

Discretionary Decision-Making in Community Based Residential Facilities: An Exploratory Study of the Dynamics Between Halfway House Staff and Offenders on Conditional Release

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Abstract

Community Based Residential Facilities (CBRFs) are an integral part of the adult corrections system, housing nearly half of the federal community offender population. Despite the critical and professional role CBRF staff play in supervising offenders in the community, little is known about the dynamics between staff and clients and how these dynamics may affect the success of offenders on conditional release. Through interviews with staff, the current study explores the dynamics between CBRF staff and clients, and how staff use discretionary decision-making based on these dynamics. The findings suggest the decision-making of staff about offenders is impacted by whether they view offenders as “ideal” or “non-ideal”. This, in turn, may affect the dynamics between staff and the supervising parole officers. Both of these factors may contribute to the success or failure of offenders on conditional release. The implications of these findings for correctional policy and for future research are explored.

Keywords: halfway houses; discretion; corrections; reintegration

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List of Acronyms

CBRF	Community Based Residential Facility
CCRA	Corrections and Conditional Release Act
CMT	Case Management Team
CSC	Correctional Service of Canada
PBC	Parole Board of Canada

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Chapter 1.

Introduction

The Correctional Service of Canada (CSC) is responsible for supervising federal offenders, those sentenced to two or more years of imprisonment, in the institution and in the community. In 2018/2019, 14,071 federal offenders were serving a sentence in custody while 9,278 federal offenders were serving their sentence in the community (Statistics Canada, 2022). Of the federal community offender population, 17.8% were on day parole, 47.9% were on full parole, and 29.5% were on statutory release (Statistics Canada, 2022).

The risk and needs of the federal offender population are complex, and these must be considered when working with offenders (CSC, 2019d). Some of these risks and needs include the prevalence of substance abuse and mental health disorders. When examining male offenders admitted to CSC between March 2012 and September 2014, 49.6% struggled with substance abuse or alcohol dependence. Antisocial personality disorder was prevalent in 44.1% of offenders, while anxiety disorders were prevalent in 29.5% (Beaudette et al., 2015). On a broader spectrum, 81% of new intakes during these years met the criteria for a mental disorder in their lifetime, while 73% were struggling with a current disorder. Offenders may further struggle with co-occurring disorders, defined as a diagnosis of a mental disorder and an alcohol and/or substance abuse disorder, with rates anywhere between 27% and 44% (Beaudette et al., 2015).

Corrections personnel must also take into consideration the unique needs of the Indigenous offender population. While only accounting for 4.5% of the Canadian population, 29% of federal admissions in 2018/2019 were Indigenous offenders demonstrating an overrepresentation of Indigenous individuals in the federal system (Statistics Canada, 2020). When looking at gender differences, 41.5% of in custody women offenders were Indigenous while 28.8% of in custody men offenders were Indigenous in 2018/2019 (Public Safety Canada, 2020).

CSC's supervision of federal offenders is guided by numerous acts, bills, regulations, and policies (CSC, 2019a). The Corrections and Conditional Release Act

(CCRA) is the legal framework that guides CSC, providing definitions and principles that CSC must follow for the care and custody of offenders when incarcerated and supervised in the community (Corrections and Conditional Release Act, 1992). Commissioner's Directives are additional policies that CSC follows to exercise reasonable, safe, secure and humane control of offenders under their care (CSC, 2019a). CSC also operates under the rule of law and must ensure offenders are ensured their fundamental rights under the Charter of Rights and Freedoms (Canadian Charter of Rights and Freedoms, 1982; CSC, 2019a).

Community corrections is an important part of the federal correctional system; it allows offenders to start their reintegration into society in hopes they will adjust to community living prior to warrant expiry (CSC, 2012; CSC, 2016b). There are numerous agencies and individuals involved in an offender's reentry process. These agencies include CSC, the Parole Board of Canada (PBC), and non-government agencies that run organizations and halfway houses across Canada. Government organizations, such as the PBC, make decisions for an offender's release (Government of Canada, 2018a) whereas non-government agencies, in collaboration with CSC, help guide offenders through their reintegration into the community (CSC, 2015).

Community corrections is composed of three very important activities: supervision, programming, and community involvement (CSC, 2019e). Offenders who are released into the community on conditional release are subject to the supervision of parole officers who monitor their activities while also providing them with assistance. Parole officers must assess the offender's risk and make decisions about the offender's case. In the community, these decisions may relate to whether or not the offender is ready for less restrictive conditions or if the offender has breached the conditions of their release, and what is necessary to protect the safety of the public with regard to the offender's breach (CSC, 2015). While there are policies in place that parole officers can follow when making their decisions, the interpretation of policy can vary amongst institutions, contexts, and staff (Kemshall, 2012). Community parole officers must also rely on outside resources, such as halfway house staff, when making decisions about offenders on their caseloads. (CSC, 2015).

Halfway houses, also known more formally as Community Based Residential Facilities (CBRFs), run by non-government agencies are an integral part of Canada's criminal justice system and CSC. However, there are few studies examining the role of staff working in halfway houses and, more specifically, how the dynamics between staff members and residents of these facilities may facilitate or hinder the reintegration of offenders into the community. Staff are responsible for interacting with offenders daily and are responsible for providing their observations to the supervising parole officer who will assess the progress of an offender while on release in the community (Bell & Trevethan, 2004; Maier, 2020b). Yet, the activities and decision-making of CBRF staff fall outside of the CCRA, which governs institutional and community corrections across the country. The CCRA only applies to federal corrections (Corrections and Conditional Release Act, 1992) and as CBRFs are run by non-government agencies, they are not subject to the same legal framework such as the CCRA.

It is important to understand the role of halfway house staff on an offender's conditional release, including examining how they interact with the clients. For example, if halfway house staff approach their jobs from a biased perspective, their biases can affect the ultimate goal of parole officers and CSC: to rehabilitate offenders and protect the safety of the public.

The current study explores the roles of halfway house staff and their interactions with offenders from the perspective of the staff. The study explores whether CBRF staff categorize offenders based on the offenders' characteristics and behaviours, and whether this process affects their decision-making and the success of offenders on conditional release. The data were collected during interviews conducted with 10 CBRF staff at a halfway house run by a non-government agency. The research provides insight into how CBRF staff treat offenders based on whether they characterize them as "ideal" or "non-ideal". The terms "ideal" and "non-ideal" were used so respondents could provide information about the factors that make the residents either easier or more difficult to supervise in the facility. Staff were able to explain how their decision-making with respect to individual offenders was affected by these categorizations, as well as how these labels affected the information that was shared with the offender's supervising parole officer.

The discussion in Chapter 2 describes the structure and operation of Canadian corrections, including how corrections personnel complete risk assessment of offenders, how the PBC is involved in an offender's case, and the overall success rates of offenders on conditional release. Chapter 3 briefly touches on discretionary decision-making of corrections personnel and the limited information and literature available on the discretionary decision-making of halfway house staff. Chapter 4 introduces the current study and the methods that were used to collect the data. Chapter 5 discusses the findings that emerged from the interviews completed with halfway house staff. Finally, Chapter 6 presents the discussion and conclusion, including the results of the study and how the discretion CBRF staff use in their decision-making relates to other corrections personnel. Chapter 6 also outlines future research suggestions, limitations of the current study, and the policy implications of the study.

Chapter 2.

The Structure and Operation of Canadian Corrections

2.1. The Correctional Service of Canada

2.1.1. Risk Assessment by the Correctional Service of Canada

The Correctional Service of Canada (CSC) is the federal government agency responsible for managing federal offenders – those serving a sentence of imprisonment of two years or more (CSC, 2016c). Their mission focuses on the protection of society by encouraging and assisting offenders to become law abiding citizens (CSC, 2012). CSC is responsible for managing offenders at different stages throughout their sentence. Offenders may be housed in various security level institutions (minimum, medium, and maximum) or supervised while they are in the community under conditional release (CSC, 2016c). While public safety is the number one priority, CSC must ensure they are exercising reasonable, safe, secure, and humane control of offenders that respects the rule of law (CSC, 2012).

To contribute to public safety, CSC has developed six strategic priorities:

1. Safe management of eligible offenders during their transition from the institution to the community, and while on supervision
2. Safety and security of the public, victims, staff and offenders in institutions and the community
3. Effective, culturally appropriate interventions and reintegration support for First Nations, Metis and Inuit offenders
4. Effective and timely interventions in addressing mental health needs of offenders
5. Efficient and effective management practices that reflect values-based leadership in a changing environment
6. Productive relationships with diverse partners, stakeholders victims' groups, and others involved in support of public safety (CSC, 2016b, para. 1).

With an ever-changing profile, CSC must focus on specific and case-based assessments to determine an offender's risk to society. While actuarial tools are utilized to provide a guideline for an offender's risk, discretionary analysis of an offender's case is continuously exercised by numerous members of a case management team (CMT) (CSC, 2019d). At the forefront of an offender's CMT are parole officers. Parole officers supervise and manage a caseload of offenders either in a federal institution or while the offender is in the community on conditional release (CSC, 2015). They are responsible for assessing an offender's behaviour and their potential risk to society.

Actuarial tools are used to determine an offender's security risks, defined as "dynamic factors", that are said to lead to an individual's criminal offending and are the factors targeted by correctional treatment programming that is offered to offenders while incarcerated and while in the community on release (Martel, Brassard, & Jaccoud, 2011; Zinger, 2019). There are concerns with actuarial tools given they were developed and validated on White male offender samples (Martel, Brassard, & Jaccoud, 2011; Zinger, 2019). These instruments may not accurately measure the risk of other populations and may lead to marginalized populations being assessed at an inappropriately high risk (Martel, Brassard, Jaccoud, 2011). Failing to create risk assessment instruments for these populations may result in marginalized offenders not being provided with appropriate treatment interventions as their risk may not accurately be determined (Zinger, 2019). If an offender's risk is overestimated, they are often placed in a higher security level institution that does not provide them with the opportunity to engage in programming and prepare for the earliest release opportunity (Cardoso, 2020). This placement and lack of programming seems to go against CSC's priorities; specifically,

efficient and effective management practices, and effective and timely interventions (CSC, 2016a).

Without the use of such actuarial tools, an offender's risk is based solely on an analysis by corrections personnel; an analysis that may be biased. These actuarial tools are however reliant on the individual who is scoring them and research has shown that offenders may receive different scores on actuarial tests once they are assigned a new parole officer (Cardoso, 2020), demonstrating inconsistencies in how CSC manages federal offenders. In their analysis, Cardoso (2020) found that Black men are nearly 24% more likely than White men to receive an initial security rating for maximum-security and Indigenous men are approximately 30% more likely than White men to be assessed with the worst reintegration potential score. Both of these scores have an effect on the offender's sentence and future conditional release decisions, demonstrating systemic barriers within CSC.

