offender* refers to a male or female person who is not an offender now and who has either: (a) the status of ex-inmate, or (b) complied with a court disposition other than incarceration.

To fulfill the terms of reference of the study the ex-offenders who were to be the subject of our inquiries had to meet the following criteria:

1. They must have been employed within the criminal justice system (or in an agency outside the criminal justice system where their function of caseload is exclusively with offenders or ex-offenders).
2. The period of their employment must have included some time between May 1, and August 31, 1973.
3. Employment meant full time and/or part time work and entailed remuneration for services rendered. Volunteer work was not included.
4. Employment meant working directly with offenders or ex-offenders in administrative, planning, research, custody or treatment roles. Ex-offenders employed as support staff were excluded.

### 3. Methodology

Two steps were necessary to fulfill the objectives of the study:

- (a) The location of ex-offenders employed in the system, and,
- (b) The gathering of information on those ex-offenders.

(a) *The location of ex-offenders employed in the system*

The strategy for locating and contacting ex-offenders comprised two broad approaches. It became apparent that many ex-offenders, particularly those working in self-help agencies, accomplish the objectives of their employment by making their ex-offender status widely known. Their relationship to other inmates and ex-offenders is established upon this awareness of mutual experiences. An informal "word of mouth" strategy was used to locate and gain access to such ex-offenders. Ex-offender self-help groups, correctional practitioners and employees in the system across Canada were contacted and asked for the names of persons who fulfilled the criteria for the sample. Because of the sensitive nature of our enquiries, this initial method to contacting ex-offenders was used so as not to jeopardize the identity of those who wished to remain anonymous or to keep secret their criminal backgrounds.

This method of approach was expected to reveal those ex-offenders who were not concerned with the confidentiality of their identity in terms of the information they would subsequently provide about themselves. However, this approach could not provide access to those ex-offenders whose anonymity is protected, since it would be paradoxical to expect them to identify themselves to the study and at the same time retain their former anonymous status.

The second approach made formal enquiries through recognized channels, such as employers, personnel directors and agency supervisors. We first requested access to the ex-offender himself if at all possible. If this was not feasible, we asked for as much information on the employee as was possible without his actual identity being made known to us. In this way we hoped that the anonymity of the ex-offender would be protected while the necessary information could still be obtained.

(b) *The gathering of information on those ex-offenders*

Information on each ex-offender was obtained by means of an interview outline.\* Unfortunately, the documented information obtained on each ex-offender varies considerably in terms of quality and quantity. The interviewing was completed during a three-week period from June 1st to June 21st, with eight interviewers covering all regions of Canada. This number of interviewers was necessary to cover the country in the short period of time allowed for the study. Even so, it was recognized that the validity and reliability of the information obtained would suffer as a result of the shortness of time.

In those cases where an ex-offender was identified and a personal interview was arranged with a member of the study team, complete documentation was possible. In some cases personal contact was not possible but personnel files were examined and limited information obtained. Information on several ex-offenders was acquired from employers, who, while not allowing us access to the ex-offender, agreed to conduct the interview on his behalf. If the information obtained was not sufficient to determine whether the ex-offender fulfilled the criteria laid down for the study, it was discarded.

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\*See appendix A

The questions that formed the interview originated from the broad expertise of the study team, which was composed of correctional practitioners, academics and former inmates. The questions were designed to provide hard data on the social and criminal history of the ex-offender himself and information relating to his correctional employment.

**4. Basic findings**

- (a) **The study identified and interviewed a total of 107 ex-offenders who fulfilled the conditions of employment specified in the informal system.**
- (b) **The study made tentative identification of 143 ex-offenders who fulfilled the conditions of employment in the formal system.**

Since the focus of the study was on the characteristics of employed ex-offenders, no attempt was made to discriminate between the types of agencies within the informal system in which ex-offenders were identified and interviewed. However, by far the largest proportion was found to be associated with self-help organizations and not with the traditional private agencies such as the John Howard Society and the Elizabeth Fry Society. Self-help organizations lack financial stability and if the source of funding, for example, an LIP grant, is terminated then the ex-offender ceases to be employed. Thus the 107 ex-offenders interviewed represent the number employed in the informal system at the time of the study. It is unlikely that they represent the number now. Table 1 shows the distribution of offenders in the informal system by province.

**TABLE 1  
DISTRIBUTION OF EX-OFFENDERS IN THE  
INFORMAL SYSTEM BY PROVINCE**

Territory/Province	Number of Ex-Offenders
Yukon	0
Northwest Territories	0
British Columbia	18
Alberta	19
Saskatchewan	6
Manitoba	12
Ontario	26
Quebec	17
New Brunswick	1
Nova Scotia	8
Prince Edward Island	0
Newfoundland and Labrador	0
	107

Within the formal system, a total of 143 ex-offenders were identified and documented (see Table 2 for their distribution). This is only an approximation of the total number and is probably an under-estimation.

**TABLE 2**

**DISTRIBUTION OF EX-OFFENDERS IN THE FORMAL SYSTEM BY PROVINCE,  
PROVINCIAL GOVERNMENT DEPARTMENTS AND  
FEDERAL GOVERNMENT AGENCIES\***

<u>Territory/Province</u>	<u>Provincial government departments</u>	<u>Estimated number of ex-offenders</u>
Yukon . . . . .	Health, Welfare and Rehabilitation . . . . .	3
Northwest Territories . . . . .	Social Development . . . . .	0
British Columbia . . . . .	Attorney General . . . . .	2
Alberta . . . . .	Attorney General/Health and Social Development . . . . .	30
Saskatchewan . . . . .	Social Services . . . . .	6
Manitoba . . . . .	Health and Social Development . . . . .	6
Ontario . . . . .	Correctional Services . . . . .	46
Quebec . . . . .	Justice . . . . .	31
New Brunswick . . . . .	Justice . . . . .	1
Nova Scotia . . . . .	Attorney General/Social Services . . . . .	1
Prince Edward Island . . . . .	Attorney General . . . . .	1
Newfoundland and Labrador . . . . .	Justice . . . . .	0
	<u>Federal government departments and agencies</u>	
	Ministry of the Solicitor General . . . . .	3
	Royal Canadian Mounted Police . . . . .	(not known)
	Canadian Penitentiary Service . . . . .	10
	National Parole Service . . . . .	3
		<u>143</u>

Provincial government departments whose functions pertain to corrections display wide variations in the methods used to hire employees with criminal backgrounds. Not all these departments automatically subject applicants to a security check even when the position is related to a custodial function in an institution. Accordingly, an ex-offender may conceal his criminal background if he is not asked directly about it on his application form, or he may deny it if he is. Consequently, his criminal identity may not be revealed. It can be assumed therefore that many ex-offenders are employed within government departments and agencies without their employers being aware of their background.

Wide variations in the method of processing applicants were common and there was no consistent method of safeguarding the personnel files of those who were subsequently hired. Even in federal departments, not all applicants are processed through a central or regional

\*See appendix D for breakdown of the distribution in Table 2.

office, so that senior administrative personnel may be unaware of the extent of their ex-offender staff complement. In the majority of departments there is no difference between the processing of an ex-offender's application and those of other applicants and the personnel files of ex-offenders are stored among the others. In these cases, since it was not possible to examine all personnel files, the study team had to rely on the memory of personnel staff who had been instrumental in hiring persons with criminal records. If, as in some departments, the personnel files of ex-offenders were kept separate to ensure confidentiality, a reasonably accurate assessment of numbers could be made.

For these reasons the 143 ex-offenders identified to the study can only be considered a crude approximation of the true numbers. Among the 143, wide variations existed in the depth of information obtained.

Ultimately, only 71 of the 143 identified provided enough information to enable a content analysis to take place. The remaining 72 contained only sufficient information to justify their inclusion in the total number.

**Distribution of ex-offenders in the formal and informal systems, according to various factors**  
**Distribution by age (see Table 3)**

On July 31, 1973, the study team took a random sample of the penitentiary inmate population (N=8338). The average age of one hundred inmates was 31. The average age in the informal system was 35 and in the formal system, 38.

In the formal system, only 25 per cent of all those employed were over 45 years of age. In view of the fact that 85 per cent of all ex-offender employees in the system had worked for four years or less\*, this suggests that for this older group, employment in corrections is not a primary career choice.

**TABLE 3**  
**DISTRIBUTION OF EMPLOYED EX-OFFENDERS BY AGE**

Age	Formal System		Informal System	
	Number	Percentage	Number	Percentage
Under 25 . . . . .	13	20	16	15
26 - 30 . . . . .	10	14	24	22
31 - 35 . . . . .	6	8	21	20
36 - 40 . . . . .	14	20	15	14
41 - 45 . . . . .	8	11	16	15
Over 45 . . . . .	19	26	15	14
Not known . . . . .	1	1	0	0

**Distribution by education (see Table 4)**

No proof (i.e. no documentation was obtained) of education levels was possible in either the formal or the informal system. Except for university graduates, both systems were

\*See Table 6.

comparable, the largest difference being 4 per cent for grades nine to eleven. The study had hypothesized that the overall level of education would be higher in the formal system, since government positions are only available to persons with acceptable levels of education. Thus, it was argued, since the level of education is a constraint in one system and not in the other, the informal system would have an overall lower education level. However, the findings did not support this theory.

**TABLE 4**  
**DISTRIBUTION OF EX-OFFENDERS BY EDUCATION**

Education Level	Formal System		Informal System	
	Number	Percentage	Number	Percentage
Grade 1 – 8 . . . . .	10	14	16	15
Grade 9 – 11 . . . . .	14	20	26	24
Grade 12 – 13 . . . . .	12	16	20	19
Trade (without graduation) . . . . .	7	10	11	10
Trade (with graduation) . . . . .	11	15	17	16
University (without graduation) . . . . .	10	14	13	12
University (with graduation) . . . . .	7	10	4	4

**Distribution by marital status** (see Table 5)

In the formal system, 15 per cent were single and 70 per cent married compared to the informal system where there were more single (25 per cent) and less married (51 per cent). Although this might suggest that the formal system has more persons with settled life patterns (i.e. married), it should be pointed out that the informal system offers less incentive to the man with a family because of the lower wage levels and the financial instability of many of the agencies in the informal system. Marital disruption (separation and divorce) was significantly higher in the informal system.

**TABLE 5**  
**DISTRIBUTION OF EX-OFFENDERS BY MARITAL STATUS**

Marital status	Formal System		Informal System	
	Number	Percentage	Number	Percentage
Single . . . . .	11	15	28	26
Married . . . . .	50	70	54	51
Divorced . . . . .	3	4	7	7
Separated . . . . .	0	0	9	8
Widowed . . . . .	1	1	2	2
Common Law . . . . .	0	0	7	7
Not Known . . . . .	6	8	0	0

**Distribution by length of time in present employment (see Table 6)**

Although in both systems the largest number of people were employed for a period of time between four and twelve months, the formal system contained a significantly larger proportion of persons who worked for longer periods of time. In the formal system, 14 per cent of the persons had been employed for over four years, compared to 3 per cent in the informal. Nearly one third of all the persons identified in the informal system had worked for less than three months, indicating the short life span of many agencies in the informal system and the concomitant short work periods available for its employees.

**TABLE 6**  
**DISTRIBUTION OF EX-OFFENDERS BY LENGTH OF TIME IN PRESENT EMPLOYMENT**

(Length of time) (months)	Formal System		Informal System	
	Number	Percentage	Number	Percentage
Under 3 . . . . .	10	14	33	31
4 - 12 . . . . .	25	35	44	41
13 - 24 . . . . .	14	20	21	20
25 - 48 . . . . .	11	15	5	5
Over 48 . . . . .	10	14	3	3
Not known . . . . .	1	2	1	1

**TABLE 7**  
**DISTRIBUTION OF EX-OFFENDERS BY TYPES OF OFFENCE (last conviction)**

Types of crimes	Formal System		Informal System	
	Number	Percentage	Number	Percentage
Crimes against the person . . . . .	12	17	28	26
Crimes against property . . . . .	37	51	56	52
Crimes against public morals and decency . . . . .	0	0	2	2
Narcotics . . . . .	3	4	15	14
Crimes against property with violence . . . . .	1	1	0	0
Liquor and traffic offences . . . . .	4	5	3	3
Crimes against public order and peace . . . . .	8	11	3	3
Not known . . . . .	6	9	0	0

**Distribution by types of offence** (see Table 7, preceding)

In both systems, the largest number of ex-offenders had been convicted of "crime against property"; this category accounted for over half the crimes committed. Crimes of violence accounted for 26 per cent of all crime in the informal system, compared to 17 per cent in the formal. Narcotic offences were also more predominant in the informal system. "Minor" criminal offences such as liquor, traffic, public order and peace violations accounted for only 16 per cent of all violations in the formal system. Nevertheless, these "minor" convictions are all under the Criminal Code of Canada.

**Distribution by number of months since last conviction** (see Table 8)

In analyzing these figures, it must be remembered that ex-offenders in the informal system have faced more convictions and served more time than their counterparts in the formal system. Thus it is likely that ex-offenders in the informal system also spent larger periods of time in institutions, especially on their last conviction. Nevertheless, over half the ex-offenders in the formal system had been free of convictions for over seven years, compared to 35 per cent in the informal system. When the period is reduced to five years, the gap between the two systems is only 17 per cent.

**TABLE 8**  
**DISTRIBUTION OF EX-OFFENDERS BY NUMBER OF MONTHS**  
**SINCE LAST CONVICTION**

Months	Formal System		Informal System	
	Number	Percentage	Number	Percentage
Under 12 . . . . .	2	3	6	6
13 - 26 . . . . .	11	15	23	22
37 - 60 . . . . .	3	4	22	21
61 - 84 . . . . .	7	10	16	15
Over 84 . . . . .	41	57	37	35
Not known . . . . .	7	10	3	3

**Distribution by recidivists and first offenders** (see Table 9)

Most (67 per cent) of the ex-offenders employed in the formal system had only a single conviction against them. In the informal system 73 per cent of the ex-offenders were recidivists.

The figures for the formal system suggest two possible explanations:

- (1) More first offenders are attracted to positions in the formal system, or;
- (2) The formal system finds first offenders more acceptable as prospective employees.