The exercise of professional discretion allows corrections personnel to use information not available to a statistical device, which may be seen as a positive since the actuarial devices may not account for all relevant information about an offender's case (Gottfredson & Moriarty, 2006). For example, demeanour during case conferences and interactions with offenders cannot be considered through an actuarial device (Gottfredson & Moriarty, 2006). Considering human judgement and actuarial tools have their pros and cons, some scholars argue that actuarial tools used in conjunction with human judgment allow for the most accurate risk assessment, as this process allows for the use of specialized knowledge from experts as well as impartial and rational assessment tools (Gottfredson & Moriarty, 2006; Lewis, 2014).

Members of an offender's CMT use their professional judgment in analyzing an offender's degree of accountability, level of motivation, level of engagement, and a number of specific domain areas that relate to their static (unchangeable) and dynamic risk factors. A parole officer's analysis of an offender's situation uses information gathered from interviews, observations, and collateral contacts (CSC, 2015). This analysis is then used to develop a correctional plan, which is a "document that outlines a risk management strategy for each offender" (CSC, 2020, para. 1). The correctional plan is tailored to each individual offender and their assessed needs. It identifies needed

interventions and monitoring techniques that are tailored to address the offender's risk for recidivism (CSC, 2020). The correctional plan is created at intake and is updated throughout the offender's sentence depending on their progress against their risk factors. The point of the correctional plan is to provide the offender with a framework and goals they are expected to meet throughout their sentence (CSC, 2016a).

Given ever-growing caseload numbers (Office of the Correctional Investigator, 2015; Union of Safety and Justice Employees, 2019), parole officers use collateral contacts to provide information about an offender's risk both when they are developing the correctional plan and subsequent documents throughout the offender's sentence (CSC, 2015). To illustrate, institutional parole officers rely on correctional officers to gather information about the inmate's behaviour on the unit, which can have great implications when case managers are making recommendations for an offender's eventual release to the community (Weinrath, 2016). In the community, parole officers are expected to establish and maintain positive relationships with an offender's community supports (i.e., family, friends, coworkers), members of the community, other government agencies, and other members of the CMT to obtain accurate and up-to-date information about the offender's progress (CSC, 2015). This community network also provides the offender with additional support for their reintegration efforts (CSC 2015).

Both institutional and community parole officers also collaborate with staff at Community Based Residential Facilities (CBRFs) to determine whether an offender is suitable for placement at the CBRF (Bell & Trevethan, 2004). CBRFs (or halfway houses as they are informally called) provide a bridge for offenders from the institution to the community (CSC, 2018). CBRF staff receive a referral and then complete a review of the offender's file and an assessment of their risk. CBRF staff have the ability to accept or deny an offender if they feel they cannot meet the offender's needs (Bell & Trevethan, 2004). Generally speaking, CBRF staff base their decision to accept an offender at the facility based on the offender's age, gender, and degree of motivation; specifically, the motivation of the offender to follow rules, participate in programs, and to follow their correctional plan (Bell & Trevethan, 2004). Some CBRFs may deny an offender applicant based on their propensity for violence, the presence of co-accused or criminal associates, their affiliation with gangs, if they are arsonists or sex offenders, and/or the presence of physical or mental disabilities (Bell & Trevethan, 2004). This collaboration

between parole officers and CBRF staff is very important, as it allows staff at the CBRF to have some authority in the decision-making process for offenders and the management of an offender's risk.

CBRF staff also conduct their own type of risk assessment and work with parole officers to determine the boundaries and rules that the offender must follow for successful reintegration (Maier, 2020b). Some of these rules include an offender's leave privileges, their curfew, and community treatment programming. In contrast to the supervising parole officer, halfway house staff work with offenders on a daily basis and are more aware of what is going on in an offender's life (Maier, 2020b). This daily contact allows them the ability to assess the offender's risk and their progress reintegrating back into the community and, ideally, this information is then passed on to the parole officer (Maier, 2020b). In interviews with halfway house staff, Maier (2020b) found that all employees initially began their work at a halfway house due to their interest in helping offenders after incarceration. Offenders at these halfway houses are viewed as needing support and through daily interaction or frequent contact, halfway house employees feel their role is to help these offenders with their eventual reintegration back into society (Maier, 2020b).

While CBRF staff complete their own risk assessment of offenders, they have very little authority over offenders and are not involved in the decision-making process to the same extent as the parole officer. The staff do not make decisions such as cancelling an offender's release and returning them to the institution (Maier, 2020b). Despite their limited power, halfway house staff are an important and crucial component of an offender's release and they are an important resource for parole officers to use to promote the rehabilitation of the offenders they monitor. Additionally, they advise parole officers of an offender's progress.

2.1.2. A Lack of Resources for Federal Offenders

Despite their critical role in working with federal offenders, halfway houses are not government mandated and do not follow the same policies as CSC (Maier, 2020b). While halfway house staff are required to "carry out the dual mandate of re-entry support and supervision" (Maier, 2020b, p. 414), and may have their own organizational

mandate, they are run by non-government organizations, which may cause concern over the accountability and transparency of these organizations and their dealings with federally supervised offenders. Further, since halfway houses are not required to follow government policies, they are not subject to the same audits as CSC and halfway house staff are thus not subject to the same regulations as corrections personnel. Combined, these realities highlight the need for additional research to explore the responsibilities of CBRF staff, and role of halfway houses more generally.

Arguably, the role of CBRF staff has become more important as parole officers' caseloads have expanded while their resources have decreased. There are ongoing concerns about whether parole officers have the time and resources to effectively carry out their duties to ensure the safety and security of the community and assist with the rehabilitation of the offender (Union of Safety and Justice Employees, 2019). In 2012, the Government of Canada introduced the Deficit Reduction Action Plan (DRAP), resulting in reduced funding and reductions in staff, programs, and services in CSC. This policy created challenges for personnel across the federal corrections system.

The Union of Safety and Justice Employees (2019) completed a survey on federal parole officers that illustrates the concerns parole officers have, as they feel they "do not have the time necessary to properly assess, supervise and prepare offenders for release to the public... and cause more damage for the public and themselves" (p. 5). The survey data indicates that the DRAP reductions have led to seasoned parole officers going off on sick or stress leave, leaving new and inexperienced staff to replace them, which causes concern over how well offenders are being supervised (Union of Safety and Justice Employees, 2019).

Additionally, the number of inmates on an institutional parole officer's caseload has increased significantly since the introduction of DRAP, causing a huge strain on the officer's and their ability to effectively manage these offenders on their caseloads. The ratio of inmates to parole officer depends on the offender's security level: one parole officer for every 25 inmates in minimum security; one parole officer for every 28 inmates in medium security; and, one parole officer for every 30 inmates in maximum security (Union of Safety and Justice Employees, 2019). Prior to the introduction of DRAP, the ratios were not dependent on security level and were one parole officer for every 25

inmates. Due to this caseload increase, parole officers surveyed indicated that they felt things were being missed in their assessments (Union of Safety and Justice Employees, 2019). In a separate, independent investigation, Cardoso (2020) discovered a number of offender reports riddled with mistakes. Given the importance of these assessments for an offender's sentence and their potential return to the community, it is of concern that reports are not being appropriately updated with an offender's progress or are riddled with incorrect information (Cardoso, 2020). Parole officer discretion, incomplete and outdated assessments, and inaccurate information contained in offenders' files have serious implications for the offender's rehabilitation, or lack thereof, and their prospects of conditional release.

In order for offenders to have a chance at successful rehabilitation, more resources are required throughout all points of their sentence. The introduction of DRAP reduced many of the resources available to federal offenders. While the current federal government has since introduced policies designed to reinstate many of these resources and consider the complex needs of the federal offender population, these new policies have added more stress to an already overburdened correctional system. Without proper staffing, these policies may not be successful (Union of Safety and Justice Employees, 2019). In addition, the requirement that staff consider an offender's Indigenous Social History (ISH) factors throughout their correctional plan and the introduction of a Pathways program to provide a traditional healing environment for Indigenous offenders have also increased the workload of corrections personnel.

The stress amongst parole officers may also carry over into the CBRFs or CBRF staff. There is an abundance of stress on parole officers to quickly and prematurely expedite offenders through their sentence, without allowing the appropriate time for parole officers to complete high quality assessments (Union of Safety and Justice Employees, 2019). There is more pressure to support offenders for conditional release when they may not be ready and when all of the information (police reports or Judge's reasons for sentence) has not yet been received (Union of Safety and Justice Employees, 2019). If quality assessments are not being completed, this may result in CBRFs accepting or denying appropriate offenders to reside at their CBRF. If CBRFs accept an offender who does not meet their usual criteria, the CBRF may be unable to provide the proper treatment programs to address the offender's needs and bolster their

rehabilitation and public safety; however, if a CBRF denies an offender based off a faulty assessment, the offender may be missing out on a CBRF that could potentially help their rehabilitation and promote public safety.

It should be noted that parole officers are the main source of information for the Parole Board of Canada (PBC). Despite their frequent contact with offenders, halfway house staff and correctional officers do not hold a lot of power in the decision-making process for an offender's case (Maier, 2020b; CSC, 2019d; Crewe, 2011). Parole officers make recommendations to the PBC regarding an offender's release into the community, so it is important that their judgment is not clouded by added stress or burnout due to an overloaded system (Union of Safety and Justice Employees, 2019).

2.1.3. Pre-Release Recommendations and Decision-Making

The parole officer is the primary member of an offender's CMT and they provide recommendations to the PBC by writing a report called an Assessment for Decision (CSC, 2019; CSC, 2019d). The Assessment for Decision is guided by Commissioner's Directive 712-1 Pre-Release Decision-Making (Correctional Service of Canada, 2019b). For example, Commissioner's Directive 712-1 requires the parole officer to consider the following:

Has the offender's correctional plan been successfully implemented and has it been effective? In other words, what changes in the offender's attitudes and/or behaviour have occurred since the beginning of the sentence and what effect have these changes had on the offender's risk level? Has the offender been motivated to change and have they been engaged in the correctional planning process? How does the offender demonstrate their understanding of their crime cycle? (Correctional Service of Canada, 2019b, para. 91).

When completing pre-release recommendations, institutional parole officers will recommend special conditions to the PBC that they think are necessary for the successful reintegration of an offender to the community; in some cases, this special condition may include a residency condition if deemed necessary for full parole or statutory release (CSC, 2019b). If recommending a day parole release, offenders are already required to live in a halfway house. In order to recommend a residency condition on full parole or statutory release, the institutional parole officer must be able to demonstrate how the offender will present an undue risk to society without said condition

and that there are no other supervision strategies sufficient to manage the offender's risk in the community (CSC, 2019b). In these cases, the institutional parole officer is responsible for sending a request to the community in which the offender would like to reside. The offender is then screened by the halfway house in collaboration with the nearest parole office (Bell & Trevethan, 2004). Unfortunately, the halfway house deemed most appropriate to manage the offender's risk may not accept the offender and may not be the most appropriate choice to assist in rehabilitation, as often these houses are placed far away from an offender's main community supports and is located somewhere they are not familiar with (Zinger, 2019).

Once the parole officer has completed the consultation with the community and made their recommendation for or against release, as well as for special conditions, the Assessment for Decision is then forwarded the PBC. The PBC will make their own assessment on whether the offender should be released to the community and/or what special conditions should be imposed on the offender's release. The PBC will consider all relevant and available information provided to them about an offender's case; this may include information from police, courts, mental health professionals, correctional authorities, private agencies, and victims of crime (Government of Canada, 2018b). Often the Assessment for Decision includes comments from these organizations or individuals (CSC, 2019b). The PBC may also include a consideration of whether a halfway house is appropriate for the offender and the level of risk they present. Given the PBC is supposed to be an independent tribunal to CSC, some would argue that CSC should only provide PBC with all the available information about offenders rather than a recommendation of whether parole should be granted or not. This would still allow CSC to provide expert opinions on the offender's case but would "better protect [the PBC] independence as an administrative tribunal" (Zinger, 2012, p. 124). The PBC's role in decision-making will be further explored in Chapter 3.

Given CSC's overarching goal of rehabilitating offenders, a slow, gradual, and supervised release to the community is essential to provide offenders with the necessary support to help them adjust to community living and to become law-abiding citizens (CSC, 2019c). Community corrections involves gradually releasing offenders to provide that structured, supervised release to hopefully diminish the risk they pose to the community or anyone in the community (CSC, 2019c). A majority of offenders will return

to the community at some point in their sentence. While the first steps of rehabilitation begin in the prison setting, community corrections exists to continue the goal of changing an offender's attitude and behaviour that led them to a criminal lifestyle (CSC, 2019e). While there are many challenges that come along with a transition from prison to the community, it is perceived an offender will have a greater chance of change if provided with community supervision and support, and connection to community networks (CSC, 2019e). An offender's success in the community is significantly associated with their dynamic risk or criminogenic need level. Poor community outcomes are more likely associated with offenders who hold anti-social, anti-authority, and pro-criminal attitudes; as well as those who associate more with criminal peers and those who struggle with alcohol and/or drug issues (Thompson, Forrester, & Stewart, 2015).

2.1.4. Federal Community Supervision

Supervision involves direct monitoring and communication with offenders and is mostly carried out by CSC staff such as parole officers. Depending on an offender's level of risk, monitoring is more or less frequent; in other words, an offender who is considered "high risk" will be more closely monitored, while an offender who is considered "low risk" will be less closely monitored. This supervision is classified as the "level of intervention", which is determined prior to the offender's release and can be altered depending on how well they do in the community setting (CSC, 2019e). All offenders on release will be monitored regardless of where they reside. In some situations, CSC will contract independent agencies/people to assist with case management services in the community. Staff also rely on an array of information sources to help with monitoring offenders on release, including: police agencies, offenders' family members or community supports, and program staff (CSC, 2019e). It is important for community staff to be completely aware of an offender's situation and actions to determine if an offender is re-entering their crime cycle, breaking any supervision rules, and abiding by conditions of release (CSC, 2019e).

Correctional programming is also offered in the community to help address the risk levels of offenders and their specific criminogenic needs. The goal of correctional programming is to enhance public safety by reducing an offender's area of need and their risk to reoffend (CSC, 2019e). Programming is offered in the institution; however,

community programs provide further opportunity for offenders to review and develop core self-management skills. Additionally, offenders may not have the opportunity to participate in institutional programming, which seems to be more likely for those marginalized populations that are disproportionality assessed as higher risk (Cardoso, 2020). In programs, offenders are expected to not only develop appropriate self-management skills to reduce recidivism but to apply these skills to real life situations, obstacles, and high-risk situations. Community programs provide an additional method for parole officers to monitor and manage an offender's risk while in the community (CSC, 2019e).

As previously mentioned, community staff rely heavily on community involvement and reports from collateral contacts when monitoring offenders on release. When community contacts learn that an offender has violated a condition or is in some sort of emotional crisis, they can relay this information to CSC (CSC, 2019e). Independent agencies, such as the John Howard Society, Elizabeth Fry Societies, and St. Leonard's Society of Canada (White, 2015) may also be responsible for delivering programs to offenders and act as a separate support network for an offender when dealing with the stress of community reintegration (CSC, 2019e). Community involvement is also important as it gives the notion that the community is willing to accept an offender and may give the offender more initiative to do well while on release (CSC, 2019e). While an offender's success in the community depends mostly on their own efforts, opportunities provided by the community at large and having a support network in place will further contribute to an offender's success (CSC, 2019e).

While corrections personnel make recommendations on whether an offender is ready for release to the community, the PBC is responsible for granting release and for imposing any special conditions the offender must abide by for their release (Government of Canada, 2018a). The PBC role is discussed in section 2.2.

2.2. The Parole Board of Canada

Recall that the majority of offenders will be released to the community at some point prior to the expiration of their sentence and that the Correctional Service of Canada's (CSC) main focus is to provide a slow, gradual release to help rehabilitate

offenders and protect society. This gradual release starts in the institutional setting where offenders are hopefully transitioned to lower security prisons prior to any scheduled release.

When eligible for conditional release, offenders may go before the Parole Board of Canada (PBC) to be granted release and for the PBC to impose conditions that the offender is required to follow while they are in the community (Government of Canada, 2018a). The PBC is an independent administrative tribunal that is responsible for making conditional release and record suspension decisions (Government of Canada, 2020a). The PBC's Mission Statement is to contribute "to the protection of society by facilitating, as appropriate, the timely reintegration of offenders and the sustained rehabilitation of individuals into society as law-abiding citizens" (Government of Canada, 2020b, para. 2). To achieve this objective, the PBC strives to uphold their values of respect, openness, integrity, accountability, and excellence (Government of Canada, 2020b).

Similar to CSC, PBC is guided by the Corrections and Conditional Release Act (CCRA) which includes two basic principles for decision-making:

1. That the protection of society by the paramount consideration in the determination of any case; and,
2. That the Board (PBC) makes decisions that are consistent with the protection of society and are limited to only what is necessary and proportionate to the purpose of conditional release (Government of Canada, 2018b, para. 8).

When making decisions, the PBC must consider whether an offender will present an undue risk to the community at large if they are to be released or before the expiration of their sentence. The PBC must further consider if the release of the offender will contribute to the protection of society by ensuring the offender is being returned to the community as a law-abiding citizen (Government of Canada, 2018b). Parole Board members conduct thorough assessments that ensure they have a clear understanding of the specific risks and contributing factors that played a role in an offender's criminal offending. All decisions made by the PBC are made on a case-by-case basis (Government of Canada, 2018b).

There are three types of conditional release that an offender may be released on: two are granted by the PBC (day parole and full parole) and the third is legislated by law

(statutory release). Depending on the type of sentence an offender is serving, they are eligible for full parole at one-third of their sentence or after they have served seven years of their sentence, whichever is less. The court is responsible for setting eligibility at the time of sentencing for offenders serving a life sentence. For first degree murder, eligibility is automatically set at 25 years and between 10 and 25 years for those sentenced to second degree murder (Government of Canada, 2018c). Offenders are eligible for day parole six months prior to their full parole eligibility or six months into their sentence, whichever is greater. Both day and full parole allows offenders to serve a part of their sentence in the community to better prepare them for their eventual reintegration at their warrant expiry date. The main difference is that offenders on day parole are restricted to residing in a halfway house whereas offenders on full parole may reside at a private residence (Government of Canada, 2018c).

The third type of conditional release is statutory release. Statutory release, though often confused for “parole”, is not parole and is not granted by the PBC. Statutory release is legislated by law and CSC must release offenders to the community after they have served two-thirds of their sentence. In exceptional cases, CSC may refer offenders to the PBC to be detained past their statutory release date. If PBC grants detention, the offender must remain in custody and serve the rest of their sentence in the institution (Government of Canada, 2018c); however, the offender is reviewed by the PBC on an annual basis to see if they have progressed enough to release them to the community (Government of Canada, 2019). Though the PBC does not grant statutory release, they are still responsible for imposing special conditions that are case-specific and geared towards an offender’s contributing factors that led to their criminal offending. Similar to day and full parole, statutory release aims to provide offenders with a more structured release in the community that will hopefully prepare them for the end of their sentence (Government of Canada, 2018c).

The PBC and CSC are two separate entities, but parole officers employed by CSC are required to make recommendations to the PBC to facilitate their decision-making about offenders. While separate agencies, PBC and CSC share a similar interest by ensuring their decisions are made to protect society by helping offenders with their timely reintegration back into the community as law-abiding citizens (CSC, 2020). While PBC is an independent tribunal from CSC (Government of Canada, 2020a), decisions

are often consistent with CSC recommendations (Zinger, 2012). This is especially true in cases where CSC is recommending an offender be denied release: between April 2009 and March 2010, PBC disagreed and granted release on only 2.5% of full parole decisions and 2.2% of day parole decisions. During the same time period, PBC was found to be more inconsistent with CSC's recommendation when CSC recommended an offender be released: PBC disagreed with CSC and denied release in 8% of full parole decisions and 14.8% of day parole decisions (Zinger, 2012). While it may not be shocking that the PBC agrees with the majority of CSC decisions since they review the same documentation CSC has used to come to a recommendation, it could be viewed as a shift of accountability and only a "quality control" of CSC recommendation showing no change from when CSC previously made parole decisions (Zinger, 2012). It is of further concern that a large percentage of recent appointments to PBC are former police officers. While there is no doubt these individuals are fully qualified to be appointed as PBC board members, these individuals did at some point arrest and testify against offenders and are now making decisions on their potential release to the community (Zinger, 2012).

The PBC is also responsible for imposing special conditions when an offender is in the community, including when they are on statutory release (Government of Canada, 2018c). All offenders on conditional release are subject to standard conditions, such as report to a parole officer, obey the law and keep the peace, not to own or possess weapons, and report any change in family, domestic, or financial situation; however, the PBC is also responsible for imposing special conditions that consider the unique circumstances of each case. Special conditions are imposed to take into consideration the contributing factors for specific offenders and their criminal offending. Special conditions may also take into consideration requests from victims (Government of Canada, 2018a). As previously discussed, parole officers make recommendations to the PBC for special conditions.

All offenders on day parole are required to reside in a Community Based Residential Facility (CBRF); however, as per the CCRA Section 133, a residency condition may be imposed on full parole and statutory release for the following reasons:

(4): Where, in the opinion of the release authority, the circumstances of the case so justify, the releasing authority may require an offender, as a condition of parole

or unescorted temporary absence, to reside in a community-based residential facility

(4.1): In order to facilitate the successful reintegration into society of an offender, the releasing authority may, as a condition of statutory release, require that the offender reside in a community-based residential facility or a psychiatric facility if the release authority is satisfied that, in the absence of such a condition, the offender will present an undue risk to society by committing, before the expiration of their sentence according to law, an offence set out in Schedule I or an offence under section 467.11, 467.12 or 467.13 of the Criminal Code (Corrections and Conditional Release Act, 1992, para. 7).