The second explanation suggests that the screening process tends to reject applicants with repeated criminal convictions. This is clearly not the case in the formal system, which had nearly three times as many recidivists as first offenders. These figures indicate that "criminality" is viewed as an asset in the informal system and as a disadvantage in the formal system.

**TABLE 9**

**DISTRIBUTION OF EX-OFFENDERS BY RECIDIVISTS AND FIRST OFFENDERS**

Type	<u>Formal System</u>		<u>Informal System</u>	
	Number	Percentage	Number	Percentage
Recidivists . . . . .	23	32	79	73
First offenders . . . . .	48	67	28	26
Not known . . . . .	0		0	

**Distribution by number of penitentiary convictions (see Table 10)**

These figures show that offenders with penitentiary records are seldom employed in the formal system. Of the ex-offenders who were employed in the formal system 85 per cent had never served a term in a penitentiary. Eight out of seventy-one employees in the formal system had been convicted once and two, twice. The picture for the informal system is very different. Only 41 of the total of 107 persons had never served a penitentiary term. Over 30 per cent of the total sample were penitentiary recidivists.

**TABLE 10**

**DISTRIBUTION OF EX-OFFENDERS BY NUMBER OF PENITENTIARY CONVICTIONS**

Penitentiary convictions	<u>Formal System</u>		<u>Informal System</u>	
	Number	Percentage	Number	Percentage
None . . . . .	61	85	41	38
One . . . . .	8	11	33	31
Two . . . . .	2	3	15	14
Three . . . . .	0	0	6	6
Four . . . . .	0	0	8	7
Five and over . . . . .	0	0	4	4
Not known . . . . .	0	0	0	0

**Distribution by provincial institution convictions (no penitentiary convictions) (see Table 11)**

Of the number of ex-offenders employed in the formal system who had never served a term in a penitentiary, half had also not served time in a provincial institution. All ex-offenders in the informal system had more jail or reformatory convictions. Accordingly, ex-inmates were far more predominant in the informal than the formal system.

**TABLE 11**  
**DISTRIBUTION OF EX-OFFENDERS WITH NO PENITENTIARY CONVICTIONS**  
**BY PROVINCIAL INSTITUTION CONVICTIONS**

Number of convictions	Formal System		Informal System	
	Number	Percentage	Number	Percentage
None . . . . .	33	54	7	17
One . . . . .	18	30	13	32
Two . . . . .	4	7	6	15
Three . . . . .	1	2	4	9
Four . . . . .	0	0	4	9
Five and over . . . . .	5	8	7	17

**Distribution by number of convictions to provincial institutions (see Table 12)**

A comparison between the formal and informal system indicates clearly the predominance of reformatory and jail ex-offenders in the informal system. Over half of the 72 ex-offenders in the formal system had never served time in a provincial institution; this is true of less than one quarter in the informal system. A computation of the accumulation of years spent in institutions (taking minimum numbers), gives a total of 89 for the formal system and 336 for the informal. This institutional experience was much more a phenomenon of the informal system than the formal system.

**TABLE 12**  
**DISTRIBUTION OF EX-OFFENDERS BY NUMBER OF CONVICTIONS**  
**TO PROVINCIAL INSTITUTIONS**

Number of convictions	Formal System		Informal System	
	Number	Percentage	Number	Percentage
None . . . . .	38	53	22	21
One . . . . .	19	26	22	21
Two . . . . .	5	7	14	13
Three . . . . .	2	3	10	9
Four . . . . .	0	0	10	9
Five . . . . .	0	0	2	2
Six to ten . . . . .	4	5	16	15
Over ten . . . . .	3	4	11	10
Not known . . . . .	0	0	0	0

**Distribution by job description (see Table 13)**

Job descriptions in the formal system have no relation to those in the informal system so comparisons were impossible. The breakdown for the formal system includes positions in both federal and provincial government departments. The position of correctional officer is common to all except some juvenile institutions where custody staff are not exclusively concerned with the security of the institution but perform duties that are treatment oriented, and a few non-maximum security provincial institutions where such is also the case.

**TABLE 13**

**DISTRIBUTION OF EX-OFFENDERS BY JOB DESCRIPTION (FORMAL SYSTEM)**

<u>Job Description</u>	<u>Number</u>
Correctional Officers . . . . .	32
Support Service Officers . . . . .	20
Institutional Counsellors . . . . .	10
Teachers . . . . .	3
Recreation Officers . . . . .	2
Parole Officers . . . . .	2
Probation Officers . . . . .	2

The description "institutional counsellor" includes persons whose duties consist of classifying inmates for the purpose of training, education, transfer and treatment.

All institutions employ a variety of persons whose duties are not primarily concerned with security although this is part of their responsibilities. Since job descriptions of these positions varied, although their functions were very similar between federal and provincial institutions, they were grouped together under the general heading of "support service officers". All have contact with inmates and therefore come within the terms of reference. Support service officers include hospital officers, cooks, chefs and vocational instructors. All these positions are related to the overall functioning and objectives of the institution.

The two categories, correctional officer and support service officer describe nearly 75 per cent of the ex-offenders (identified and supported by information) in the formal system. Nevertheless, under no circumstances should it be taken that this figure of 52 even approaches the number of ex-offenders actually employed in Canadian institutions.



# CHAPTER III

## BARRIERS AND ATTITUDES IN THE CRIMINAL JUSTICE SYSTEM

### 1. Terms of reference

"To gain a better understanding of the barriers that prevent offenders from filling certain occupational positions and to gauge the attitude of employers towards utilizing the skills, capabilities and expertise of selected offenders and ex-offenders".

### 2. Selection of the sample

The objective of this part of the study was to measure and document the attitudes of personnel in the criminal justice system towards the concept of employing ex-offenders within the system.

The status of respondents ranged from the senior administrative to line staff levels in both federal and provincial jurisdictions. Respondents were drawn from police, judicial, institutional and after-care groups and related employee representation organizations.

A total of 199 from these groups in the five regions of Canada formed the initial sample.

The survey's effectiveness in locating the initial target group is indicated by the number of completed interviews (185) of the original proposed sample (199).

The interviews were conducted by seven interviewers during a two-week period. For the purposes of the study the country was divided into five regions: British Columbia, the Prairies, Ontario, Quebec and the Atlantic Provinces.

Table 14 shows the occupational breakdown of each regional distribution of the proposed survey sample.

Respondents were assured of confidentiality; the groups were structured to preserve anonymity.

Some proposed respondents were unavailable because of summer vacations. In these cases, alternate respondents were found by the interviewers. Table 15 shows the composition of the actual sample.

### 3. Methodology

The interview was based on:

- (a) a preliminary confidential survey of Canadian penitentiary personnel conducted by the Commissioner of Penitentiaries in March, 1972;

- (b) a preliminary sampling of self-help groups and ex-offenders at present employed in the correctional system;
- (c) assumptions made by the consultative body itself as the survey was being initiated.

The open-end responses obtained in this kind of unstructured interview are difficult to classify. In designing the interview\*, an attempt was made to limit the common problems of data reliability and interviewer bias by omitting questions that would later require the coders to make judgements on the respondents' statements. Of course, this was not easy as the survey was seeking views, attitudes and opinions. The weighting of the responses on the interview include, perforce, arbitrary judgements by the consultation team. However, the attitudes collected in this study show clear patterns of interest and any subsequent study might find this material useful as a guide to drawing up its own interview. This would make it possible to obtain hard quantifiable data and eliminate many problems of rating and interpretation.

Because of the distinctly different ingredients, variables and patterns of operation in each level of the system, respondents' attitudes towards the use of ex-offenders in the system were often ambivalent; they were seldom clear cut or easily defined. The essence of the respondents' experiences (by extent and intensity of inmate contact) and biases (whether, for example, they "believe" in rehabilitation) were reflected in their views and attitudes.

In spite of the limitations of time, the sample surveyed, and the method of eliciting attitudes (with the inherent problems of interpretation mentioned above), it was still possible to make judgements on the respondents' statements.

#### 4. Basic Findings

- (a) Respondents showed a great deal of variation in their response to the concept of having ex-offenders in the criminal justice system. The responses varied from absolute resistance to complete acceptance.

The essential question put to the entire sample –

"Assuming an ex-offender meets the basic requirements for a position, would his criminal record in itself bar you from hiring him?" – allowed that:

- i) the respondent may or may not be in a hiring/firing position.
- ii) the respondent's response would reflect primarily his area of employment within the criminal justice system, i.e. the area he knows best.

Therefore responses and elaborations were invited on the basis of circumstances or factors representing absolute or conditional bars, i.e. personal, situational or functional factors.

This question brought responses so hedged by qualifiers, conditions, objections and resistance that they prohibited the development of an affirmative consensus. Realistically, the responses could be only interpreted by the intensity of the objections and concerns rather than on the basis of direct answers – "Yes, I would hire him", or "No, I would not hire him".

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\*See Appendix 'B'.

**TABLE 14**  
**PROPOSED REGIONAL SAMPLE OF THE CRIMINAL JUSTICE SYSTEM AND PROPOSED NUMBER OF INTERVIEWS**

Personnel	Ministry of the Solicitor General						Provincial government institutions							After-care				
	Canadian Penitentiary service	Security institutions			Community Correctional Centre	National Parole Board	R.C.M.P.	Provincial Director	Adult institutions	Juvenile institutes	Probation services	Provincial police	Municipal police	Courts	The John Howard Society	Half-way houses	Self-help groups	
		Maximum	Medium	Minimum														
Regional Director (or assistant) .....	1																	
Director .....		1	1	1	1			1	1						1	1	1	
Supervisor of classification .....		1	1	1														
Custody workers .....		1	1	1				1	1									
Union representative .....		1	1	1														
District representative .....						1												
Parole officers .....						1												
Police detachment head .....							1											
Constable .....							1											
Provincial Director .....								1		1	1		1					
Supervisor of treatment staff .....									1									
Local administrator .....											1							
Probation officer .....											1							
Personnel officer .....												1						
Judge .....													1					
Crown attorney .....													1					
Executive Director .....														1				
	1	4	4	4	1	2	2	1	4	4	3	2	2	2	1	1	1	1

**TABLE 15  
COMPOSITION OF THE ACTUAL SAMPLE**

Personnel	Dept. fo the Solicitor General & the Public Service Alliance				Provincial areas				After-care
	Canadian Penitentiary Service	National Parole-Board	RCMP	PSA	Institutions & Probation	Police	Courts	Unions, Alliances Federation	Half-way houses native groups and self-help organizations
Administrative .....	25	6			21	4			
Treatment .....	21				13				
Custodial .....	14				8				
Parole officers .....		4							
Senior Administrators .....			6						
Police officers .....			6			8			
Shop stewards .....				10				6	
Executive of union locals .....				6				2	
Judges .....							5		
Crown attorneys .....							3		
Senior directors .....									
Court workers .....							2		
Executive Directors .....							1		14
	60	10	12	16	42	12	11	8	14

The basic assumption, spoken or unspoken, of the concept of using ex-offenders is that an offender's experience equips him to deal with others going through a similar experience. We found little support for this assumption.

Of 185 people interviewed, only 12 (6.5 per cent) had no qualifiers of any kind, providing that a person with a criminal record met the basic requirements for a position. Only 22 (11.9 per cent) of the 185 were categorically opposed to the concept. The remainder, 151 (83 per cent) listed detailed conditions which, in total, added up to a rejection of the concept. Determining conditions are detailed below. Within that framework of variations of negative responses, we explored what limited use of such personnel might be acceptable in view of respondents. Some of those limitations are detailed below.

**(b) Overall opposition to the concept is much milder in the provincial area than in the federal. Opposition is scattered throughout, but factors which would bar hiring are not stressed.**

Provincial personnel surveyed seemed much more relaxed in their approach. As a result of being less militant and more receptive, quantitatively and qualitatively, than federal employees, provincial respondents generally listed fewer and less stringent qualifications for the concept.

The twelve respondents who had no reservations to hiring were:

Solicitor General	— 4
Provincial	— 7
After-care	— 1

The 151 respondents who listed restrictions to hiring were:

Solicitor General	— 81
Provincial	— 57
After-care	— 13

The 22 respondents who were negative to hiring were:

Solicitor General	— 13
Provincial	— 6
After-care	— 0

**(c) A significant majority of all respondents added personal and functional restrictions which would virtually exclude ex-offenders from any meaningful roles in any part of the formal system.**

Factors mentioned most frequently in determining the conditions of employment for ex-offenders, stressed the *individual* primarily with secondary concern for *situational* or *functional* factors. These factors were:

1. The ex-offender's record (family structure, associates, stability of work, community service as entrée to corrections) since release into the community was given considerable weight.
2. The repeated emphasis on the type and circumstances of the offence as a factor make it clear that, almost unanimously, the "chronic" sex offender is unacceptable to both staff

and inmates as a candidate for correctional work. It was pointed out that sex offenders, because of their characteristics, would be unlikely applicants and would not be well received.

3. Where a pattern of violence was consistent in an individual's record there was a strong resistance to hiring.
4. Individuals with documented histories of emotional instability and habitual criminality were not wanted.
5. Views were mixed as to offenders convicted of fraud, drug, and/or alcohol related offences.
6. Some respondents viewed those convicted of fraud as "good workers" in an institutional setting but were hesitant about entrusting responsibility. A distinction was made in the drug related offences between the occasional user and the habitual, but there was no consensus of opinion.
7. Alcoholics, if 'straightened out' appeared to some to have a positive potential for 'setting an example'. To others they were inbred repeaters, as were 'conmen' and sex offenders.

#### **Time as a condition of employment**

Of the 185 respondents, 68 stipulated that a certain period of time after release into the community must pass before an ex-offender could be hired. The length of time varies from a very short period to five years.

A minimal number (i.e. six) said hiring could begin immediately after release. Thirteen were undecided, or did not specify a time limit, indicating a preference to judge on individual basis.

However, 82, a significant majority, said that time, as a factor, could not be arbitrarily set since the individual's personal suitability was the prime factor.

#### **Distance as a condition for employment**

There was no definite pattern of response regarding geographic distance from the institution/region of release and hiring potential. Many respondents said that this was irrelevant and that employment should depend on the person's qualifications and suitability for the position.