It is quite clear that the PBC's decision is very important for liberty and human rights interests of offenders. By granting, denying, suspending or revoking an offender's conditional release, the PBC are potentially upholding or denying offenders of their human rights (Zinger, 2012).

Offenders who receive a residency condition are different than offenders who have been granted day parole and are required to reside at a CBRF. Offenders who receive a residency condition are more often individuals with a higher risk and with more identified areas of need (Gobeil, Keown, Ritchie, & Biro, 2015). Residency conditions are most often imposed for offenders serving sentences for sexual offences, robbery, and assault. A residency condition is also more likely to be imposed for offenders who are assessed as having a lower reintegration potential, motivation, and accountability rating, as well as those who are not assessed as engaged in their correctional plan and more likely to have identified responsivity factors. Often, offenders with a residency condition imposed are identified as having limited community stability, lengthier criminal histories, affiliation with security threat groups, and having elevated needs in specific domains (Gobeil, Keown, Ritchie, & Biro, 2015). These offenders are also more likely to be released from higher security and more likely to have a history of failure on community supervision. While failure on federally supervised releases are most often the concern, failure on provincially supervised releases (bail and probation) are also considered (Gobeil, Keown, Ritchie, & Biro, 2015).

Research on parole grant rates may suggest systemic barriers to how and when offenders are being returned to the community under supervision (Office of the Correctional Investigator, 2014). While the community offender population has increased since 2013, statutory release is the most likely type of release for Indigenous offenders (Zinger, 2019). When examining grant rates of offenders reviewed by the PBC in

2018/2019, 76.6% of Indigenous offenders were granted day parole compared to 80.4% of non-Indigenous offenders. For full parole, the grant rate for Indigenous offenders is 27.9% compared to 40.8% for non-Indigenous offenders. In 2018/2019, Indigenous offenders served a longer portion of their sentence in custody prior to being released on their first federal day or full parole, as compared to non-Indigenous offenders (Public Safety Canada, 2020). Indigenous offenders served 42.2% of their sentence prior to their first day parole release compared to non-Indigenous offenders who served 36.2% of their sentence (Public Safety Canada, 2020). For full parole release, Indigenous offenders served 47.8% of their sentence compared to non-Indigenous offenders who served 44.5% of their sentence (Public Safety Canada, 2020). This is of concern as the number of day parole releases has increased and the number of statutory releases has decreased, though it does not appear this is the case for the Indigenous offender population (Zinger, 2019).

2.2.1. Success Rates of Federal Offenders on Conditional Release

In 2016/2017, approximately 64% of releases from federal institutions were offenders released on statutory release, meaning a large portion of the community offender population has been released because it is required by law, not because they have been deemed a low enough risk by the Parole Board of Canada (PBC). While the rates of success for offenders on statutory release has steadily increased (from 60.0% in 2012/2013 to 67.4% in 2016/2017), offenders on statutory release are 11 times more likely than offenders on full parole and four times more likely than offenders on day parole to commit a violent offence (Public Works and Government Services Canada, 2018). Generally speaking, offenders on statutory release are deemed higher risk than those on full or day parole and may require higher supervision (Gobeil, Keown, Ritchie, & Biro, 2015). This is the point in the process where the role of CBRFs, also known as halfway houses, becomes very important.

In 2016/2017, the success rate of day parole release was 92.7% and the success rate of full parole release for determinate sentences was 89.7% (Public Works and Government Services Canada, 2018). Indeterminate sentences are not included in the successful full parole release rate, as offenders serving a life sentence are only

considered serving a successful full parole release upon their death (Public Works and Government Services Canada, 2018).

Suspensions in the community can be executed when an offender breaches a condition, to prevent a breach of condition, or to protect society. Once a suspension occurs, parole officers can either cancel the suspension locally or refer the case to the PBC. If referred to the PBC, the offender will return to custody and be temporarily detained until the PBC makes their decision on the offender's case. The PBC will then decide whether the suspension should be cancelled or if the offender's release should be revoked (MacDonald, Curno, Biro, & Gobeil, 2015). While suspension of an offender's conditional release may be seen as a negative, in the absence of a new offence, correctional personnel view this as a suppression and intervention strategy to hopefully deter reoffending. In such instances, the parole officer determines the offender's risk is escalating so they suspend the offender's release to prevent additional offending and promote public safety (Stewart, Wilton, Baglolle, & Miller, 2019).

On average, offenders spend about 200 days in the community prior to their first suspension while on any form of conditional release. Almost half (48%) of these suspensions result in a revocation of the offender's release; whereas, 29% are cancelled by the parole officer and 22% are cancelled by PBC (MacDonald, Curno, Biro, & Gobeil, 2015). When examining the reasons for a suspension warrant, almost two-thirds are issued due to an offender breaching the specific conditions of their release. Twenty-one percent of warrants issued are due to deteriorating behaviour or perceived increase in an offender's risk (MacDonald, Curno, Biro, & Gobeil, 2015). It is interesting to note that several offenders indicate adjustment issues in the community related to following parole conditions and this number seems to increase over time. In their study, Garland, Wodahl, and Mayfield (2010) found that nine percent of parolees reported strains related to parole during their first few days in the community. This number jumped to 21% at the first month mark but then decreased to 12% at the three-month mark. These data suggest that offenders may underestimate the difficulty and energy it takes to comply with conditions of their parole (Garland, Wodahl, & Mayfield, 2010).

It should be further noted that a much smaller percentage of offenders have a return to custody because they reoffend. In their study, Thompson, Forrester, and

Stewart (2015) discovered that four percent to 12% of offenders were revoked for a new offence, with violent or sexual offences having the lowest reoffence rate (1% of offenders). The researchers also found that residency conditions are further correlated with a reduction in recidivism (Thompson, Forrester, & Stewart, 2015).

The effectiveness of corrections interventions, such as programming and release supervision, is determined by the rates of recidivism while offenders are under warrant and following warrant expiry (Stewart, Wilton, Baglole, & Miller, 2019). When examining all measures of recidivism, including any return to federal custody pre- and post-warrant expiry, the highest rates of reoffending are seen in offenders serving an index offence for robbery or property related offences. The lowest rate of reoffending is often seen in offenders serving an index offence for sexual offences. Knowing the reoffence rate for offenders who continue to be under the supervision of an agency is critical for the planning and evaluation of the interventions offered by that agency. Examining recidivism rates post-release is also helpful in determining the effectiveness of those interventions over a sustained period (Stewart, Wilton, Baglole, & Miller, 2019).

While community staff (e.g., parole officers and CBRF staff) are part of the support network for offenders, they also assess whether an offender is abiding by PBC conditions and addressing the risk factors that may lead to recidivism (Correctional Service of Canada, 2019e). As mentioned, residence in a halfway house can provide enhanced, ongoing supervision for offenders while promoting a more successful release to the community. Over the last approximately 15 years, over three times as many offenders are receiving a residency condition at release (Gobeil, Keown, Ritchie, & Biro, 2015). The following section provides further detail regarding federal community corrections and halfway houses. It should be noted that the discussion of community corrections is limited to federal conditional release and does not include provincial community corrections programs such as probation or bail supervision.

2.3. Community Based Residential Facilities

Offenders face a number of challenges when exiting the institution and entering the community. Halfway houses, also known as Community Based Residential Facilities (CBRFs), are an integral part of corrections, housing a large portion of offenders while

on conditional release and providing secure, safe, and stable housing in hopes of reducing an offender's risk to reoffend (Bell & Trevethan, 2004; Wong, Bouchard, Gushue, & Lee, 2019). CBRFs were first introduced in 1954 to help offenders with the critical transition from institution to supervision in the community. CBRFs are responsible for addressing the needs of offenders and by doing so, they address the needs of the community in which the offenders reside (Bell & Trevethan, 2004; Costanza, Kilburn, & Vendetti-Koski, 2013; Wong, Bouchard, Gushue, & Lee, 2019).

CBRFs help fill the gap between the institution and the community, and offer offenders a more structured environment to assist with a more gradual release back to society (Correctional Service of Canada [CSC], 2018). Halfway houses are able to offer a measure of supervision of offenders in the community that parole officers are unable to provide on their own (Bell & Trevethan, 2004), which allows the offender to work on a gradual release in hopes they will become proactive members of society and law-abiding citizens (CSC, 2018). In addition to supervision, CBRFs also provide offenders with a supportive environment, which includes food and housing, employment and education assistance, and counselling services. Further, CBRFs offer programming that targets life skills, substance abuse, employment, and/or crisis counselling (CSC, 2018).

In Canada, numerous non-government organizations have established halfway houses to provide accommodation, food, services, and programs for offenders. These organizations are often not-for-profit and include the Salvation Army, St. Leonard's Society of Canada, Anglican Houses, John Howard Society, and Elizabeth Fry Societies (Bell & Trevethan, 2004; White, 2015). In 2018, CSC had 200 contracts with CBRFs in Canada, which demonstrates how crucial of a role CBRFs play in supervising offenders while they are in the community (CSC, 2018).

CSC also operates Community Correctional Centres (CCCs). These are different from CBRFs, as they are government-run facilities and more often accommodate higher-risk offenders to help with their transition back to the community. CCCs also offer programs and interventions to help offenders but offer more intense supervision than what is provided at not-for-profit CBRFs (Bell & Trevethan, 2004; Office of the Correctional Investigator, 2014). As per policy, CCCs are technically designated as "minimum-security institutions" rather than as CBRFs, though they are located in the

community and do not have to conform to federal institutional standards (Office of the Correctional Investigator, 2014).

Most literature on CBRFs is dated and there is little current descriptive information on these facilities. In a report that is nearly two decades old, Bell and Trevethan (2004) described the structure and layout of CBRFs in Canada. Most of the CBRFs in Canada were found to be located in large, central cities. They were often located in low to middle income areas, and were often built in one to two story houses (Bell & Trevethan, 2004). CBRFs were found to often consist of resident bedrooms, shared kitchen and laundry facilities, and staff areas. Some of them also had recreational areas, spiritual grounds, and visitor rooms. Bed capacity ranged from four to 82 beds, with the average being around 24 beds (Bell & Trevethan, 2004). The staff structure at CBRFs was found to be hierarchical in nature, though it is unclear how many or what percentage of the organization is made up of support work staff. The authors noted that most CBRFs they examined employed female workers (Bell & Trevethan, 2004). By providing the supportive environment of a halfway house and numerous types of resources, CSC hopes to meet the goal of reintegration for offenders who need a gradual introduction back into the community (Bell & Trevethan, 2004). Offenders have noted that residency at a halfway house provides them with more accountability, as access to resources and support leads them to become more disciplined in their everyday life (Gobeil, Keown, Ritchie, & Biro, 2015).

2.4. The Effectiveness of Halfway Houses

The available information suggests that offenders placed in halfway houses are less likely to recidivate or receive a technical violation (Wong, Bouchard, Gushuhs, & Lee, 2019); however, other research has found that the intensive supervision provided by a CBRF leads to higher rates of return to custody or breaches of supervision (Gobeil, Keown, Ritchie, & Biro, 2015). While higher rates of return to custody or breaches may be perceived as a failure, it is simply because there are more staff with their eyes on the offender, leading to more awareness of breaches or potential breaches of supervision (Gobeil, Keown, Ritchie, & Biro, 2015). Especially in situations where offenders have been imposed a residency condition and are assessed as higher risk than their day

parole counterparts, these rates of breach of supervision provide evidence that the halfway houses are doing their jobs in preventing recidivism and promoting public safety (Stewart, Wilton, Baglole, & Miller, 2019).

Despite their widespread use, there is a paucity of information on halfway houses and a large portion of the research regarding their effectiveness is dated and is based on halfway houses in the United States. However, the materials that exist suggest that halfway houses in Canada and the United States assist in the reintegration of offenders into the community. Routh and Hamilton (2015) compared offenders in a halfway house for work release and offenders who were not in halfway houses but on parole. While there was no significant difference between the two groups for mean number of days until re-arrest, reconviction, or reincarceration, there were statically significant differences in mean number of days until revocation for a technical violation, as well as mean number of days until return to incarceration for any reason. Offenders on work-release to a halfway house were 41.5% less likely to be revoked due to a technical violation and 29.9% less likely to return to prison for any reason compared to offenders not placed in a halfway house (Routh & Hamilton, 2015).

Similarly, Hamilton and Campbell (2014) found that offenders released to a halfway house on parole had fewer recidivistic events than non-halfway house offenders, though these numbers were only significant for revocations. Offenders in halfway houses were 33% less likely to be returned to prison during their first year on release, although the number was no longer statistically significant in their second and third year (Hamilton & Campbell, 2014). Additionally, offenders released to a halfway house evidenced a longer period of time between release and a return to recidivism and subsequent reincarceration compared to offenders not released to a halfway house, suggesting that halfway houses work to reduce offenders' risk for recidivism for a longer period of time (Hamilton & Campbell, 2014). The studies reveal that halfway houses can have positive short and long-term impacts on recidivism and reoffence rates (Costanza, Cox, & Kilburn, 2015).

White et al. (2011) examined arrest rates for offenders who had completed a "Halfway Back" program. The "Halfway Back" program is essentially a halfway house where offenders live in a residential facility and receive services and treatment as

needed. After several months and once they complete said programs, the offenders are released to the community under parole supervision (White et al., 2011). When comparing the groups, offenders who had completed the “Halfway Back” program and offenders who had not, both groups recorded new arrests for a new offence for the follow-up periods at six months, one year, and 18 months; however, the number of new arrests for the “Halfway Back” group was smaller at each follow up period and the mean difference between the two groups grew over the follow up periods (White et al., 2011). The data suggest that the “Halfway Back” offenders recidivated less and went longer periods of time without new arrests than offenders who had not participated in the program. Specifically, during follow up periods for months 11 through 18, the “Halfway Back” group had fewer arrests and returns to the criminal justice system than the comparison group (White et al., 2011).

In an examination of the long-term impact of halfway houses, Costanza et al. (2015) found that 60% of offenders who resided in a halfway house were more likely to complete parole compared to 48% of offenders who were released directly on parole from a correctional facility. Additionally, the researchers conducted a one-year follow-up of offenders who completed parole and found that halfway house parolees had a statistically lower re-arrest rate compared to parolees who had not resided in a halfway house. The results indicate a 28% re-arrest rate for halfway house parolees compared to a 36% re-arrest rate for offenders released directly to parole from a correctional facility (Costanza et al., 2015). Existing literature suggests that the resources halfway houses provide, such as positive social networks, stable housing, employment opportunities, and more intensive supervision results in offenders less likely to recidivate or receive technical violations during parole and less likely to recidivate after parole completion (Costanza et al., 2015; Hamilton & Campbell, 2014).

It is important to note that a majority of halfway houses will only accept minimum-risk offenders, especially when considering offenders released on day parole (Bonta & Motiuk, 1990). This eligibility criteria may contribute to lower rates of recidivism among this population (Bonta & Motiuk, 1990). However, it should also be noted that high-risk offenders released on statutory release are often granted a residency condition that results in them having to reside in a halfway house (Government of Canada, 2018c). The unique surroundings of the halfway house provide these higher risk offenders the

opportunity to develop important social network bonds that will help them when they are released to the street post-parole. Further, the intense supervision that the halfway house provides has been shown to result in lower technical violation rates and re-arrest rates during parole and post-parole (Costanza, Cox, & Kilburn, 2015; Hamilton & Campbell, 2014; Routh & Hamilton, 2015).

When examining higher-risk offenders residing at CCCs, day parolees are most likely to successfully complete parole (84%) while approximately half of those on statutory release and nearly 60% of long-term supervision orders are successful at the CCCs (Office of the Correctional Investigator, 2014). Unfortunately, it does not appear that CCCs can adequately meet the needs of these higher-risk offenders in terms of mental health needs, aging offenders, or palliative care. These needs are further compounded by the fact that because the offenders are residing at the CCC due to a special residency condition, they are unable to access social services available to the general public, placing a lot of extra work on case management workers who are unequipped to meet these needs (Office of the Correctional Investigator, 2014). The OCI (2014) noted that despite limited resources, both staff and offenders indicate a tremendous amount of important and beneficial work being done for offenders who reside at CCCs including helping offenders with mental health challenges and employment, connecting offenders with community members or groups, and providing general social support (Office of the Correctional Investigator, 2014).

While the literature appears to establish the important role of halfway houses, there are some concerns regarding their placements in the community. Many halfway houses are located in marginalized areas where access to local resources are scarce and there are more transient residents for offenders to interact with (Office of the Correctional Investigator, 2014). In their study, Costanza et al. (2013) discovered that halfway houses were most often placed in disadvantaged communities with lower median incomes, higher crime rates, and marginalized populations. This placement is of concern, as placing transitional facilities in these areas creates a cluster affect where career criminals are all in one area at the same time resulting in more criminal networking opportunities and placing offenders away from potential community support groups (Costanza et al., 2013).

Bed spacing issues are an additional concern, as an ever-growing community offender population means halfway houses are operating at 85 to 88% capacity (Zinger, 2019). High capacity rates means offenders are either having to wait in prison until a bed opens up or are having to redirect their release to a community they are unfamiliar with and is far away from their community supports. Placement in a new community can have a negative effect on an offender's release causing them to feel isolated and "displaced" from their social network (Zinger, 2019). There is also concern that placing lower-risk offenders away from their prosocial networks and in closer proximity to higher-risk offenders at a halfway house may increase their risk to reoffend as they develop new associations with individuals who reinforce criminal behaviour (Lowenkamp et al., 2006).

While previous research has provided some insights into the effectiveness and benefits of halfway houses in Canada, there is little information that considers the decision-making of halfway house staff. Unfortunately, this leaves out a potentially critical factor when considering whether offenders are successful (i.e., not suspended or revoked) while on conditional release. Since halfway houses are used to provide resources and intense supervision for offenders released to the community, the dynamic between halfway house staff and offenders can play a key role in the success or failure of an offender on conditional release. The discussion in Chapter 3 focuses on the decision-making of corrections personnel and the limited information available on decision-making of halfway house staff.

Chapter 3.

Discretionary Decision-making

3.1. Decision-making of Federal Corrections Personnel

Corrections personnel both inside correctional institutions and in the community have a considerable amount of discretion in their decision-making with respect to offenders. For example, institutional parole officers use discretionary decision-making to make assessments and recommendations to the Parole Board of Canada (PBC), as well as to determine an offender's security level and whether they are able to be managed at

a lower security institution (Union of Safety and Justice Employees, 2019). While actuarial scores are considered when making an assessment, institutional parole officers have the ability to “override” those scores and recommend something other than the score is suggesting (Cardoso, 2020). Commissioner’s Directives are also highly open to interpretation, which is where the officer’s discretionary decision-making comes into play. The parole officer’s assessment, specifically the preliminary and intake assessment, has been shown to have a huge effect on an offender’s progress through their sentence and the decisions that are imposed on them throughout their incarceration and for release decision-making (Cardoso, 2020; Ricciardelli et al., 2019). Literature has shown that the parole officer places more emphasis on who the offender used to be rather than the improvements they have made (Cardoso, 2020; Ricciardelli et al., 2019), resulting in additional difficulties for offenders when trying to re-enter the community (Ricciardelli et al., 2019). This may result in offenders feeling like they cannot trust their CMT, as their assessments fail to acknowledge or recognize the improvements the offender has made resulting in a tarnished community relationship between parole officer and offender (Ricciardelli et al., 2019).

Correctional officers also exercise considerable discretion in their roles. To illustrate, research shows how prisoners interactions with correctional officers can affect correctional officer decision-making and their exercise of authority (Crewe, 2011; Liebling, 2011; Weinrath, 2016). Weinrath (2016) found there are officer “types”; some officers are more punitive, while others focus more on counseling/helping inmates to do their job. Some inmates feel they are still treated differently depending on the type of crime they have committed. Other officers are noted to be judgmental and communicate with inmates in a way that is antagonizing, stigmatizing, and hurtful to any relationship that could have been built (Weinrath, 2016). Strict officers hinder honest communication, ultimately leading to less successful dynamic security. As Weinrath (2016) notes, more open and honest communication between officers and inmates results in officers being able to collect information about the unit, which decreases misconduct and creates a safer environment. Strict officers lead to aggravation amongst the inmate population, creating conflict and increasing the risk for inmate violence. Both officers and inmates agree that extending small courtesies, displaying respect towards the inmate population and being honest results in more positive relationships and more compliance amongst the unit (Weinrath, 2016). However, it should be noted that while establishing a “good”

relationship with staff makes a difference in the prison environment, these relationships are viewed as artificial as a “good” officer-inmate relationship is more about self-interest and receiving favours than genuine engagement (Crewe, 2011).

Research also reveals that correctional officers use their discretion to assert their authority in front of inmates and to make decisions about when to enforce institutional rules (Liebling, 2011). Some of these discretions can result in the violation of prisoners’ rights. Campbell and colleagues (2020) have discussed situations where officers conducted strip searches in the unit in view of all other inmates or situations where offenders described having no ability to “fight” for their rights, as officers’ would not allow for explanations when the inmates attempted to speak with them about rule violations. It’s further noted that the institutions will allow officers full discretion when deciding whether to enforce rules in the unit and officers will use this power to just exercise control over the inmates, which lowers the perception of consistency and fairness (Campbell et al., 2020). While correctional officers may not be the sole decision makers for an offender’s case, they are responsible for enforcing prison rules and managing routines (Beijersbergen, Dirkzwager, Molleman et al., 2015; Weinrath, 2016). A correctional officer’s interpretation of an inmate’s behaviour and demeanour and their resultant report writing that is shared with parole officers and the broader case management team (CMT) can be very important for when case management members are making decisions about an offender’s case (Weinrath, 2016).