To the majority, the question of levels of responsibility, promotability and access to confidential files was academic. According to the dictates of the position and the individual's personal suitability, he should be given the same rights and treatment as any new employee. Mixed with this, however, was a general feeling of caution that selective screening, suitability tests, a somewhat longer probationary period and "surveillance" should be used. Preference was also shown for employing ex-offenders in areas that would reduce any risks.

**(d) All ranks emphasized their concern about resistance to the concept at the line staff level.**

Mentioned throughout all ranks and levels of the system was concern about line staff resistance. Particular emphasis was placed on restricted areas of employment.

The concern about line staff resistance, voiced by respondents at all levels, focussed primarily on the situation and functions of ex-offenders and not on the individual's merits or faults.

The respondents emphasized that they expected open hostility or organized resistance on the part of line staff, a consciousness of being "threatened" and outright rejection from staff members who are, or have been police officers.

**(e) The resistance of line staff is intensified at all ranks in direct proportion to the amount of institutional contact or relationship with the ex-offender.**

In the view of staff representatives, this group would be almost unanimous in its resistance. Respondents showed a common pattern of rigid opposition to the concept.

A common concern was stated about the institutional structure as a whole and the damage that might be done to it.

A strong concern was expressed about detrimental relations among staff, although a few conceded that some of the conditional bars above might alleviate these problems. However, it is obvious there is no substantial acceptance.

Interestingly, this group showed some concern for the ex-offender and the difficulties and stresses he would face as an employee in the correctional system, although this may perhaps, have been only a surface courtesy. The main view was that the hiring of ex-offenders would be a disservice to both ex-offenders and the structure.

**(f) Not in my house**

The survey sought respondents' views, within the limitations they set themselves, of which *functional* areas they considered at least theoretically possible for the employment of ex-offenders.

The majority of views can be accurately, if inelegantly, described by the expression: ". . .not in my house, you don't".

Police personnel saw potential for the employment of ex-offenders at the after-care level — the other end of the process. Judicial personnel wished ex-offenders could be employed within institutions, places well beyond the extent of their own functional jurisdiction. Institutional personnel located them on either side of the institution — but not inside it.

The common theme was trust, the respondents' total lack of trust in ex-offenders and their complete inability to give trust to ex-offenders.

This absence of trust in ex-offenders as employees brought every element of the process — staff, secondary contacts, the inmate system itself and the institutional structure — into mention.

It is of interest to note that, when asked for alternatives, respondents invariably excluded their own function and suggested functions in a non-professional structure.

**(g) The following synopsis of issues, opinions and ideas presents recurring themes throughout this section of the study.**

1. Figures suggest that the "community" is seen as a particularly effective area for employment ex-offenders in "non-traditional" roles (the "non-traditional" role was repeatedly mentioned). Areas most frequently mentioned (half-way houses, self-help groups, case aid in pre-release programs, job placement worker with an after-care agency, police youth bureau, guidance counsellor, court liaison, probation) were seen as being able to provide innovative roles for the ex-offender in which he might "set an example" and use his experience.
2. Some respondents offered the view that "charity" jobs for long institutionalized inmates might be merited – again, depending on the individual ex-offender. Here once more, the question of "loyalties" was the prime factor.
3. Work locations mentioned were in peripheral institutional areas, e.g. regional stores, services and supplies, headquarters clerical staff.
4. Significantly, few respondents saw the first offender as potentially the most acceptable. As perhaps an "accidental offender", and thus probably not criminally oriented, the first offender's effectiveness in dealing with inmates is negated if the role of the ex-offender is to 'set an example' or use past experience. To the majority, a first offender 'has no value' – he doesn't know inmates.
5. On the other hand, to the nay-sayers, the claim that ex-offenders better understand the problems of other offenders is exaggerated.
6. The question whether being granted a pardon makes an individual more credible was unfortunately not consistently asked by the interviewers. But spontaneous comment at all levels suggests it may be of no significance.
7. Many respondents made a marked distinction between an ex-offender and an ex-inmate, but did not enlarge on this theme. Respondents' attitudes to the concept of employing individuals with criminal records were weighted in favour of the ex-offender rather than the ex-inmate.

**(h) Responding to the question of confidentiality in hiring, the overwhelming majority (150 out of 185) stated that senior administrative personnel should be told if an individual has a criminal record. As to whether staff should be told, 63 were in favour of openness; 91 said staff should not be told; 31 were undecided.**

When asked whether inmate/clients should be told, 107 respondents stated that they would not; 38 indicated that they were in favour of revealing the information; 40 were undecided.

The theme throughout, however, appeared to be that confidentiality "doesn't work" – both staff and clients eventually find out. It is difficult to speculate on the rationale for the figures supporting confidentiality, since not all respondents elaborated.

But it does appear that 'trading on the experience of being an ex-offender' is not regarded as either an asset or a liability. Rather, the individual's personal suitability for correctional work, based on the detailed factors mentioned earlier, is given more weight.

## CHAPTER IV

### THE INMATE AS

#### A CORRECTIONAL MANPOWER RESOURCE

At Saskatchewan Penitentiary two inmate self-help groups use offenders in a unique way in the rehabilitative process. The first of these groups was established by the inmates, in January of 1973, under the name "Con-Aid". Con-Aid is a self-help counselling program in which members of the Con-Aid committee are on call twenty-four hours a day to assist fellow inmates with their personal problems. Should an inmate be depressed or demonstrate suicidal tendencies, a Con-Aid member is permitted to visit his cell at any time of the day or night to counsel him. Special arrangements have been made by the custodial staff to permit these Con-Aid visits. At present, however, Con-Aid has been suspended due to internal problems. It is hoped that this program will resume operations at some point in the future.

The second inmate group in Saskatchewan Penitentiary, also a self-help group, started on June 12, 1972, under the name of the "Re-Hab Group". Shortly afterwards it changed its name to "Conforce I" because of the group's orientation toward inmate-community work. "Conforce I's" work program has been established through the cooperation of the Steering Committee of "Conforce I" and a Citizens' Advisory Committee.

The Citizens' Advisory Committee is a group of citizens from the community who work on a voluntary basis within the institution. Originally, the Citizens' Advisory Committee met with members of the Re-Hab Group, the forerunner of "Conforce I", to discuss the problems of recidivism and to discover ways of improving inmate-staff relations. The Citizens' Advisory Committee now works to improve relations between the inmates and the community and to find jobs in the community for inmates. The Committee has found most of these jobs with a pulp and paper manufacturing firm near Prince Albert. This firm has employed a great many inmates under the auspices of Conforce I. Other employers have hired inmates for such tasks as reforestation or fence post cutting, and as day labourers, construction workers, painters and so on.

The Citizens' Advisory Committee and the Steering Committee of Conforce I act as a pre-selection board which screens and assesses inmates for work within the community. The Steering Committee of Conforce I is made up of ten of its active members; they are elected by the inmates. New members are elected every six months by secret ballot and all members remain on the committee until they resign, move to another prison, complete their sentence, or receive full or day parole. All members nominated for this Committee must have been approved by the Inmate Training Board; they are then elected to their posts. This manner of election thus ensures that the Steering Committee will have the unanimous approval of both inmates and the administration; it also establishes a permanent base of membership for this important Board.

The penitentiary staff also plays an important role in the operation of Conforce I. The Inmate Training Board, usually made up of five staff members, reviews all applications submitted by the Steering Committee and either approves, rejects or defers the nominees, or

places them in either a "with escort" or "without escort" category. The prison psychologist serves as a liaison person for Conforce I, while the Director and a classification officer help coordinate the program. Other prison personnel have occasionally located jobs for inmates or hired inmates themselves, and sometimes provide transportation to and from jobs. The kitchen prepares packed lunches for all inmates requiring them and the accounting department handles finances for the group. Conforce I members have thus made a viable attempt to achieve one of their prime objectives — the bridging of the communication gap between inmates and prison personnel.

The second prime objective of the group has been the reduction of the rate of recidivism among inmates. Conforce I members have attempted to achieve this objective by giving inmates the opportunity to adjust to the working world so that they will be able to seek and successfully hold on to employment upon release. Since the initiation of Conforce I, more than 1,100 temporary absences for employment have been authorized. Conforce I has considered the application of 130 inmates. Of these 59 were approved for employment without escort, and 17 with escort; 54 were judged unsuitable or ineligible. The program enables suitable inmates to benefit from occasional exposure to the outside community and to accustom themselves to everyday work habits. Since a work period is a normal working day, the inmate must prove he is capable and as hardworking as his fellow employees to ensure continued employment.

In the past, the normal method of release for community employment has been by means of Temporary Leave of Absence work passes for terms of employment exceeding three days. Due to the policy change which became effective in June, 1973, Temporary Leave of Absence work programs have been removed from the jurisdiction of the Canadian Penitentiary Service and added to the responsibilities of the National Parole Board. Release for employment purposes now depends on eligibility for day parole. Due to the fact that it can now no longer accept employment opportunities which exceed a work period of one day, the Conforce I program has been suspended and remains at a standstill because it can no longer effectively maintain a steady flow of inmates for placement in the community.

# CHAPTER V

## CASE STUDIES

The case study is a useful device for several reasons. First, it serves as a means of collecting factual information about the day-to-day existence of the subject under study. Second, it presents the material in such a way that the physical and practical components of the subject's life emerge very clearly. There is little attempt, at least in the following case studies, to delve into hidden meanings, psychological wellsprings of motivation or the like. The studies presented have been written by interviewers known to the subject but in no way connected to their lives through counselling, social work or other "treatment".

The studies documented on the following pages present a sample of the experiences of ex-offenders seeking employment in the correctional field. Some were successful in their endeavours; others encountered setbacks and failure.

### Case Study One

Mr. X is 49 years old, married, with two children, both of whom are financially independent. He is at present the director of a halfway house. Mr. X has served approximately twenty years in penal institutions.

Mr. X dropped out of high-school after completing his ninth grade. At eighteen he had first encounter with penal institutions when he was sentenced to a medium security institution for car theft. After serving part of this sentence, he was released on parole but violated the conditions of his release. Further convictions resulted from charges of possession of housebreaking instruments, break and enter, possession of stolen goods, forgery and illegal entry into the United States. He engaged in these activities between convictions and accumulated numerous sentences which he served at institutions throughout Canada and the U.S.A.

During his criminal career, Mr. X married and had a son. He had little contact with his child due to the fact that he was institutionalized for most of the period of his son's upbringing. Numerous convictions and limited familial contact due to incarceration led to divorce from his first wife.

Upon his final release, Mr. X was employed in a firm of interior decorators. When he was released from this position because of lack of business, he started his own interior decorating firm, which he operated for a period of three years. Meanwhile, Mr. X remarried and set up house with his wife and her young daughter.

Mr. X was approached by the Assistant Director of the Halfway House where he had been a resident upon release. The Assistant Director, who had accepted a job placement elsewhere, suggested to Mr. X that he apply for his position. Mr. X obtained the position and later applied for the Directorship when it became vacant. He did not succeed, due to the fact he

was not yet permitted to work in institutions. Once this permission was granted, Mr. X was promoted to the position of Director.

Mr. X claims that at first his wife did not like his constantly having to admit to his criminal record. However, after having accompanied her husband on his tours throughout institutions where she was able to witness first-hand his counselling abilities, Mrs. X accepted his new role and all it entailed. Although Mr. X no longer discusses his job with his wife, he claims that she is extremely understanding when he has to bring work home. In addition to this moral support, his wife also helps financially as she is employed full-time.

Desiring a more secure future for himself and his family, Mr. X was prompted by an item in the newspaper to apply for a position within the Federal Government. This item quoted a high ranking official in the Solicitor General's Department as saying that he encouraged ex-offenders to apply for work in industry and in the Solicitor General's Department. Mr. X wrote to the Department for a job application form. He was informed that his criminal record would not be a barrier as long as he met the qualification standards and he was encouraged to apply for the position of counsellor in a prerelease centre; the matter of salary was even discussed. Negotiations continued for approximately a year and a half. Finally Mr. X was notified that a new policy had been established that required a degree as a prerequisite for this job. However, Mr. X claims that he was told unofficially that the real reason for his not being hired was that the union was opposed to the hiring of ex-offenders as staff members.

Mr. X is still working as Director of the Halfway House. He served as Assistant Director for thirteen months and as Director for eighteen months. He has taken a university course in sociology at nights and plans to take further courses in the social sciences. He has also been asked to audit the Master's program in Criminology at the University of Ottawa. However, Mr. X claims that his long working hours and the shortage of personnel make it virtually impossible for him to undertake the course of studies that would qualify him for a comparable position in the formal system.

### **Case Study Two**

Mr. A, 40 years old, married, with three children, is currently employed as a correctional officer, working at both the Day Release Centre and the provincial jail in which he was once incarcerated. He spends two days a week at the jail interviewing residents in an annex designated for minimum security prisoners. During the rest of the week, he is based at the Day Release Centre. His duties include community and work investigations and counselling and assisting inmates in their applications for parole and temporary absences. Mr. A's tenure ends in September when he will return to university to continue his studies in psychology.

Approximately one year ago, Mr. A was released on parole from a provincial jail after having served a term of ten and half months for theft over fifty dollars. For fourteen years prior to his convictions, he had worked successfully in a white collar job for a large corporation. During these years he was active in the community as a fund raiser, an elder of his church, and as the membership chairman of a provincial political party.

During his incarceration, Mr. A became involved in the Residents' Committee within his institution. His experience with this group made him decide to pursue a career in corrections

and he enrolled as a full time undergraduate university student upon his release from jail. The following summer, eight months after his release, he was employed as Correctional Officer at the provincial jail in which he had been incarcerated. Mr. A's employment in this position precipitated a walkout of the institutional staff at the jail. After much discussion, the issue was finally settled and the staff returned to work. Mr. A continues to work within the institution two days a week.