Similar to corrections personnel, PBC board members exercise a considerable amount of discretion when making decisions about an offender’s release. While there are policies to follow, decision makers are not tightly constrained by law (Martel, 2010). PBC members interpret written files about the offender’s correctional experience, they interpret the offender’s own accounts of their actions through an interrogation of the offender during a parole hearing, and they attempt to determine an offender’s level of culpability and remorse (Lacombe, 2013; Martel, 2010). An offender’s insight and remorse for their behaviour is a critical factor when PBC board members are making decisions on an offender’s release and given these are not easily quantifiable (Martel, 2010), such considerations could result in a wrongful interpretation of an offender’s situation. Additionally, it has been argued that evidence of positive change is construed by corrections personnel and an expression of guilt is confused with an offender’s level

of remorse, resulting in inaccurate predictors of rehabilitation (Martel, 2010). Whether confused or not, the PBC is concerned with individualistic strategies that the offender has developed to control criminal urges and decrease their risk to reoffend (Lacombe, 2013). Zinger (2012) notes that while PBC tends to ultimately agree with the Correctional Service of Canada (CSC) recommendation, they also rely heavily on actuarial risk assessment tools. These tools provide a reliable prediction of recidivism without the chance of human discretion to cloud any judgment; however, there should be concern about relying on actuarial tools alone given that they have been found to be unable to reliably and accurately calculate risk in a large portion of inmate populations, as they are developed and validated only on White offenders (Martel et al., 2011; Zinger, 2019).

Community parole officers also exercise considerable discretion. This discretion in decision-making means that non-risk related factors can come into play when parole officers are making recommendations. For example, parole officers use their judgement to determine if there are behavioural changes in offenders, if the offender is a risk to public safety, and what resources need to be deployed in order to manage the offender more appropriately in the community (Kerbs et al., 2009). Viglione (2017) found that five major factors that influence a parole officer's discretion when they are making decisions on an offender's case and whether they should take disciplinary action: an offender's risk, which is often tied to informal, subjective perceptions; the offender's functioning and mental health, which officers often feel limit their ability to do their job; the communication and relationship between offender and officer; job-related factors, such as caseload size and available resources; and, liability, i.e. the ability of the officer to defend their decisions and protect themselves if they do not have agency support (Viglione, 2017). If an officer believes that one of these goals is not being met, they can use their discretion to take disciplinary action against an offender (Kerbs et al., 2009).

Discretion is also based on the parole officers' individual beliefs and perspectives, individual training and interpretation of the law, formal and informal workplace policies and laws, individual responses to offender characteristics, and specific information available at the time. Parole officers are tasked with making discretionary decisions that are required to meet two contradictory goals: rehabilitation of the offender and enforcing regulations to protect society and social control. In certain cases, parole officers will use their discretionary decisions to enforce the authority they

have over an offender and they will selectively enforce violations on a case-by-case basis (Kerbs et al., 2009). Previous studies have found that recommendations amongst officers are only 60% consistent, suggesting that officers' decisions are based off of their discretion and potentially subjective views (Samra-Grewal et al., 2000), highlighting the reality that biased decision-making does occur.

Offenders often view parole as a form of surveillance and punishment rather than as a rehabilitative or reintegrative process (Opsal, 2015; Werth, 2012). Parole is seen as disruptive, as it interferes with an offender's ability to find employment, make community connections, and engage with their community support (Opsal, 2015; Werth, 2012). Many offenders feel that their parole officer's decisions are unpredictable and many have reported violating technical conditions so they could engage in activities they felt would lead to a more successful release even though not approved by their parole officer (Opsal, 2015; Werth, 2012). By selectively following their conditions and choosing which rules to follow, offenders report feeling better prepared to self-govern their behaviour and a larger sense of responsibility and accountability (Werth, 2012). Offenders believe that by following every rule, they hinder their chance at redemption and just become a person their parole officer wants them to be rather than truly rehabilitated (Werth, 2012). Offenders do not want to feel that they are just "passive objects of penal regulation or power, but active co-producers of their parole experience" (Werth, 2012, p. 330). These findings call into question how well offenders are truly being managed in the community and whether conditions are really working to reintegrate offenders into society.

It is important that decisions made by all corrections personnel are made in a respectful manner, as offenders are more likely to comply with these decisions when they feel they have been treated with fairness and dignity (Beijersbergen, Dirkzwager, Molleman et al., 2015; Beijersbergen, Dirkzwager, Eichelsheim et al., 2015). Additionally, decisions made by all corrections personnel can have large consequences and policies are often open to interpretation, meaning they may differ depending on different officers, institutions, and context (Ricks & Eno Loudon, 2015). With growing caseload numbers, parole officers are unable to get to know the offenders on their caseload in the way they would like as interactions are often limited to short offices and field visits (Steen et al., 2013). Since interactions with offenders may not be as frequent as officers prefer,

decisions are often made with very little information about how the offender is dealing with day-to-day life in the community or the offender's chance of success for rehabilitation (Steiner et al., 2011). For these reasons, halfway house staff are beneficial to the reintegration process as they are in contact with the offender daily and may be able to provide a clearer picture to the parole officer of how the offender is progressing (Bell & Trevethan, 2004; Maier, 2020b). On the other hand, research on other corrections personnel suggests that halfway house staff may have their own biases that play into decision-making and that could affect the information they are providing to an offender's supervisor. What remains unknown is how Community Based Residential Facility (CBRF) staff – key players in federal offender rehabilitation – use discretion in their own decision-making and how this discretion affects an offender's conditional release. While community parole officers use CBRF staff observations and interactions with offenders to make decisions, the interactions between CBRF staff and parole officers, CBRF staff and offenders, and CBRF staff in general is very under researched.

3.2. Decision-making of Halfway House Staff

As noted, community parole officers rely heavily on information about offenders provided by halfway house staff (Maier, 2020b). This information exchange may play a role in the offender's progress while on parole. Halfway house staff spend considerable time interacting with, monitoring, and supporting offenders in the community, and are an important component of an offender's conditional release (Maier, 2020b). However, halfway house staff have a dual role that may result in conflicts: they are expected to provide support to offenders, but they are also responsible for governing their behaviour without any real authority to make decisions (Maier, 2020b). Despite an absence of authority to make decisions, halfway house staff can impose additional rules to an offender's release (e.g., curfews, check-in times) (Maier, 2020b) and can use a system of rewards/punishments that remove an offender's privileges and freedoms when the offender has been non-compliant (Maier, 2020a). This dual role often places halfway house staff in a "middleman" position, though it is noted that since they have less power in the decision-making of an offender's case they are able to take on a more supportive than punitive role (Maier, 2020b).

Although halfway house staff are not involved in the decision to release an offender on conditional release (Maier, 2020b), they do make decisions based on their assessment of an offender's behaviour at the facility and whether the offender is complying with halfway house rules or exhibiting "deteriorating behaviour" (Maier, 2020a). Halfway house staff are responsible for conducting curfew checks, doing room searches, and completing daily check-ins/call-ins. These responsibilities give halfway house staff some disciplinary tools of their own that can have an effect on an offender's mobility and freedom (Maier, 2020a). Though halfway houses allow offenders to serve their sentence out in the community, they are still part of the correctional system, which creates anxiety in offenders as minor mistakes could result in larger repercussions (Maier, 2020a). As offenders explained to Maier (2020a), "You're not in jail, you're not out of jail. They've given you enough rope to hang yourself" (p. 392).

The literature on decision-making by halfway house staff is sparse, especially for halfway houses run by non-governmental agencies. This absence of information is a source of concern over how decisions by halfway house staff are being made and who is monitoring these decisions. As per the Corrections and Conditional Release Act (CCRA), offenders are able to file grievances and complaints against federal institutions, and these grievances are to be resolved "fairly and expeditiously" (Corrections and Conditional Release Act, 1992; Zinger, 2017). With most halfway houses being operated by non-governmental agencies (Bell & Trevethan, 2004; White, 2015), it is unclear how offenders are able to dispute decisions made by halfway house staff. Considering how involved halfway house staff are in an offender's conditional release and how their observations could lead to an offender's return to custody, it is arguable that a level of accountability should be placed on how staff are making these decisions. Additionally, as halfway house staff decision-making is fairly under-researched, it is unclear how much bias, discrimination, and/or racism is possibly reflected in the decisions of halfway house staff and how these decisions may affect an offender's release. It is also unclear what training and programs are offered to these staff members, as well as how this training could impact the dynamics between staff and offenders.

Discretionary decision-making at all phases of the correctional system can result in unfairness to offenders (Samra-Grewal et al., 2000); therefore, it is important to understand how all personnel, including staff at CBRFs, involved in an offender's

sentence may use discretion in the workplace when it comes to information sharing and decision-making. Similar to their corrections personnel counterparts (e.g., correctional officers, parole officers), staff working in halfway houses exercise considerable discretion in fulfilling their job responsibilities, including what and how they report information to supervising parole officers. Thus, halfway house staff decision-making may ultimately affect whether an offender on conditional release has their release suspended or revoked, as parole officers base some of their decisions off the information received from halfway house staff. For these reasons, the current study uses an exploratory approach to shed light on the discretionary decision-making of staff in halfway houses. More specifically, the study considers how staff develop relationships with offenders and how these relationships between halfway house staff and offenders on conditional release may play a role in how the staff member is reporting offenders to the supervising parole officer. Further, the current study seeks to explore how these decisions by halfway house staff are very important to decision-making for offenders in the community and thus how halfway house staff may affect an offender's progress while on conditional release.

Chapter 4

Methods

4.1. Objectives

The objective of the current study was to explore the decision-making of staff in federal halfway houses also known as Community Based Residential Facilities (CBRFs) operated by non-government agencies to develop greater understanding of the dynamics and outcomes of this process, particularly in relation to the impact of this decision-making on offender residents. This decision-making includes the factors that influence the actions taken by staff and the extent to which their decisions affect the offender's release status. As well, to assess staff perceptions of the relationship between CBRF staff and residents (offenders), and to determine if staff change how they supervise and report offenders depending on whether they "like" the offender or not.

Previous literature by Bell and Trevethan (2004) only involved interviews with Executive Directors of CBRFs, but did not gather information directly from employees that worked in the field and with offenders. Though Executive Directors are knowledgeable, they are not placed in the same situations as the actual employees; therefore, they may not fully understand what an employee does every day and how their duties change depending on the day, week, or even the specific client. Only staff who are directly involved are best able to describe this role.

Given the pivotal role that CBRF personnel play in supervising offenders on conditional release, and the fact they are not subject to the same federal corrections policy as correctional officers or parole officers, it is important to examine staff perceptions of their interactions with offenders. In their decision-making and exercise of discretion, CBRF staff play a significant role in how offenders are supervised and how the offender's behaviour in the facility is written up in reports that are read by their supervising parole officers. Parole officers rely on this information. Halfway house staffs' failure to disclose all of the relevant information to the supervising parole officers, or not reporting information accurately, affects parole officers' ability to make appropriate decisions that are necessary and proportionate, and promote public safety. The current study aims to fill the gap in the literature surrounding CBRF staff discretionary decision-making, including how their decision-making can potentially affect an offender's conditional release. It further seeks to fill the gap in literature surrounding CBRF staff perceptions of their role and the dynamics between staff and offenders.

The current study uses a qualitative approach to explore how CBRF staff interact with residents (offenders) and how their perceptions of the offenders affect how they report their behaviour and activities to their supervising parole officers. Given the lack of research that has examined the experiences, perceptions, and discretion exercised by halfway house employees, I realized it was important to ensure the current study took an exploratory, qualitative approach by interviewing and analyzing information shared by actual halfway house employees.

Qualitative research is the best way to answer why and how research questions, and to identify or produce new, interesting findings (Chandra & Shang, 2019). Qualitative research, specifically open-ended question interviews, provides participants with the

opportunity to lead most of the conversation and talk about themselves and their own experiences (Opsal et al., 2016). Asking individuals about themselves and their experiences is the only viable means to learn about their experiences (Bryman, 2015) and as the goal of the current study was to learn about the roles and dynamics within a halfway house, asking the staff questions about themselves and their experiences allowed for this exploratory approach. Asking individuals about themselves and their experiences also allows for the interview to be directed to the point of the research questions when the goal is to learn about a participant's own experiences (Bryman, 2015). Qualitative studies also allow a greater interest in the participant's point of view and allows for richer, detailed answers (Bryman, 2015). Thus, I deemed qualitative interviews using a semi-structured interview schedule as the most appropriate approach to explore the dynamics of CBRF staff decision-making.

4.2. Sampling and Sampling Procedures

Data were collected during semi-structured interviews conducted with ten (10) participants from a non-governmental (NGO) agency that runs multiple Community Based Residential Facilities (CBRFs) in a medium sized, urban Canadian city. The NGO agency granted the researcher, a casual employee of the agency at the time of the interviews, with permission to contact their employees with the Study Information/Informed consent document to determine if they were interested in participating in an interview. In total, all twenty-one (21) staff members were approached to participate; 10 agreed to participate (47.6%) in an interview. Staff ranged in years of experience (months to decades) and some were employed full-time (35 hours per week) while others worked casually (no minimum number of hours per week).

Of the 10 participants, five had an undergraduate degree in the social sciences or social work. One of the participants was in the midst of working on their degree, while the remainder of participants had a post-secondary diploma in a social science program. Previous experience often involved work at other non-profit organizations working with individuals from a spectrum of backgrounds, while only one participant had previous experience in a correctional setting. All of the participants were female, as the organization mainly employed female workers; a finding similar to Bell and Trevethan's

(2004) decades-old study. All staff worked with both men and women offenders, and all had worked at all of the houses run by the agency at some point during their employment. This is important to note as the houses varied in number of offenders and structure. Some of the CBRFs housed a maximum of six (6) offenders at a time whereas other houses housed a maximum of twenty-six (26) offenders at a time. It should be noted that the organization housed federal offenders on any conditional release (day parole, full parole with a residency condition, or statutory release with a residency condition).

4.3. Data Collection: Interviews

Interviews with the participants ranged in duration from thirty (30) minutes to two (2) hours. The researcher used a semi-structured interview guide (located in Appendix C), meaning participants were asked specific questions; however, the interviews were flexible depending on the amount of detail each participant was willing to disclose. Interviews with open-ended questions allow participants the opportunity to express their experiences in their own words (Opsal et al., 2016), which was an objective of the study. While questions were open-ended, the interview questions were broken into categories or themes to ensure it was somewhat guided.

To begin, interviewees were asked to describe their role and job at the halfway houses. The next section of interview questions focused on participants describing what they thought defined an “ideal” and a “non-ideal” client. To be more specific, participants were asked to describe specific characteristics of their “ideal” and “non-ideal” clients, which then resulted in interviewees describing different monitoring styles and how they felt their interactions differed depending on how they characterized a resident as “ideal” or “non-ideal”. The terms “ideal” and “non-ideal” were used to describe offenders, as I was attempting to determine what staff liked or did not like about offenders, and what staff perceived made a client easier or harder to work with. Finally, participants were asked to describe how they felt their interactions differ with clients who were deemed “ideal” versus clients that were deemed “non-ideal”. This conversation then evolved into questions revolving around how these different interactions could affect the staff member’s decision to report a client to their supervising parole officer, as well as how the

staff member felt their perceptions of a client could change their reporting style of a client to their supervising parole officer.

Previous literature has examined discretion and relationships between offenders and different corrections personnel, as well as the characteristics of said corrections personnel and offenders that result in personnel changing their decision-making process; therefore, I was interested in learning what Community Based Residential Facility (CBRF) staff perceived to be an ideal or non-ideal client and how these perceptions altered their discretion to report information to the offender's parole officer.

Participants were provided the opportunity to choose where they were comfortable being interviewed. Some of the interviews were conducted in private residences, while others were conducted in quiet sections of coffee shops. Interviews were recorded on a secure smartphone app which was not connected to the internet and had data turned off at the time of the interview. The recordings were then transferred to a VeraCrypt container on a laptop computer. Once the files were transferred, they were deleted from the smartphone, transcribed and anonymized. The audio recordings will be deleted from the laptop once the defence of this thesis is completed. Any names or distinguishing features used in the interviews were altered or deleted during the transcription process. Once the transcriptions were complete, they were moved into NVivo12, a qualitative data software analysis program, for coding.

4.4. Data Analysis

The current study uses an inductive, exploratory approach. Inductive analysis involves "raw data to derive concepts, themes, or a model through interpretations made from the raw data by an evaluator or researcher" (Thomas, 2006, p. 238). Inductive analysis and coding is used by reading the data, creating categories, coding data into the categories, and continuing revision to include subtopics, which overall capture key themes within the study (Thomas, 2006). As there is very little information on the decision-making of halfway house staff and very few studies on halfway house staff in general, there are no real hypotheses to test; therefore, the current study's data and

findings created themes that could be useful for future research and development of hypotheses.

The focus of the project was how the dynamics between staff and clients affects reporting and how staff use their discretion based on these dynamics with different clients; however, surprising and important themes began to emerge once the data was explored. Specific questions relating to the staff and offender's relationship were asked and the first round of analysis was broken into the sections of what staff categorized as an "ideal" offender and then a "non-ideal" offender. Nodes were created to cluster similar characteristics and descriptors together for each category ("ideal" versus "non-ideal"). Sub-nodes were created under these two themes to identify how offender categories ("ideal" versus "non-ideal") potentially played a role in the discretionary decision-making of staff members.

Further analysis of the data showed there were other themes that emerged that did not overly relate to the staff member's perceptions of the offender but rather the staff member's perceptions of the supervising parole officer. This resulted in separate nodes of an "ideal" versus "non-ideal" parole officer. These two nodes were also clustered into similar characteristics and descriptors for each category, and then broken into further sub-nodes to identify themes of how staff used their discretion based on whether the parole officer was "ideal" or "non-ideal". Very little is known about the dynamics between halfway house staff and offenders, as well as halfway house staff and the supervising parole officer, which is why the study focused on an exploratory approach. The goal was to explore the overall dynamics between staff and federal offenders in a halfway house, how staff perceived offenders, and how these perceptions may have affected the staff's discretion when making decisions on how to monitor offenders in the community. Overall, a number of themes emerged from the data and will be discussed through Chapter 5.

4.5. Ethical Considerations

The current research involves the participation of human subjects and was subject to Ethics Approval. Ethics approval was granted by Simon Fraser University's Office of Research Ethics on December 7, 2018. The project was designated as

“minimal risk” as the “probability and magnitude of possible harms implied by participation in the research are no greater than those encountered by participants in those aspects of their everyday life that relate to the research” (Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, & Social Sciences and Humanities Research Council, 2019, p. 22).

Given the nature of questions being asked and the fact that staff could potentially share information suggesting they were doing their job improperly, the participants were assured that confidentiality and anonymity were of importance. Participants were provided with the Study Information/Informed consent document – see Appendix B – outlining the overall topic of the study, the purpose of the study, the risks of the study, how the study would be completed, and how they would have the ability to withdraw from the study at any point during the interview. Participants were informed that their participation was completely voluntary and that the researcher would anonymize the data.

To maintain confidentiality, participants provided oral consent rather than written consent by participating in the interview. Participants were reminded that their participation was voluntary and that questions asked during the interview may be considered sensitive or personal. They were reminded that if they did not feel comfortable answering certain questions, they could inform the researcher or just not answer those questions. Participants were told that if they wanted to withdraw their consent at any point during the interview, they were able to do so with no questions asked and with no negative consequences. They were further informed that if they withdrew participation during or after the interview, any data collected from their interview would be destroyed. Participants were informed that an audio recording of the interview would be taken, that the audio would be stored in an encrypted container, and that it would be deleted and destroyed at the conclusion of the research project (i.e. when the thesis was submitted and defended). To maintain confidentiality, the researcher assigned pseudonyms to each participant when they transcribed the interviews and used these pseudonyms to present the findings that emerged during analysis.

It should be noted that at the time when several of the interviews were conducted, the principal investigator of this study was an employee of the organization

where they recruited participants from. Since employees were being asked to disclose potential misconduct, this could have had an effect on who was willing to participate and how much they were willing to disclose throughout the interview. Prior to their participation, interviewees were reminded that all data would be anonymized and that any misconduct they disclosed would not be reported to the employer, nor would their identity or participation in the study be disclosed to the employee. Those who participated appeared more open and willing to discuss their experience as they had already established rapport with the interviewer due to working together in the halfway houses.

It has been shown that having an early familiarity with the organization and with participants can be beneficial for the research, as a rapport has already been developed between researcher and participants (Shenton, 2004; Berger, 2015; Kornbluh, 2015). Being an “insider” in the field was beneficial for the current study, as I had already developed rapport with the participants and they appeared more willing to share their experiences. Berger (2015) explains that the role of the insider allows for an easier entry into the field, as the researcher is then familiar with the setting, beginning the study with some knowledge about the topic, and creating a level of comfort for participants. Similarly, having an insider role in the current study allowed me the ability to ask questions with more depth and insight into the research topic, as I was already familiar with the environment and participants. As the aim of qualitative research is to gather an understanding of the participants’ experiences and their perceptions of the phenomenon in question (Kornbluh, 2015), my role as an insider was seen as beneficial for the current study.