### Case Study Three

Mr. W. is a 30-year-old social worker, married, with two children. His wife is a nurse and is currently employed. Mr. W. came to Canada as a landed immigrant. He attended university, obtaining a Bachelor of Arts degree with a major in social sciences. Upon graduation, Mr. W. was hired by the Department of Health and Social Development as an untrained social worker dealing with welfare recipients. After three years in this position, Mr. W. took a leave of absence from the department during which period he studied for and obtained a Master's degree in social work. On his return to the Department, he became a unit supervisor in the welfare field. He was responsible for the administration of his unit, the supervision of eight workers, and the planning and evaluation of programming. He also participated in research on treatment methods for multi-problem families and assisted in on-going staff training and development programs.

A year after taking this position, Mr. W. was convicted of fraud due to misuse of public funds. He had appropriated for his personal use money designated by the government to meet the needs of welfare recipients. Mr. W. explained his actions by stating that he believed himself to be underpaid and that he had a desire for additional material goods. Upon discovery, however, Mr. W. gave full cooperation to the Department by detailing the ways whereby he had unlawfully availed himself of funds. He attributed his rather lenient sentence, a one-year prison term, to his willingness to assist the Department. The press, however, gave widespread coverage to this "violation of trust", and a public outcry resulted. The Department was thus caused considerable embarrassment.

Mr. W. served four months in an institution before being granted full parole. During his incarceration, he did some work with the resident Council of Native People and was employed by the clinical department of the institution for the purpose of providing inmate psychological assessments.

After release he was employed as a salesman in a large department store located in the same area in which he had previously worked as a social worker. Being forced to confront former colleagues in this way helped him both to overcome his embarrassment and to regain some of his confidence. Shortly thereafter he applied for the position of community development worker. He was hired and held his position for eighteen months.

While employed as a community development worker, Mr. W. applied for a position in a mental institution. When he was unsuccessful in obtaining this employment, he decided to compete for the position of Supervisor of Inmate Training at the provincial institution in which he has been incarcerated. Although granted an interview he was not successful in obtaining the position. He applied for the position of Supervisor of Counselling at this same institution several months later. He was once again interviewed but failed to obtain employment. Mr. W.

then decided to apply for the position of Assistant Director in an aftercare agency. However, he was informed that this agency had decided not to create a position at the level expected. Mr. W. then turned to a day release centre where he applied for the position of Supervisor of Counselling. However, he was not considered for the position.

After this rash of unsuccessful attempts to obtain employment, Mr. W. waited approximately seven months before trying again. He then applied to a juvenile detention centre for the position of Cottage Supervisor, which involved the coordinator of a unit team. A pre-interview with the personnel of the institution went well and Mr. W. was asked to attend a sitting of the hiring board. However, once again, Mr. W. was not chosen for one of the five positions (for which there were seven applicants). At this point, Mr. W. applied for the position of Classification Officer in a penitentiary. Although interviewed by the Public Service Commission, there was no follow-up after the initial interview. After repeated attempts, Mr. W. has not been able to obtain a position in the field or corrections. He is at present employed as a social worker in the drug withdrawal unit of a hospital.

#### Case Study Four

Mr. P. is 40 years old, married, and has three children. He grew up in what he terms "the rough district" of a middle sized Canadian town. His father, who had a grade twelve education, was a cabinet maker by trade and became superintendent of a rehabilitation workshop. His mother was a housewife; her education ended at grade 8. Mr. P. spend a good deal of time on street corners with older boys who would wait for old drunks to come out of the hotels and then "roll them" and take their money. By the time he was nine he was an active participant in these activities. He eventually became a gang leader, but committed his first "break and enter" on his own. For a while he picked up bets for a book-maker and then served as the "muscle" behind loan-sharking operations.

His first appearance in juvenile court was for stealing a bicycle. By the time he was sixteen he had received one year's probation for car theft. Shortly after that he received another thirteen months' probation, again for car theft. This subsequent sentence was partially rescinded by the judge because Mr. P. joined the Navy. He was seventeen at the time.

According to Mr. P, he "stole his way through the Navy" spending much of his time in detention. Finally, when he was twenty-one, he was given a misconduct discharge for yet another car theft, for which he received a one year sentence. Shortly after release he was caught driving without a licence in a stolen car but was not charged with car theft.

In 1956, Mr. P. got married and worked as a labourer for one year. When the marriage ended after eight months, he quit his job, started drinking and took heroin for about eight months. He supported himself by breaking and entering and again became the collector for a loan sharking operation. This usually entailed persuasion in the form of physical assault.

He spent some time in New York and returned to Canada in 1958, when he met his present wife. He started living with her in March of 1959 and began working as a truck driver. He worked steadily until 1963 when he began drinking heavily again. He spent four months in a mental hospital, mentally disoriented and going through a period of withdrawal from alcohol.

Shortly after he was released from hospital, his son was born. During the period that followed, Mr. P's thinking — about himself and his role in society — began to change. It was at this point in time that he began to consider working in corrections. He felt that if he could change, his past experience could be of some use in helping others. He then began to establish some short and long term goals. He began by becoming an active A.A. member and holding a steady job. For the next four years he spent his evenings working with alienated youths as a volunteer mentor in group discussions and as a counsellor.

Mr. P. felt that the only way that he could work in the formal correctional system was to become academically qualified, so in 1968 he went back to school. In 1972 he graduated with a combined BA degree in sociology and social work.

After graduation Mr. P. applied for the position of counsellor in a provincial correctional system. He described his background and after several interviews he was accepted as a counsellor at a provincial jail.

Besides the Superintendent in charge of the jail, the only other people who know Mr. P. had a record were senior persons in the department. When the Superintendent was first informed that Mr. P. was an ex-offender he voiced some misgivings, but Mr. P. feels that the Superintendent is now his firmest supporter. Because of the fact that other staff members had no knowledge that he was an ex-offender, Mr. P. was treated like any other staff member.

He thinks that some inmates guessed that he was an ex-offender because of some of the things he said to them and because of the understanding that he showed of their situation. However, he has never been confronted by inmates as to whether he is an ex-offender or not.

After working as a counsellor in a provincial jail for about a year, Mr. P. applied to be a candidate in a program for the training of administrators. With the recommendation of senior staff he was accepted as a trainee in this program, out of a field of 280 applicants.

At the present time Mr. P. is working within this program. He has worked as a guard, a counsellor and an administrator, in fact in just about every position in a correctional institution. When the program is finished he will be eligible for an administrative position in a correctional institution. Mr. P. believes that the people in corrections who know that he is an ex-offender have treated him really well. However, he is convinced that the opportunities that have been open to him for advancement are due to his ability as a person working in corrections rather than because he is an ex-offender.

#### **Case Study Five**

Paul is a 24-year old married man. His wife is employed full time as a stenographer. They have been married for two years, and as yet, have no children.

Paul is the second oldest of a large family of children. When he was five, his father died, leaving the mother with no other means of support than welfare. Although there was little money, the mother, a warm dedicated woman, did the best that was possible in raising a large family single-handed.

At the age of seventeen, Paul began to move into close association with older teenagers, spending less and less time at home. Several of these teenagers owned old cars, which enabled Paul and his friends to drive into a nearby city. They began to frequent beer parlours where local girls were known to gather.

Paul's drift into delinquency and crime developed from minor acts of vandalism while drinking. His group stole hub caps, drove recklessly and gained a reputation for being loud and irresponsible.

He was arrested just after he had turned eighteen and was convicted of break and enter with intent. He received a suspended sentence. A few months later he was convicted of assault causing bodily harm, wilful damage and common assault. He received a sentence of 18 months and was sent to the . . . . . Correctional Centre.

After serving twelve months, the final three being served on day parole, Paul was released on expiry of sentence, having earned the maximum remission possible. He had been no trouble in the institution and several correctional officers regarded him as a trustworthy inmate. He had enrolled in several educational courses and succeeded, during the course of his incarceration, in up-grading his educational level.

Approximately five years after being released, Paul applied for the position of Corrections Officer I, and was subsequently hired. He is at present on temporary staff but that is common to all new officers. When interviewed he had been working for three months and expected to be placed on permanent staff at the end of this period of probation.

Following his release from the institution, Paul disassociated himself from his former friends and continued to up-grade his education. During his period of day parole, he had assisted a crippled social worker by guiding her wheel chair. Following his release he was able to continue this helping role by obtaining a full time position at the . . . . . Mental Hospital. He remained there for two years before quitting to attend school full time. After he obtained grade twelve, he got a job as a legal counsellor for a native peoples organization. He remained in this position for eighteen months before being laid off. This was followed by his return to the . . . . . Correctional Centre as a correctional officer. Paul was never unemployed following his release from the institution.

One of the correctional officers who remembered him as an inmate, and who had in the meantime risen to a senior staff position, played an instrumental role in Paul's being hired as a correctional officer. Mr. A. said that Paul was subjected to a more thorough screening than was normal for an applicant for that position. A check was made with the R.C.M.P. fingerprint section to ascertain if he had been in any further trouble with the law. References were obtained from his former employers and persons in the community were approached for information as to overall character. All indicated that Paul was a responsible person whereupon Mr. A. had no hesitation in hiring him. However, Mr. A. indicated that, despite Paul's good behaviour as an inmate, he would not have hired him immediately following his release. His decision to employ Paul was based on the way had worked and lived in the community for the five years after his release.

Paul has now been employed at the . . . . . Correctional Centre for three months. His former inmate status is common knowledge among both inmates and staff

although Paul himself does not, unless asked, mention it. He has been faced with a broad spectrum of response to his being hired; some accept him, others resent him. He was warned from the beginning that he might have a difficult time establishing his credibility as a correctional officer and this has proven to be the case.

Paul's present self image of himself is of a human being attempting to establish himself in steady employment. However, this is not how he has been perceived by one group of correctional officers. He learned from some inmates that he has been the subject of gossip among some members of the staff. None of these staff members faced him directly with their concerns about his capabilities but a petition was submitted to the Director of the institution requesting that he be removed from his position. Those that signed the petition constituted a minority of the custodial staff and were mainly veteran staff members. It was rumoured that some members of the staff signed the petition under pressure from their peers. The petition was accepted by the Director but no action was taken to have Paul removed.

Paul is surviving as a correctional officer and, according to Mr. A, he is going a capable job. He is responsible for the supervision of inmates in one tier of the institution and has been able to maintain control and carry out his duties to the satisfaction of his superiors.

#### **Case Study Six**

At the age of 71 this gentleman has recently retired after fourteen years with a provincial probation service. He remains actively involved with Alcoholics Anonymous and spends much of his time travelling to various A.A. gatherings giving speeches and lending support to its members.

Mr. M. grew up in a small town in Canada. Both his parents were deaf. Perhaps because of the unique problems inherent in such a situation, Mr. M. developed a special relationship with his grandfather, who instilled in him a love of literature. Because of this he excelled in this subject at school.

Mr. M. described his early family life-style as being "very English". His mother, who had a grade twelve education, worked as a dressmaker and his two sisters both finished high school. His father was a mechanic. It was the steadily worsening state of his relationship with his father, with whom he had little rapport, that finally prompted Mr. M. to leave home and join the army.

It was during this time that Mr. M. started drinking heavily. As he said: "Right from the start, I could not control my drinking." At the age of twenty-five he came into contact for the first time with the criminal justice system. He was charged with "carnal knowledge". From then on he spent a total of fifteen years inside reformatories and penitentiaries. Most of his incarceration was for three major break and enter charges. He received his last sentence, a short one, at the age of forty. Between jail terms throughout these years, Mr. M. would work at odd jobs until payday then take his paycheque, get drunk and quit his job. He never worked for more than a couple of weeks at any particular time. Looking back on the time spent in prison, he says, somewhat philosophically: "The funny thing is, I never was a thief, I was just a drunk".

Mr. M. was released from the penitentiary for the last time during the Second World War and he again enlisted in the army. From 1942 until 1946 he remained in the army, his last period of duty being as an administrative sergeant at a displaced person's camp in Europe. It was during this time that he met and married his present wife, who was at that time a writer.

During this period in the army, Mr. M. was again drinking heavily. After his release from the army, he spent five weeks in a mental hospital because of his drinking. Shortly after this he started going to A.A. meetings. At first he was extremely sceptical that this type of program could be of any help to him, but after taking part in the program for some time he came to believe in A.A. fully and has been an active member ever since.

From 1947 to 1960, Mr. M. worked as a printer. Because of his involvement in A.A. he started to go into institutions to give talks and encouragement to inmate A.A. groups. He continued to do this for about ten years, becoming more and more involved with institutional A.A. programs. He also got involved with ex-inmate A.A. members in the community after their release and he became well known to probation and parole officers because of the work he was doing with these ex-offenders. Mr. M. feels that it was during these years that he gained credibility.

In 1960, at the age of fifty-seven and with the very strong recommendations of members of the probation services, he applied for a position as a probation officer. After interviews and exams he was accepted as a Probation Officer I.

Mr. M. never hid the fact that he was an ex-offender from his superiors, his co-workers or his clients. He feels that this fact has never hindered him in his inter-relationships or in the performance of his duties with staff or clients. Due to illness, Mr. M. has recently retired as a Probation Officer III. Looking back over the past ten years he feels that they have been the most productive of his life in terms of helping others.

#### **Case Study Seven**

The subject is an ex-offender, approximately 38 years old. He married his present wife five years ago and has two children from this marriage. He has none from his two previous marriages. He was born in South Carolina but lived in North Carolina after he was six years old. There was no significant disruption in his home life. The subject left home at the age of fifteen to enter the armed services. He was accepted because he said he was sixteen. He now declares that he was too young to handle the life style in the services. He began to drink to excess and as a result was discharged only one or two months after he had signed his re-enlistment papers.

Following his experience in the armed services, he obtained employment as a salesman, first of all selling soft drinks and then automobiles. He later obtained employment in various automobile plants in Michigan as an assembly line operator. He was drinking heavily throughout this time, and lost most of his jobs as a direct result of his drinking. The last employment he remembers on the "outside" was working as a bartender in a "black nightclub".

It was at this time that he was involved in a car accident in which two other people in the other vehicle were killed. He felt himself to be responsible for their deaths as he had been intoxicated at the time. He indicates that he felt an extreme amount of guilt and desire to be

punished. Although he was released on bond, he continued "senseless drinking" and the bond was rescinded. By the time he appeared in court on a charge of manslaughter, the court had received information on his behaviour while on bond, and on his previous drinking pattern. There were numerous "drunk" convictions and small jail sentences on his record.

He received a sentence of from five to fifteen years, which he felt was justified. To some extent he also welcomed it as he attests that it relieved some of his guilt feelings.

While he was incarcerated someone suggested he attend A.A. meetings in the institution. He judges that he was in the right mental state for A.A. at that time and it had a very positive affect on him.

The above detailed description is given to show that the subject was at no time identified by those who know him as a "con" or "hardened criminal". His convictions for various "drunk" charges and the single conviction for manslaughter were the only ones registered against the subject. He was extremely sensitive and experienced strong feelings of shame, guilt and remorse. His personality was affected by feelings of personal inadequacy and by his alcoholism, rather than by any criminal element.

After approximately three years' incarceration the subject was released on parole. Through the influence of the Program Director of the Alcohol Rehabilitation Counselling Service, he was given a special discharge from parole so that he could take employment as Alcoholic Rehabilitation Supervisor for the Alcohol Rehabilitation Counselling Services in North Carolina. He does not know whether it was a necessary requirement for him to be discharged from parole to take this position; however, the Director of the program interceded directly with the Governor and the special discharge from parole was granted. He believes his activity as an A.A. sponsor immediately following his release, plus his involvement in the A.A. program while in the institution resulted in his receiving special attention. He became a member of the central office staff in November 1961 and later transferred to the Program Division, which developed sports programs, etc. Within the space of two years, he was responsible for recreational program development in all institutions. He worked for the Alcohol Rehabilitation Counselling Service for eight and a half years in various capacities until 1970 when he was appointed Program Director and Supervisor of Treatment in a five hundred man institution and has been there ever since.

The subject's formal schooling ended at grade nine. Although he has taken various courses by correspondence and at night school, he has not taken any towards improving his academic standing. In 1970, he was sponsored in a ten week course at the American University on Correctional Administration.

Looking back on his introduction to the correctional service as a staff member, he notes that he did not receive any special orientation, only that provided for all new staff members. He expressed deep appreciation for this, pointing out that he had fully expected some sort of unique orientation which would have reminded him of what a great opportunity he was being given and what a great risk the system was taking in hiring him. He points out that he was very much on guard against this and believes that any attempt to make his orientation unique in this sense would have had negative rather than positive effects.

He attests to consciously keeping quiet about his background among other staff members with the exception of those staff members who had found out about him on their

own or who had received information about this background. He did not make a conscious effort to keep his background from the inmates with whom he worked, although he has never made it a practice to play up his background with inmates. He says that at a point fairly early in his experience he felt he had to decide whether to identify with the staff or with the inmates. He decided that he would lose his ability to communicate with the staff if he identified too closely with inmates.

In answer to specific questions he replied that, to his knowledge, he has never had under him since he became Director anyone with whom he has served time. He admits that, were this to occur, he would feel uncomfortable in the situation.

Also in answer to specific questions, he admitted that he had experienced some difficulty with subordinate staff as a result of his background. This only surfaced in one or two cases where it became necessary to discipline staff members and in another case where it was necessary to fire a staff member. It should be pointed out that the difficulties arose after the discipline interviews and after the decision was made to let the staff member go (according to the subject). There was no direct confrontation but some members of staff criticised his ability to competently direct the program of the institution and this was reported to him by other staff members.

He has reviewed his relationship with the staff in some detail and, as a result, has developed certain rules of operation. For example, he would never say to a staff member, "I know what I'm talking about, I've been there", since he believes this simply sets up barriers and prohibits further discussion. If he cannot convince a staff member without using his own experience as indisputable testimony, he leaves the discussion open rather than closing it in this manner.

Looking back upon his decision to identify with the staff rather than with the inmates, he accepts that this definitely lost him credibility with the inmates, at least initially. However, he believes that the inmates have had more respect for him since has been able to convey to them a well-defined image of his role.

As an aside, the subject mentioned that he recently conducted a study of the Seven Steps program in the United States and was definitely critical of this program. In elaborating on his criticism he said that, in his opinion, the Seven Steps program accentuated the sub-culture in which an inmate finds himself in an institution. He described the program as producing "hero cons". The "con" status of the individual and the mistakes that he had made were an important part of his identity within the group. He commented that this provides no help for the inmate or the ex-inmate who is trying to change his identity or his role.

Because of the extensive involvement of the subject with A.A., the interviewer asked specific questions about the program. The subject made a marked distinction between the A.A. program and the Seven Steps program. He said he had found the A.A. program ego-deflating, in that it involved a very real condemnation of the behaviour of the individual with accompanying judgements which produced shame and remorse. The Seven Steps program was ego-inflating and made to attempt to arouse feelings of shame and remorse. It also used the "con" image as an important status factor.

# CHAPTER VI

## REVIEW OF THE LITERATURE

The offender as a correctional manpower resource is not a new concept.<sup>1</sup> Correctional institutions have long used inmate assistance in a variety of ways, for maintenance, custodial, clerical and educational work. However, no planning has been involved in this use of offenders; rather, they have filled a need in emergency situations of staff shortage or lack of funds.

A new concept of offender employment has recently evolved — one that takes the position that offenders have something unique to offer as employees within the correctional system. Their experience with law violation and their knowledge and understanding of other offenders, the police, courts and correctional treatment agencies should be used within the correctional system in such a way that this special knowledge and experience can be fully exploited.

This concept is a departure from the traditional argument for employing ex-offenders within the correctional system. This was based on the premise that ex-offenders should be considered simply as members of the work-force and should not be restricted from entering any field — including corrections. The only particular reason for employing them in corrections is that the correctional system presumably knows more about the capabilities, personalities and behaviour patterns of its "graduates" than any personnel office outside the system and should itself be prepared to find, select and suitably place offenders within the correctional system upon their release if it expects other governmental and private agencies to do the same.<sup>2</sup>

The distinction between these two rationales is important in considering the differences that implementation of either concept might entail. Those who argue that offenders have something unique to offer because of their experience are more likely to suggest that these abilities would be most effectively utilized in roles especially created to capitalize on them. This approach favours the development of new para-professional careers for offenders in corrections. On the other hand, those who stress that offenders should be considered simply as ordinary members of the work-force would rather see offenders, should they qualify by individual merit, admitted to any "conventional" position in corrections. To trace the development of the newer concept, which argues for the specialized use of offenders in corrections, a review was made of recent correctional literature dealing with this subject.

An article by Beless in 1972 states that the most noteworthy development in corrections during the 1960's was the rapid expansion in the use of non-professionals as agents of direct service.<sup>3</sup> Several factors were responsible for this development. First, it was apparent

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<sup>1</sup> The word 'offender' will refer to both present offenders and ex-offenders. If a distinction is to be made, the term 'inmate' and 'ex-inmate' will be used.

<sup>2</sup> Albert Morriss, "The Involvement of Offenders in the Prevention and Correction of Criminal Behaviour", *Massachusetts Correctional Research, Bulletin No. 20* (Oct. 1970).

<sup>3</sup> Donald W. Beless, William S. Pilcher and Ellen J. Ryan, "Use of Indigenous Non-Professionals in Probation and Parole", *Federal Probation, Vol. 36, No. 1* (1972), 10 — 15.

that professionally trained people were in too short supply to meet all the needs of the "treatment" services of the future. Cressey states that rehabilitation theory should acknowledge the fact that highly educated personnel trained to change criminals into non-criminals are simply not available.<sup>4</sup> Second, research by Glaser and Reckless concluded that the impact of the non-professional on the inmate was greater than that of the professional; for instance, custodial officers and work supervisors were most often credited as having been of help to inmates.<sup>5</sup> Third, and perhaps most significant, was the growing acknowledgement that indigenous groups were entitled to have a stake in dealing with their own problems.

The employment of offenders in corrections should not be viewed as an isolated phenomenon but in the context of the wider social movement of the 1960's that encompassed the philosophies of self-help and the need for grass-roots participation in decision making. The basic assumption behind the new career approach was that the products of a social problem could themselves assist in overcoming that problem. It was well documented that the social distance between many middle class professional corrections workers and most of their largely lower-class clientele served all too often to inhibit the development of a working relationship between them. Furthermore, there is in corrections, in addition to the social distance, the basic experiential distance between any offender and any non-offender, professional or not.

Self-help groups, such as Alcoholics Anonymous and Synanon have already demonstrated that those who have experienced and overcome a specific problem often have a unique capacity to help others with similar problems. Jesse Gordon suggests the manner in which non-professionals from the same milieu as the disadvantaged client might be more successful than professionals:

"The indigenous leader can communicate instantly to the suspicious and distrustful client, avoiding noblesse oblige, in a way that many middle class professionals cannot do when dealing with disaffected, hostile, anomic youths who see the middle class agency worker as part of the system against which he is fighting. . .indigenous personnel who 'speak the client's language' can form an extremely effective bridge between the milieu of the client and the milieu of agency; they can make important contributions to the counselling team in contracting the clients to be served, in maintaining them through their agency contacts, and may be particularly effective in follow-up work with the clients in their home, community and on the job. A client is more likely to report continuing difficulties, after his counselling contracts, to an indigenous worker, than he is to the professional interviewer toward whom the ethic of mutual cooperation and courtesy requires that he affirm the success of the counselling and deny continued problems."<sup>6</sup>

Cressey claims that the individual is not separable from the social relationships that make up his life. Although it is the client or "treated" person who, in the end determines the success or failure of particular programs, such programs are usually designed and imposed according to the specifications, criteria, values and goals of their creators — the professionals. Cressey also suggests that the offender is more susceptible to change if he is placed in the role of reformer.

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<sup>4</sup> Donal R. Cressey, "Social Psychological Foundations for Using Criminals in the Rehabilitation of Criminals," *Journal of Research in Crime and Delinquency*, 2 (July 1965), 49 — 59.

<sup>5</sup> Judith G. Benjamin, Marcia K. Freedman and Edith F. Lynton, *Pros and Cons: New Careers for Non-professionals in Corrections, Office of Juvenile Delinquency for Youth Development, U.S. Department of Health, Education and Welfare, 1966.*

<sup>6</sup> Carl Terwilliger, "The Non-professional in Correction," *Crime and Delinquency*, 12, (July, 1966), 277-285.

He claims that

"criminals who have committed crimes and delinquencies by means of certain verbalizations and who have rejected these verbalizations in favour of verbalizations making crime psychologically difficult or even possible, should be more effective in changing criminals' self-conceptions than men who have never had close familiarity with the pro-criminal verbalizations."<sup>7</sup>

Thus, the philosophy evolved that persons of similar backgrounds who had overcome similar problems could be extremely effective in helping relationships. But at the same time, certain writers expressed their fear of a prejudice in the opposite direction; for instance, Deitch feels that in the treatment of addiction, the demand is not for skilled, qualified manpower, but merely for the label "ex-addict".<sup>8</sup> He stresses the fact that the experience of having given up physical dependency on drugs may, but does not necessarily, endow an ex-addict with special abilities.

The aid the offender could offer the system is only one side of the issue. The potential benefits of correctional employment for offenders are described by Empey as follows:

1. it would seek to use his knowledge as a resource rather than a liability;
2. it would involve him actively as a reformer rather than as a perpetual enemy or a persistent dependent;
3. it would constitute a rite of passage back from a criminal to a non-criminal status; and
4. it would provide him with a career which could be a source of personal and social esteem rather than a source of stigma and degradation.<sup>9</sup>

The haphazard use of offenders by correctional administrators in times of need has already been mentioned. In addition to the planned - non-planned distinction, it is useful, for descriptive purposes, to create a dichotomy between those situations in which offenders have become involved in corrections on their own initiative and those situations in which they have been placed in the correctional system by non-offender sources, although not all cases fall readily into these two classifications.

The first type of situation is most readily evident in self-help organizations, which have regularly captured the attention of the information media. In such groups, the "treated" define their own problems and needs and establish their own policies, programs and organizational structure. Both inmate and ex-inmate self-help groups exist, some even co-exist. One example is ethnic self-help groups, several of which have been established in recent years. These groups see themselves as doubly handicapped because of their minority group status, and their approach is often the antithesis of the traditional convict code which requires the convict to insulate himself from peer and institutional influences.<sup>10</sup> Many "ethnic" offenders are initially

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<sup>7</sup> Donald Cressey, "Social Psychological Foundations for Using Criminals in the Rehabilitation of Criminals," *Journal of Research in Crime and Delinquency*, 2, (July, 1965), 49-59.

<sup>8</sup> David Deitch and Daniel Casriel, "The Role of the Ex-Addict in the Treatment of Addiction," *Federal Probation*, Vol. 31, No. 4 (1967), 45-47.

<sup>9</sup> *Joint Commission on Correctional Manpower and Training. Crime and Delinquency, 1970.*

<sup>10</sup> Milton Burdman, *Statement on Participation, Problems and Issues Involving Ethnic Groups in Prison and Parole. Memo to the National Council on Crime and Delinquency, Paramus, New Jersey, 1971 (Paramus, New Jersey: National Council on Crime and Delinquency, 1971*

pressured to participate in educational, vocational and other special programs by their own peer group. Moreover, in such ethnic groups, the lines of communication are quite strong between self-help within institutions, self-help outside institutions, and ethnic political action groups in the community. Consequently, these kinds of self-help groups often serve as a training ground for the development of leadership in community development activities, as well as helping to create the necessary commitment and motivation to become so involved. The Chicano movement in Los Angeles in the late sixties is a good example.<sup>11</sup>

The best known or best documented use of offenders of self-help groups outside the framework of official correctional systems has been in the treatment of alcoholics and drug addicts. The work of A.A. and Synanon, for example, is well known, although all participants in these programs are not necessarily offenders. However, the range of activities and services provided by self-help groups has been almost unlimited. Many attempt to bridge the gap between the formal, intensive, and long-term services offered by professionals and what is believed to be needed at a more informal and immediate level. Lorne MacDonald makes the following statement:

"Ex-convicts, alcoholics, addicts and other with a special history of social alienation have often found themselves literally on skid row, in a here-and-now crisis, with neither money for a meal nor a bed with hardly the inner strength to wait for next Thursday's appointment at the agency or clinic, and with an innate distrust and anger against both middle-class values and the services of the 'good society'. The problem for them is now."<sup>12</sup>

All groups, however, do have one feature in common — they attempt to give offenders a sense of identity and companionship. Understandably, because of the difficulty of obtaining financial support, such groups vary in their efficacy and staying power. An added problem, described by Kuern, is that any self-help group movement feels threatened by the offer of help from others, help which may, if successful, formalize and institutionalize their organization, making it similar to others already in existence.<sup>13</sup>

Offenders have taken the initiative in other areas of corrections than self-help groups. Inmate volunteer programs have been initiated in many locations in the United States. One is the Norfolk Fellowship's Project Re-Entry in which ex-cons who have been successful on the outside voluntarily return to Norfolk prison for the purpose of pre-release counselling, in which they exchange questions and answers with inmates who need and want specific information.<sup>14</sup> Some inmates have formalized their individual efforts in person-to-person help. In Massachusetts, a lifer incarcerated for murder, managed, through persistent effort, to start a program of individual, one-to-one counselling of selected delinquent boys referred to him by the courts. The project was officially recognized by the Department of Corrections in 1967 and functions under an advisory board.<sup>15</sup> In more than twenty states in

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<sup>11</sup> *Ibid*

<sup>12</sup> Lorne J. MacDonald, "Ex-Cons, Ex-Junkies, Ex-Winos. . .and Professionals", *Canadian Welfare*, Vol. 47, No. 5 (1971), 16-18.

<sup>13</sup> Duane Baker, "Self-Help for Delinquents", *Youth Authority Quarterly*, Vol. 23, No. 2 (1970), 43-46.

<sup>14</sup> Marie Buckley, "Enter: The Ex-Con", *Federal Probation*, Vol. 36, No. 4 (1972), 24-30.

<sup>15</sup> Albert Morriss, "The Involvement of Offenders in the Prevention and Correction of Criminal Behaviour", *Massachusetts Correctional Research Bulletin* No. 20 (October, 1970).

the United States, panels of speakers from institutions go into the community to dispel commonly held but erroneous public beliefs as to what offenders and prisons are like and to help create public attitudes favourable to humanitarian and corrective, rather than punitive, methods of dealing with offenders. An evaluative study by Brodsky of such a panel, reported that the general effect of the program was to make audiences less punitive toward prisoners and more negative toward prisons. Brodsky also states that the program had greater impact on students than on delinquents and pre-delinquents.<sup>16</sup> Whether such changes in attitude stay constant remains unanswered by this study.

One area of offender involvement where it becomes difficult to separate initiators and participants is the sphere of inmate self-government. Self-government has emerged because of offender demands for it and the willingness of certain administrators to allow it. Several efforts have sought to change the existing social structures of inmate communities, which are traditionally opposed to the official organization, by increasing the channels of communication between staff and inmates, and by encouraging inmate decision-making. The development of one inmate community within a maximum security institution is described in a paper by Garabedian.<sup>17</sup> The Narcotic Rehabilitation Act (NARA) unit at the Federal Correctional Institution at Danbury, Connecticut is based on a self-help therapeutic community.<sup>18</sup> It is run entirely by ex-addicts; decisions as to entrance and exit to the community, treatment programs, living arrangements within the community, job arrangements, etc., are all made by them.

Special programs within institutions have recruited the services of inmate volunteers. At the Kansas State Penitentiary in Lansing, selected inmates conduct a regular program for juvenile delinquents. The California Youth Authority Transport confines youthful offenders to a facility especially designed for them and encourages them to work in their own rehabilitation programs. The Scrapper Correctional Center in Alabama has developed an educational service staffed largely by offenders.<sup>19</sup> Special programs operating outside institutions include the Probation Officer Case Aide Project at Chicago (POCA),<sup>20</sup> in which part-time indigenous para-professionals — some of whom were ex-offenders — were used to assist probation officers.

When speaking of non-offender initiated programs, "New Careers" immediately comes to mind. It was officially launched in 1965 and was described by Arthur Pearl and Frank Reisman in a publication called "New Careers for the Poor". "New Careers" incorporated the following three fundamental concepts:

1. the under-privileged have something positive to contribute to the program from the outset. Their own life experience gives them a unique knowledge of people and problems from the "inside", not from above.

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<sup>16</sup> Stanley L. Brodsky, "The Prisoner as Agent of Attitude Change: A Study of Prison Profiles' Effects", *British Journal of Criminology*, 10, (July, 1970), 280-285.

<sup>17</sup> Peter Garabedian, "The Natural History of an Inmate Community in a Maximum Security Prison", *Journal of Criminal Law, Criminology and Police Science*, Vol. 61, No. 1 (1970), 78-85.

<sup>18</sup> Robert Rapkin, "The NARA unit at Danbury", *American Journal of Corrections*, Vol. 33, No. 2 (1971), 24-26.

<sup>19</sup> *Joint Commission on Correctional Manpower and Training. Report of the Commission. Washington, D.C.: National Council on Crime and Delinquency, 1970.*

<sup>20</sup> Donald W. Beless, William S. Pilcher, and Ellen J. Ryan, "Use of Indigenous Non-professionals in Probation and Parole", *Federation Probation*, Vol. 36, No. 1 (1972), 10-15.

2. work and training should be simultaneous.
3. participants should be able to rise year by year, with increasing responsibility and salary, until they reach a stage equivalent to that of junior college-trained professional welfare workers. When that point is reached, they can continue normally up the promotion ladder.<sup>2 1</sup>

The first concept has already been discussed. The second and third are concerned with the creation of special roles for offenders and, ideally, with provisions for advancement into professional levels. The problem is to prevent these roles from being frozen positions with under-rated status. Lugar expresses this fear with the following words:

" . . . We want to make them part of our rehabilitation program efforts mainly because we need them and not because we feel sorry for them or want to help them. It is essential to understand this if we want to get beyond the infantilizing welfare status in which so many indigenous worker programs have been mixed . . . In other words, they're not to be considered cheap labor; they can be chief contributors."<sup>2 2</sup>

One example of a "New Careers" project was the New Careers Development Project, whose goal was to form a series of "change and development teams" made up of professionals and offenders.<sup>2 3</sup> The latter were trained to help professionals in tasks necessary to bring about change. The training program was linked with employment opportunities in both corrections and other public services. Eighteen inmates were selected and all advanced in competence, level of responsibility, and salary. Only one was reconfined.

An experiment in utilizing offenders as new careerists in direct service programs for the New York State Division for Youth is described in a chapter written by its director, Milton Lugar,<sup>2 4</sup> in which he gives a clear picture of the problems and sources of resistance encountered by such an innovative concept. He stresses that the pressures exerted by the new careerist's ex-offender peer reference community cannot be ignored.

In Canada, two programs related to corrections were initiated by the New Careers program in Manitoba. In one, ex-inmates were recruited to a project that would lead to entry-level jobs as correctional officers, with the opportunity to transfer to the professional classification officer career line after appropriate additional education. In the second project, new careerists were to be used as house parents at a residential treatment center for female juvenile offenders.<sup>2 5</sup>

One potential danger in such non-offender initiated programs, is that participants may be actively recruited rather than randomly selected from those seeking the opportunity to work

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<sup>2 1</sup> Marie-Eve Fontaine-Hart, "Brief on the Role of Offenders and Ex-Offenders as a Correctional Manpower Resource", Correctional Consultation Centre, Department of the Solicitor General, Ottawa, 1972.

<sup>2 2</sup> Joint Commission on Correctional Manpower and Training. Report of the Commission. Washington, D. C.: National Council on Crime and Delinquency, 1970.

<sup>2 3</sup> Ibid

<sup>2 4</sup> Ibid.

<sup>2 5</sup> Joseph C. Ryant, "An Evaluative Study of the Manitoba New Careers Program", New Careers Forum, (May, 1973).

in such programs. Only in the latter case would there be some assurance that commitment and motivation were genuine.

It should be pointed out that departments of correction and parole and probation services have usually been prevented from hiring ex-inmates as regular, paid staff members in the more formal roles within the correctional systems. A survey by the Joint Commission showed that about forty states in the U.S. had either statutory or administrative prohibitions against the employment of probationers or parolees by state agencies and in thirty-three states, there were restrictions on state employment of ex-offenders even when they were completely free of legal supervision.<sup>26</sup> In Canada, a somewhat similar situation existed. Inmates or ex-inmates employed in the formal system were often hired in an almost clandestine manner, as casual workers through summer employment for students, or on a contract basis only. The main reasons advanced for this are the fear of opposition by unions, the lack of formal policy on the hiring of offenders and ex-offenders, and the inflexible educational requirements for particular jobs.<sup>27</sup> Privately supported agencies have not been under such imposed restrictions, and thus, on occasion have been more open to the hiring of offenders.

Despite these restrictions, Morriss reported in a 1970 article, that the following staff positions, more or less directly related to the rehabilitative programs of state correctional systems, were at the time occupied by ex-offenders in one or more of the American states:

- Warden
- Correctional Officer
- Correctional Officer Aide
- Counsellor
- Teacher
- Librarian
- Mental Health Officer
- Industries Foremen
- Work Release Placement Officer
- Vocational Placement Consultant
- Training School Superintendent
- Therapist in Alcohol Program
- Parole Aide
- Probation Aide
- Community Relations Aide
- Teen Aide
- Therapist in Drug Addiction Programs.<sup>28</sup>

A study of institutions made by the Joint Commission in 1967 also revealed that both adult and juvenile facilities were then using offenders, ex-offenders and persons on parole or

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<sup>26</sup> *Joint Commission on Correctional Manpower and Training, Report of the Commission. Washington, D.C.: National Council on Crime and Delinquency, 1970.*

<sup>27</sup> *Marie-Eve Fontaine-Hart, "Brief on the Role of Offenders and Ex-Offenders as a Correctional Manpower Resource", Correctional Consultation Centre, Department of the Solicitor General, Ottawa, 1972.*

<sup>28</sup> *Albert Morriss, "The Involvement of Offenders in the Prevention and Correction of Criminal Behaviour", Massachusetts Correctional Research, Bulletin No. 20 (October, 1970).*

probation for teaching academic and vocational programs, leading recreational and rehabilitation programs, helping with research projects, interviewing new inmates and leading pre-release programs.<sup>29</sup> Tables 16 to 20 summarize the information from that study.

Thus, in the formal correctional system in the United States, almost every defined staff position has at least on one occasion been filled by an ex-offender. Capability on an individual basis has been demonstrated but, despite this, many questions remain unanswered. What were the barriers, if any, that ex-offenders encountered? How were those barriers overcome? How much initiative had to be used by these particular ex-offenders to reach these positions? Were their efforts made on an individual basis? Has their success further opened the doors to other ex-offenders?

Such questions relate to the sources of resistance to employing offenders in corrections, and to the rationale put forward to account for that opposition. To begin with, such employment would imply a change in the current status of the offender.

Lamar T. Empey makes the following statement:

"In proposing a change in the offender's status, we are by implication proposing a change in the statuses of a lot of other people in the whole scheme of things. Like the offender, their jobs, their self-conceptions, their relationships with others are predicated upon traditional role definitions. The statuses of professionals, their helping roles, the powers they have to manipulate offenders depend upon the offender's remaining in a subordinate position."<sup>30</sup>

As long as the agencies agree to guard, to use, and to "treat" criminals, there is at least a theoretical consensus on one point — the criminal must submit. He is an object. People act for him and through him. To correctional workers, whose actions have been in line with such a consensus, the employment of offenders and ex-offenders constitutes a threat to the balance of power. In fact, it challenges the caste-like relationship that staff and offenders have traditionally shared.

Furthermore, the proposal that clients be used as correctional rehabilitators boldly asserts that persons characterized by professional correctional personnel as "laymen" or "sub-professional workers" can achieve what professionals maintain can be achieved only after years of specialized training.<sup>31</sup> Thus, there is a perceived threat to the standards of professionalism. In fact, a Louis Harris poll (conducted for the Joint Commission on Correctional Manpower and Training) found that 50 per cent of correctional workers feel that offenders should not be employed in corrections, and a further 15 per cent said they were not sure. Workers in juvenile institutions were on the whole in favour whilst those in adult settings, especially those in institutions, were largely against. More than one-half thought it would lower the standards of the profession, and this view was especially strong among line workers.<sup>32</sup>

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<sup>29</sup> *Joint Commission on Correctional Manpower and Training. Report of the Commission. Washington, D.C.: National Council on Crime and Delinquency, 1970.*

<sup>30</sup> *Joint Commission on Correctional Manpower and Training. Report of the Commission. Washington, D.C.: National Council on Crime and Delinquency, 1970.*

<sup>31</sup> *Ibid.*

<sup>32</sup> *Andrew Rutherford, "New Careers for Ex-Offenders", Prison Service Journal, 1 (January, 1971), 2-5.*

**TABLE 16**

**EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS\* IN STATE CORRECTIONAL INSTITUTIONS,  
AS REPORTED BY STATE CENTRAL OFFICES FOR INSTITUTIONS, 1967**

Central Offices Reporting	Adult Central Offices		Combined Adult and Juvenile Central Offices		Juvenile Central Offices	
	Probationers and Parolees	Ex-offenders	Probationers and Parolees	Ex-offenders	Probationers and Parolees	Ex-offenders
Restrictions on hiring:						
Legal restrictions	4	2	3	3	1	6
Policy restrictions	10	9	10	7	10	6
Ability to hire offenders	8	11	8	12	13	14
Employment of offenders and ex-offenders	7		9		6	

Source: Reports from 24 central offices for adult institutions only, 21 combined central offices for adult and juvenile institutions, and 26 central offices for juvenile institutions only, as of August 17, 1967.

\* Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

TABLE 17

STATE ADULT AND JUVENILE INSTITUTIONS UTILIZING OFFENDERS AND EX-OFFENDERS\* IN SPECIFIED ACTIVITIES, 1967

Activity	Juvenile Institutions utilizing			Adult Institutions utilizing		
	Inmates	Probationers and Parolees	Ex-Offenders	Inmates	Probationers and Parolees	Ex-Offenders
Teaching academic or vocational programs	3	0	2	75	3	7
Leadership in recreation program programs	28	0	3	75	2	1
Leadership in rehabilitation programs	12	1	3	32	8	10
Assistance in research projects	13	1	2	36	0	1
Interviewing new inmates	8	0	0	29	0	1
Leadership in release programs	11	1	3	13	12	12

Source: Reports from 227 adult institutions for the year preceding September 1, 1967; from 234 juvenile institutions for the year preceding March 1, 1967.

\* Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

**TABLE 18**

**STATE PROBATION AND PAROLE AGENCIES UTILIZING OFFENDERS AND EX-OFFENDERS\* IN SPECIFIED ACTIVITIES, 1967**

Activity	Probation and parole agencies utilizing —	
	Probationers and Parolees	Ex-Offenders
Teaching or leadership in recreation programs	0	1
Leadership in rehabilitation programs	5	4
Assistance in research projects	2	1
Interviewing new probationers/parolees	2	1
Leadership in pre-release programs	7	5
Clerical and other support functions	2	3

Source: Reports from 7 state probation agencies, 49 state parole agencies, and 42 state parole and probation agencies combined, as of March 1, 1967.

\* Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

**TABLE 19**

**EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS\* IN JUVENILE DETENTION FACILITIES, 1967**

Juvenile detention facilities reporting —	Number of juvenile detention facilities employing —	
	Probationers and parolees	Ex-offenders
Restrictions on hiring offenders and ex-offenders:		
Legal restrictions	24	31
Policy restrictions	163	145
Ability to hire offenders and ex-offenders	30	41

Source: Reports from 422 local probation agencies for the year preceding September 1, 1967.

\* Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

TABLE 20

EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS\* IN LOCAL PROBATION AGENCIES, 1967

Local probation agencies reporting –	Number of local probation agencies employing –	
	Probationers and parolees	Ex-offenders
Restrictions on hiring offenders and ex-offenders:		
Legal restrictions	58	72
Policy restrictions	247	229
Ability to hire offenders and ex-offenders	60	70

Source: Reports from 422 local probation agencies for the year preceding September 1, 1967.

\* Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

More specific objections have also been raised. Concern is expressed about employing ex-offenders in positions where they would have access to confidential records, about hiring sex-offenders, about hiring offenders with a long history of fraud, etc.<sup>33</sup> The list of categories of offenders that should be excluded often indeed, appears to grow larger than those that might be included. Whether these objections are valid or not remains, at this point, an unanswered question. In the words of one administrator:

"It appears that most of our reservations are based upon attitudes which tend to type-cast all offenders as untrustworthy, and never changeable."<sup>34</sup>

<sup>33</sup> Loren W. Ranton, "The Cons and the Pros", (New York: National Council on Crime and Delinquency, 1969).

<sup>34</sup> Albert Morriss, "The Involvement of Offenders in the Prevention and Correction of Criminal Behaviour" Massachusetts Correctional Research, Bulletin No. 20 (October, 1970).

# CHAPTER VII

## REGIONAL WORKSHOPS

After the collection and analysis of the data for this report was completed, five regional workshops were organized at Vancouver, Regina, Toronto, Montreal, and Halifax. The workshops were held in November and December, 1973.

The workshops were divided into three or four discussion groups, each group having representatives from all parts of the criminal justice system. Specific questions were put to each discussion group and on the final afternoon of the workshop, the groups were brought together for general discussion and to see if there was any consensus for or against the subjects discussed. Following are the reactions of all workshops to the questions that were posed.

### **Question 1:**

Can the ex-offender be of use in, or make a valuable contribution to institutions or community organizations, including self-help groups and what impact would their employment have in various levels of the system?

### **Response from the Vancouver Workshop**

The potential value of the ex-offender to the criminal justice is that:

1. He is a visible example to other inmates that acceptance of ex-offenders by society is possible.
2. He may possess skills, e.g. leadership or technical, that are needed in the criminal justice system.
3. He had knowledge of the system that could be useful.
4. He would reduce the barrier between staff and inmates by demonstrating that an ex-offender is able to work honestly and effectively with staff and inmates.
5. Communication would be more effective between ex-offenders and inmates than between non-offenders and inmates (this opinion was not unanimous in the group).

The general consensus of the Vancouver group was that the ex-offender should not be barred from employment in the criminal justice system simply because of his record. After a period of time, having established his credibility and trustworthiness, he should be accepted on the same basis as any other applicant for any position within the system. Although this was the general consensus, union members were concerned that ex-offenders on staff might pose additional security risks, or that they might be used as a source of inexpensive labour or lead to a lowering of employment standards. It was recommended that, to develop the confidence of staff and ex-offenders, ex-offenders be employed only in agencies peripheral to institutions.

### **Response from the Prairie Workshop**

It was the unanimous opinion of the Prairie workshop that the ex-offender can be of use and can make a valuable contribution in institutions, in community roles and in self-help

organizations. On the question as to what impact their employment would have on the various levels of the system, the belief was that the impact would be negative unless careful attention was given to preparing the system to accept them. Care should be given to the method used to introduce the ex-offender and the offender into the system. Taking into account the above reservations, it was recommended that a task force be established to study and recommend the specific means of implementing a broad program to involve ex-inmates in the federal and provincial systems. It was noted that the wording of the recommendation was specific in its reference to ex-inmates rather than to offenders and ex-offenders.

#### **Response from the Ontario Workshop**

The general feeling in the Ontario workshop was that there is a place for the ex-offender in the criminal justice system and that his acceptability for any particular job should be based on his suitability. Three points were made:

1. Ex-offenders should be considered as a correctional manpower resource.
2. Ex-offenders should possess the qualifications listed in job specifications and requirements.
3. In addition to meeting the general qualifications, ex-offenders who had been previously incarcerated, should have been free for a minimum period of six months to one year, to demonstrate their stability and be clear in their own minds about their objectives.

However, the union representative stated that, at present, there was unanimous resistance among union members to the hiring of ex-offenders in any capacity in institutions, in either treatment or custody roles. This, according to the union, is for reasons of morale and security.

#### **Response from the Quebec Workshop**

The Quebec workshop stated that the question should be changed to read "should the ex-offender be hired in the system" rather than "be of use". The general consensus was that ex-offenders should be hired, and the following recommendations were made:

1. The criteria for employment in both formal and informal roles should be the same for every one and these criteria should be followed by every employer.
2. The criminal justice system should set an example by employing ex-offenders and should not consider the criminal record of an applicant a handicap.
3. The law concerning criminal records should apply to the police forces at both provincial and municipal levels in the same way it applies to police at the federal level.
4. The question concerning past criminal records, that is, "Do you possess a criminal record?" should be removed from all job application forms.
5. An intensive program should be initiated for people working in the system and for the general population to promote attitude changes so as to sensitize them to and make them aware of the problems faced by ex-offenders.

#### **Response from Maritime Workshop**

The general consensus of the group was that ex-offenders can contribute to the aims of the criminal justice system because:

1. Those who enter corrections show strong motivation if they are able to withstand the resistance they meet; this reflects a sincere desire to help others.
2. They have an inside knowledge of the criminal justice system which allows them to establish rapport with clients.
3. They may be instrumental in breaking down barriers between staff and inmates.

Ex-offenders should not be barred from employment in the system only because of their background. However, not all ex-offenders are suited to correctional work and those who are sought out to work in the field should be chosen on their individual merits.

#### **Question 2**

In what areas of employment would ex-offenders make their best contribution to the system, and in what way could the system best prepare itself for such a change and cushion any impact that might result?

#### **Response from the Vancouver Workshop**

In response to the first part of the question, the Vancouver workshop said that optimum use could be made of ex-offenders in social service liaison capacities with offenders, inmates and ex-offenders, and in prevention services, in both the formal and informal systems. Employment of the ex-offender would first have to be accepted and proven effective and could best be implemented at the community level in prevention work with police, probation, parole, detached and after-care workers, community social workers, half-way house workers and managers. At present, maximum security institutions resist hiring ex-offenders in any capacity within the walls, for reasons of morale and security. It was recognized that the ex-offender is often better known in correctional circles than the correctional worker applicant off the street, and that the motivated ex-offender often has more incentive to do a good job.

In response to the second part of the question, it was suggested that a Washington State program for the training of ex-offenders for correctional work be examined. This is an on-the-job training program where ex-offender trainees work side by side with regular staff. Training comprises academic, custodial and field work training and covers all aspects of the correctional field. It was recommended that great care should be taken to ensure that present staff are not put at any promotional or financial disadvantage by the hiring of ex-inmates. Existing staff attitudes, against the hiring of ex-offenders, particularly among staff in maximum institutions, will probably be difficult to change. These attitudes seem to stem from the fact that correctional officers feel they have no say in policy formation but have programs handed down to them from the top. A change in this type of management attitude might be the starting point for winning staff over to the concept. The underlying current of concern among some in the workshop was that the Ministry of the Solicitor General might suddenly issue a policy statement sanctioning the use of ex-offenders in the formal system. Others voiced the opinion that this would not be so much a change in direction as a bringing into line of actual practice and formal policy statements. Concern was expressed that because of resistance a formal policy statement would engender no change unless all levels of the system were involved in making this decision or at least given extensive information prior to the decision being made.

#### **Response from the Prairie Workshop**

The Prairie workshop stated that maximum use could be made of the offender in areas primarily involving personal contact with inmates and ex-inmates; the ex-offender would be of

most use in the informal system. As to the ways in which the system could be prepared for such a change and the impact it might have, the Prairie workshop recommended that offenders and ex-offenders work on an equal basis as partners and as colleagues with other professionals, in helping roles.

#### **Response from the Ontario Workshop**

The Ontario workshop expressed some reservations whether ex-offenders could be employed as correctional officers in institutions or as police officers, but said that they should be employed in all other areas of the criminal justice system. However, some screening procedures would be necessary.

#### **Response from the Quebec Workshop**

The Quebec workshop offered the following recommendations:

1. The fact that a candidate is an ex-offender should not under any circumstances prevent him from filling a position in the correctional services, provided his competence is not in question.
2. If competence is equal between candidates, the experience of incarceration should be considered an additional attribute for work dealing with rehabilitation.
3. To facilitate employment in the formal system, the workshop recommendeds the creation of intermediate or auxiliary roles which do not require professional training. (N.B. At the Quebec workshop, all suggestions put forward had unanimous approval.)

#### **Response from the Maritime Workshop**

The group expressed the opinion that ex-offenders would be most useful in the area of after-care, in both formal and informal systems. They could also be used to help inmates in adjustment problems and in the training and development of life skills. Para-professional roles should only be used as an interim measure while evaluating the individual's ability and qualifications, otherwise discriminatory factors could arise.

Concern was expressed that an ex-offender might lose his special status in the eyes of other inmates if he were to put on a uniform or be classed as just another employee in the system.

To cushion the impact of hiring ex-offenders in the criminal justice system, the group proposed that where there is a need, the Ministry of the Solicitor General should contract the services of self-help groups for periods of not less than three years, thus removing financial worries and frustrations from the individuals employed in these groups. Self-help groups should also be used to evaluate a worker's ability and experience so that he can be classified in preparation for integration into the formal system.

#### **Question 3:**

What criteria should be used to select ex-offenders to work in the system? Can common criteria be found?

### **Response from the Vancouver Workshop**

The criteria used should apply to the position and not to the candidate. That is, the qualities required in the job, such as confidence, credibility, motivation, education and background, are the only ones an ex-offender, like any other candidate, should have to possess. The requirements of the position would probably vary between the formal and the informal systems.

#### **Formal System**

In the formal system, the evaluation of an ex-offenders' suitability will require an assessment of:

- (a) the nature of his offence;
- (b) the length of his record;
- (c) the length of the period since his last offence.

This would establish his positive accomplishments and his avoidance of negative behaviour. Those still serving sentences, or only recently released, would not be eligible for jobs as policemen or security or parole officers, all of whom are required to use authority. If an individual meets the basic criteria he should be considered for employment in some vocational and educational areas. An ex-offender who, over a satisfactory period of time has proven himself stable, should be able to qualify for employment in the formal system.

#### **Informal System**

In the informal system, assessment would be much more flexible in determining and evaluating suitability for employment. In general, an individual's criminal record would gradually lose its impact as he developed to the point where he could cope with the pressure of dealing with other offenders and ex-offenders and with personnel in the formal system. The individual's criminal record could be a positive or favourable factor in his suitability if he is able to use his experience constructively. But, if he is still subject to pressure from his criminal environment then, of course, his criminal record would be a disadvantage. After he has proved himself in the informal system, the formal system should be ready to give him the opportunity of working within it.

### **Response from the Prairie Workshop**

The Prairie workshop recommended that:

1. Classification and employment criteria within the system be changed so that ex-offenders can be effectively utilized;
2. The question whether the applicant is an ex-offender should be removed from all personal application forms;
3. The system should actively seek out and recruit the ex-offender for specific areas, such as native people, drug abuse, etc., where his experience and ability, particularly in communications, could be exploited;
4. An on-going program should be developed on a regional basis to familiarize interested individuals, offenders, ex-offenders and non-offenders with the criminal justice system so

that they may improve their knowledge of the requirements of the system and have a better chance for gaining employment within it.

#### **Response from the Ontario Workshop**

The Ontario workshop expressed the general opinion that the main criteria for any job should apply equally to the ex-offender and other applicants.

#### **Response from the Quebec Workshop**

The Quebec workshop made the following recommendations:

1. The regulations in the Public Service which now create prejudice and inhibit the employment of ex-offenders should be changed.
2. There should be no criteria for employment that apply only to ex-offenders.

#### **Response from the Maritime Workshop**

No agreement was reached in the Maritime group on common criteria for the hiring of ex-offenders in the criminal justice system.

Essentially, the person hired should have a basic desire to help, the aptitude to mobilize this desire, and the ability to handle authority (both his superior's and his own). These skills would probably be found in a person with an aggressive personality but an aggressiveness that has been channelled in a positive direction. It was suggested that it would be easier to identify this type of person if he were already working in a self-help organization.

It was considered unnecessary for an ex-inmate to possess all the academic qualifications normally required. Consideration should instead be given to his special qualities and life experience, although academic training should be given to develop skills that could be useful to the ex-offender as a correctional worker. Efforts should be made to offer this academic training to all correctional workers, whether they are ex-offenders or not.

The group insisted that special roles should not be created for ex-offenders as this would certainly create further barriers. This could be insured only if criminal records were not regarded as a critical aspect of the staffing process.

# APPENDIX A

## INTERVIEW OUTLINE FOR EX-OFFENDERS EMPLOYED IN THE CRIMINAL JUSTICE SYSTEM

### C O N F I D E N T I A L

Card 1  
Col.

- 1 Interviewer \_\_\_\_\_
- 2-3 Organization (identify)
- 4-5 Location -- identify by city, town -- mailing address
- 6 Position (identify)
- 7-8 Length of time in current position \_\_\_\_\_ months
- 9-10 How long the organization has been in operation \_\_\_\_\_ months
- 11-12 Present age (June '73) \_\_\_\_\_ years
- 13-14 Marital Status (current)
- 1) single
  - 2) married
  - 3) divorced
  - 4) separated
  - 5) widowed
  - 6) C/L
- 15-16 No. of dependents under 16 \_\_\_\_\_
- 17-18 Is wife employed?
- 1) yes
  - 2) no



33-34 Total time \_\_\_\_\_ months employed since release (other than current position) if applicable.

35 If more than one job held since release, reason terminated

36 Family History  
raised by to age 16:  
1. natural parents  
2. foster parents  
3. with other relatives  
4. ward of CAS  
5. institution  
6. other (identify)  
7. combinations (identify)

37-38 Family relationships – brief description

39 History of:

yes	no	
1	2	alcoholism
1	2	child abuse
1	2	poor financial situation in home
1	2	criminal history of parent/guardian
1	2	mental illness

40-43 Criminal History

Date of release

44-45 Institution/Region of Release

01 – Prov'l – B.C.

02 – Fed'l – B.C.

03 – Prov'l – Prairies

04 – Fed'l – Prairies

05 – Prov'l – Ontario

06 – Fed'l – Ontario

07 – Prov'l – Quebec

08 – Fed'l – Quebec

09 – Prov'l – Maritimes

10 – Fed'l – Maritimes



Type(s) criminal convictions (Previous)

67-68

A. - Crimes against the person

- 01 - murder
- 02 - manslaughter
- 03 - att. murder
- 04 - wounding/assault with int.
- 05 - ass. C.B.H.
- 06 - rape/att. rape
- 07 - indecent assault on female
- 08 - sex intercourse with female under 14
- 09 - indecent exposure or other indecent act (gross indecency)
- 10 - assault (common)
- 11 - robbery
- 12 - armed robbery
- 13 - robbery with violence
- 14 - att. rob./att. arm rob/ass. with int. to rob/consp. to commit robbery
- 15 - crim. negl. causing death
- 16 - extortion
- 17 - bribery
- 18 - poss. dangerous/offensive weapon/unreg. firearm
- 19 - incest

B. - Crimes against property

- 20 - break and enter/B.E. with intent
- 21 - break, enter and theft
- 22 - theft/att. theft/theft under \$50/theft over \$50
- 23 - att. B.E. with int.
- 24 - forgery/uttering
- 25 - false pretences/fraud
- 26 - poss. property obtained by crime/poss. stolen property
- 27 - poss. housebreaking instruments
- 28 - conspiracy to defraud
- 29 - taking auto w.o.c.
- 30 - poss. instruments of forgery
- 31 - unlawfully in dwelling house
- 32 - auto theft
- 33 - poss. of stolen auto
- 34 - personation (361 c.c.)
- 35 - att. uttering

C. - Crimes against public morals and decency

- 40 - keeping a common bawdy house
- 41 - living off avails
- 42 - procuring/soliciting
- 43 - control over female to engage in prostitution

D. — Narcotics

- 50 — poss. restricted drug
- 51 — possession narcotics for purpose of trafficking
- 52 — traffic in controlled drug poss. of controlled drug for purpose of trafficking
- 53 — importing narcotics
- 54 — trafficking in heroin
- 55 — poss. Methamphetamine for purpose of trafficking
- 56 — poss. narcotics
- 57 — poss. of hashish

E. — Crimes against property with violence

- 60 — arson
- 61 — wilful damage/damage to property
- 62 — conspiracy to commit arson
- 63 — poss. of dynamite
- 64 — malicious damage

F. — Liquor and traffic offences

- 70 — fail to remain
- 71 — driving while ability impaired
- 72 — driving while disqualified
- 73 — dangerous driving

G. — Crimes against public order and peace

- 80 — obstruction peace officer
- 81 — assault to resist arrest/ass. police officer
- 82 — causing a disturbance
- 83 — breach of recognizance
- 84 — mischief
- 85 — att. to obstruct justice

Current Position

- 69            Average weekly salary (current job)
- |              |              |
|--------------|--------------|
| 1) over \$50 | 5) 100 — 110 |
| 2) 50 — 70   | 6) 111 — 120 |
| 3) 71 — 90   | 7) 121 — 130 |
| 4) 91 — 100  | 8) 131 — 160 |
|              | 9) 161 plus  |
- 70            Do you have other part-time job?
- |        |       |
|--------|-------|
| 1) yes | 2) no |
|--------|-------|

71 Average hours worked (weekly)

- 1) 1-10
- 2) 11-20
- 3) 21-30
- 4) 31-40
- 5) 41-50
- 6) 51-60
- 7) 60 plus

Description of Organization

72 Full-time paid staff \_\_\_\_\_ nos.

73 Part-time (volunteers/casual staff) \_\_\_\_\_ nos.

74 Was he founder or a founding member of organization or chapter or affiliate

- 1) yes
- 2) no

75 Has

- 1) alcohol been associated with your criminal activity    yes\_\_\_ no\_\_\_
- 2) marijuana, hashish    yes\_\_\_ no\_\_\_
- 3) LSD, heroin, STP, et al    yes\_\_\_ no\_\_\_
- 4) None
- 5) combination (list)

76 What characteristic would you look for in a person to replace yourself?

77 If the doors were open today, would you work within the formal correctional system?

- 1) yes
- 2) no
- 3) undecided

78 In what capacity?

79 Why are you doing this work? (personal reasons)

80 Blank



## APPENDIX B

### INTERVIEW OUTLINE OF OPINIONS AND ATTITUDES RELATED TO THE HIRING OF EX-OFFENDERS IN THE CRIMINAL JUSTICE SYSTEM

1. Name of organization (place of employment)
2. Position
3. Time in Current position
4. Length of time with organization
5. Age
6. Have you had any previous experience employing or working with ex-offenders as fellow workers or staff?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, what views do you have about
  - (a) their efficiency
  - (b) their ability to cooperate
    - i) in giving orders — leading
    - ii) in taking orders — following
7. Whether or not you have had previous experience working with ex-offenders, what are your views of ex-offender as a staff member within the correctional system?
8. Assuming an ex-offender meets the basic requirements for a position, would his criminal record in itself bar you from hiring him? Under what circumstances would it be an absolute bar — under what circumstances would it be a conditional bar — elaborate.
9. If an ex-offender was hired, do you think it would be necessary that any of the following be told that he has a record.  
Yes \_\_\_\_\_ No \_\_\_\_\_ D'K \_\_\_\_\_ A) his supervisors  
Yes \_\_\_\_\_ No \_\_\_\_\_ D'K \_\_\_\_\_ B) his co-workers  
Yes \_\_\_\_\_ No \_\_\_\_\_ D'K \_\_\_\_\_ C) inmates or clients

10. If an ex-offender was able to satisfy the formal requirements of a job, what factors relating to his record would be important to you?

- |   |                       |
|---|-----------------------|
| 1. time   | 7. 1st offenders only |
| 2. distance   | 8. nor certain crimes |
| 3. level of responsibility  | A) sex offenders      |
| 4. promotability – and attitudes toward offender as a superior to himself | B) violent crimes     |
|   | C) alcohol – drug     |
|   | D) fraud              |
| 5. security   |                       |
| 6. access to confidential files   |                       |

11. What reaction would you expect from

(A) your co-workers (if a line staff)

or

(B) your staff (if a director or head of organization)

if a known ex-offender was hired?

12. To your knowledge, are there any ex-offenders working presently within your (organization, section, inst'n, agency, etc. . . .)?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Can't reveal

\_\_\_\_\_ D'K

If yes, how many? \_\_\_\_\_ In what capacities?

13. What other areas in the Criminal Justice System would you consider ex-offenders might prove useful workers?

14. What specific jobs would you recommend in these other areas?

**APPENDIX C**  
**ORGANIZATIONS AND INDIVIDUALS**  
**WHO SUBMITTED BRIEFS**

Mr. George B. Macaulay  
Assistant Deputy Minister  
Department of Justice  
Government of Newfoundland & Labrador  
St. John's, Newfoundland

Honourable G. Bennett  
Minister of Justice  
Department of Social Services  
P.O. Box 2000  
Charlottetown, P.E.I.

Mr. M.F. Hagan  
Executive Director  
John Howard Society of P.E.I.  
P.O. Box 1211  
Charlottetown, P.E.I.

Mr. Paul Coscarella  
Executive Director  
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Mr. J. Vecchione  
Executive Director  
John Howard & Elizabeth Fry  
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Mr. R.L. Emkeit and Mr. E.A. Ostiguy  
Saskatchewan Penitentiary  
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Mr. Otto Sautter  
Executive Secretary  
John Howard Society of Alberta  
P.O. Box 162  
Drumheller, Alberta

Chief Constable E.V. Christianson  
Camrose Police Department  
Camrose, Alberta T4V 1N3

Mr. Brian K. Griffin  
Drumheller Institution  
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Drumheller, Alberta

Mr. Johnson  
Assistant Superintendent of  
Correctional Institutions  
Attorney General's Dept.  
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Mr. M.B. MacBrayne  
Chief of Police  
The Corporation of the District  
of West Vancouver  
Police Department  
Public Safety Building  
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Brigadier John H. Zarfes  
The Salvation Army  
Correctional Services Dept.  
319 East Hastings Street  
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Mr. H. Balbar  
Mastqui Institution  
Abbotsford, B.C.

Mr. Mervyn Davis  
Executive Director  
The John Howard Society of B.C.  
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Mr. V.L. Ogison  
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Government of the Yukon Territories  
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Mr. Robert M. Brown  
A.I.D.  
Room 220, Student Union Bldg.  
University of New Brunswick Campus  
Fredericton, N.B.

Staff/Inspector Gordon Crocock  
i/c Administration  
City Police Department  
Greenwich & Newport Streets  
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Miss Phyllis Haslam  
Executive Director  
The Elizabeth Fry Society  
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Mr. G.H. Carter  
Director of Personnel  
Ministry of Correctional Services  
434 University Avenue  
Toronto, Ontario

Mr. J.R. Norman  
Assistant Chief of Police  
Newfoundland Constabulary  
St. John's, Newfoundland

Mr. John MacNeil  
Director of Beverley Lodge  
69 Beatty Avenue  
Toronto, Ontario

Captain Gilbert St. Onge  
Correctional Services Dept.  
The Salvation Army  
332 Craig Street East  
Montreal 127, P.Q.

Captain Harold H. Cobb  
The Salvation Army  
Peterborough, Ontario

The Fortune Society of Canada  
117 Spadina Road  
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Mr. Paul Gascon  
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Deputy Chief of Police  
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Ottawa Police Department  
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## APPENDIX D

### BREAKDOWN OF THE DISTRIBUTION OF EX-OFFENDERS BY PROVINCIAL DEPARTMENTS AND AGENCIES AND THE MINISTRY OF THE SOLICITOR GENERAL

#### **Health, Welfare and Rehabilitation (Yukon)**

A senior administrator advised that only three ex-inmates were on staff. Complete information was obtained on two, of whom one is a former penitentiary inmate.

#### **Social Development (N.W.T.)**

No ex-offenders are currently employed but some have been staff members in the past.

#### **Attorney General (B.C.)**

As far as could be determined, two ex-offenders were currently employed by the department. Complete information was obtained in the case of one ex-offender, who was formerly a penitentiary inmate. It seems likely that other ex-offenders are employed by the department but confirmation was not possible.

#### **Attorney General/Health and Social Development (Alberta)**

A senior administrator advised that thirty ex-offenders are currently employed, twenty-six being located in custodial positions and three in treatment. An ex-offender in a juvenile setting was identified. Complete information was obtained on four ex-offenders, of whom one is a former penitentiary inmate.

#### **Social Services (Saskatchewan)**

Complete information was obtained on one ex-offender. The total number of six ex-offenders can only be considered an approximate figure, probably a low estimate.

#### **Health and Social Development (Manitoba)**

Complete information was obtained on all six ex-offenders, one of whom was a former penitentiary inmate. Other ex-offenders have been hired by the department.

#### **Correctional Services (Ontario)**

Of the forty-six ex-offenders identified, partial information was obtained on forty-two and complete information on the remaining four. One former penitentiary inmate was identified.

#### **Justice (Quebec)**

Thirty-one ex-offenders were accurately identified although only minimal information could be obtained. All are employed in institutions. Of this number, eight were former inmates although not necessarily from federal institutions.

**Justice (N.B.)**

Only partial information was obtained on the ex-offender identified. He was not an ex-inmate.

**Attorney General/Social Services (N.S.)**

No information was obtained on the one ex-offender identified. He was not an ex-inmate.

**Attorney General (P.E.I.)**

No information was obtained on the one ex-offender identified.

**Justice (Newfoundland and Labrador)**

No ex-offenders were identified. None is currently employed.

**Solicitor General (Canada)**

The three ex-offenders currently employed are all former penitentiary inmates.

**Royal Canadian Mounted Police**

No ex-offenders were positively identified although a limited number have been hired in uniformed positions. It is unlikely that any would be former inmates.

**Canadian Penitentiary Service**

Of the ten ex-offenders identified, four are temporary employees. In six cases, where only partial information was obtained, all were employed in custodial positions. The study was advised that at least fifteen other employees were ex-offenders but this information was not substantiated.

**National Parole Service**

Complete information was obtained on two of the three ex-offender employees identified.

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