On the contrast, it is important to note the potential for my role in the agency, as well as the fact that I now work with the Correctional Service of Canada, to cloud my interpretation of the data. While the insider position may be beneficial, there is the risk that this position may cause the researcher to impose their own values, beliefs, and perceptions onto the data (Berger, 2015). Given this, it was important for me to be reflexive and to understand that I did not allow my own experiences in both these roles, as well as my own judgements, to affect the interviews or data analysis. For an example, I made sure to clarify and ask many questions during interviews with the participants to ensure I was not just making assumptions about what they may be trying to say based

on my own experiences in the organization. It was important for me to separate my role as a past employee and researcher so that when I was analyzing the data, I was only paying attention to the interviewee's experiences and not allowing my own experiences to form my interpretation of the data. Participants were further informed that my role as a researcher and my role at the organization were two separate entities, so it was important for me to ask many clarifying questions regardless if I had prior knowledge about similar situations or incidents they were describing. This process also involved listening back to interviews on numerous occasions and reading the transcriptions of the interviews on numerous occasions. Similar to Berger (2015), I found it beneficial to review the interview transcripts after some time passed, as it added a "fresh look" on the interviews and ensured that I was not allowing my own experience in the organization to overstep the experiences of the participants and my interpretation of the data.

Along with reflexivity, it was important for the current study to ensure honesty in the participants' interviews and thus, trustworthiness of the data. Shenton (2004) identified a number of tactics to ensure trustworthiness in qualitative research, such as: random sampling, triangulation, and the ability for participants to refuse to participate. Shenton (2004) notes that random sampling negates the chance of researcher bias in the selection of participants as multiple voices demonstrating a number of different characteristics may then be included in the study. The current study used somewhat of a random sample, as all employees at the organization were asked to participate but only those who volunteered were selected. This ensured that I, as the researcher, had no influence in who was participating other than the fact they were employed for the organization. Triangulation, as described by Shenton (2004) is using "a wide range of informants... [where] individual viewpoints and experiences can be verified against others" (p. 66). Triangulation was performed in the current study by comparing the viewpoints of each participant against one another to find consistency within the participants' experience to create themes within the data. Given themes developed in the data and participants explained similar experiences, trustworthiness of the data can be assumed. Finally, as noted by Shenton (2004), participants in the current study were informed they could withdraw from the study with no questions asked, allowing the participants to be honest during their interviews without the fear of repercussion.

As stated, a total of ten (10) Community Based Residential Facility (CBRF) staff were interviewed to explore their perceptions of offenders and how these perceptions play a role in a staff member's discretionary decision-making. Specifically, these interviews provided insight into whether a staff member found a client "ideal" or "non-ideal" changed how and when they decided to report an offender to their supervising parole officer. For the purpose of this study, the terms "offender" and "client" are used interchangeably. Staff at the CBRF would often refer to the offenders as clients due to the humanistic and rehabilitative approach they took when interacting with the offenders. Such language is used with the goal of increasing the likelihood that their clients will no longer have the stigma of being an offender or an inmate in hopes that this will help their journey to become a pro-social member of society.

Chapter 5

Findings

The following discussion reports the findings from the 10 interviews conducted with Community Based Residential Facility (CBRF) staff. As a brief overview, participants were asked to discuss their role and describe their interactions with offenders, splitting offenders into an "ideal" and a "non-ideal" category. Despite the staff having a variety of experience – e.g. only one participant had previous correctional experience and half had an undergraduate degree – as well as a variety of work experience with offenders or non-offenders, and involvement with the CBRF, several key themes emerged from the interviews. These themes revolved around the staff members' perceptions of offenders and how these perceptions altered their discretion when making decisions to report the offenders. Themes also emerged around the staff members' perceptions of the supervising parole officers and the staff members' perceptions of the dynamics between the offenders and their supervising parole officer.

In general, the responses of the staff in the interviews revealed that even though staff knew they were meant to be unbiased in their position, certain clients were deemed "easier" to work with. As a result of this, staff treated clients differently: some offenders received less or more sanctions depending on whether the staff viewed them as more ideal. A more surprising finding was that staff also altered how or when they reported an

offender based on their relationship with the offenders supervising parole officer, as well as how they viewed the relationship between the parole officer and the offender. If a staff member found a parole officer to be easier to communicate with or more likeable, they would provide more information about the client to the parole officer than if they did not like the parole officer. These themes illustrate the important role that CBRF workers play in offender reintegration. These general themes are explored in greater detail in the following discussion.

5.1. CBRF Staff: Roles and Responsibilities

5.1.1. The Role of CBRF Staff in Supporting Offenders in the Community

While all staff described that a portion of their job was to help supervise offenders on release (refer to section 5.1.2), most of the staff indicated that the first part of their job was to help the offender reintegrate into the community by supporting them. To illustrate, when asked to describe their job, most staff from the Community Based Residential Facilities (CBRFs) described themselves as a support system for the offenders while they are in the community to assist them with their reintegration back into society. As Lisa described, their main role “is to support the clients in the house to prepare them to leave the house”. Relatedly, staff described being responsible for connecting offenders to community resources, such as counselling, Narcotics or Alcoholics Anonymous, employment agencies, and educational agencies, among other services. As such, staff often saw themselves as a support system for the offender, especially in cases where the offender did not or was unable to reconnect with positive community supports on their own:

I like to support all. I think that our role is to provide a high level of emotional, personal support and to help as much as [we] can. To show them another way, a different way, and to do anything you can to nurture that belief. Some of them just have never heard a word of encouragement. They’ve never had a so-called ‘normal’ life. It’s just getting them support that will be ongoing, right? (Lisa)

I’ll let them know, like, ‘hey, if you need to do this or that or the other’, then I’ll do that. Getting them to feel comfortable and get them to know their surroundings a little bit, and stuff like that. Needs would be like, do they have medical? Do they have all their ID? What kind of education do they have? Are they going to be able to go look for work? Are they going to need

methadone or suboxone? You find out all the needs in the beginning when they first come to us and then [their needs vary] depending on how well they're doing over time. (Sarah)

Staff explained that when offenders are first released, they typically have none of the necessities to help them function in their daily lives. Staff explained their job was to support them in attaining these essentials. Lisa indicated that she would tell offenders upon their release, "... you've paid your time there [in prison] and this is time to adjust to being in society again; therefore, let's do what we do out here, success in the community". For staff, success in the community often meant connecting offenders to community resources, setting up appointments (e.g., doctor's appointments and mental health appointments), sending in applications for an offender's identification, and providing them with appropriate social activities and supports. These tasks were often identified as first steps, the process of gathering necessities, to ensure the offender was headed in the right direction to be successful in the community and gather all the necessities as a law-abiding citizen:

We identify all their special needs regarding identification, medical, and our biggest part is to prepare them for their exit. So, what that means [is] getting them good supports in the community and employment, financial assistance if need be, just so they can ease their way back into the community and live, hopefully, prosocial lifestyle[s]. So, it's just setting up really good supports, so that we feel confident when they leave here [that] they're prepared to resume life in the community to the best of their ability. (Lisa)

Staff clarified that success in the community means different things for different clients and that they are there to help create a personalized, case-specific goal list to help offenders maintain their parole status. Staff noted they are aware of what an offender's risk factors are, as they are part of their case management team (CMT) and case conference with the offender's supervising parole officer. Because of their involvement with the supervising parole officer, the participants indicated they are focused on ensuring offenders are not falling back into their crime cycle by supporting them based on their specific risk factors. For some offenders, this means helping them with basic skills such as cooking, cleaning, or financial budgeting, as they have not developed these skills throughout their incarceration. For other offenders, this means helping them develop a resume to apply for employment or ensuring they are abstaining from intoxicants. Staff further explained they also work with the offender and help them manage their schedule to ensure they are not becoming bored or overwhelmed:

There could be more of a risk that they just can't manage being out in society. It's just too much for them because they are institutionalized and they may have trouble adjusting to being back in the community. Whether it's their ID, whether them having any community supports, even AA/NA. We work harder to put support, community supports, in place. It's just them getting support that will be ongoing, right? But the high risk, you're doing more for them, you're watching them more, you're assisting them more, they've got more things to do. It's harder to find supports for them maybe and get them to follow through. It can be from cooking, cleaning, health care, mental health, you know, drug and alcohol and associates. (Lisa)

Staff recognized that being in the community can be a terrifying experience for some offenders. They noted that offenders are used to being within a strict and confined environment, so conditional release places them in a vulnerable situation automatically upon their release. As staff are aware that conditional release can be overwhelming for offenders, they are there to offer support to offenders, whatever means necessary, to ensure offenders are addressing their risk factors in a meaningful way and abiding their time appropriately so they do not fall back into their crime cycle.

Given the supportive nature of the staff, it was not surprising that most of them saw the offenders as good people who just needed a helping hand. Staff often felt the offenders were never given a chance to show positive behaviour or live a pro-social life, which is the role they felt they needed to take in the offender's life at that point:

I think they're all the greatest. Everyone's got good in them and I'm a firm believer in it just hasn't been brought out and I like them to feel normal here. I think my role is to [help]. Prison behaviour isn't necessarily acceptable in the community, whether it's your language, your loudness, your attention seeking, that sort of stuff. But you see what needs are and I'm always, I kind of cheer for the underdog, I've always done that, so if they're being kind of shut out by others, I will probably bring them a bit closer. (Lisa)

5.1.2. The Role of CBRF Staff in Supervising Offenders in the Community

Though most of the staff define their role as mainly supportive, they are also responsible for monitoring offenders and passing information on to parole officers about how the offender is doing while in the community. As noted by Samantha and Amanda, supervision and monitoring the offenders was also very important:

I'm probably more on guard with some of the prolific offenders. You know, the ones that I know aren't coming to me, I'm doing a daily visual on them.

[A] knock on [their] door, trying to follow up more; particularly if I know they're struggling and trust me, you know when they're struggling. [I] tend to spend more time with them if they are [struggling]. [My] job is to help. Ones that are doing well, I kind of back off. You become a mother hen if you're nagging all the time [but] it depends on the client, how I supervise. I'm not their mother all the time but there's times when they need a mother or that firm hand to push them out the door or get things started [because they are] lacking motivation. That's the biggest key when they don't have a lot of motivation. I'm always on their behaviour. Observation is like nine-tenths of our job. I'm on them every day, that's why a daily visual to me is important. I can't judge what they're up to if I can't see them. (Samantha)

So, I guess being conscious of what they're doing all the time. Monitoring them. You should always keep track on where they are. For example, a sex offender walking to the grocery store and the route they're taking and not going through a playground or something like that. You know, watching for mood changes or appearance changes or any kind of drastic change in somebody. (Amanda)

Staff identified that supervision of the offender is done through daily spot checks, checking offenders' log books that they are expected to fill out every time they leave the residence, and completing curfew checks when necessary. Curfews are set by the parole officer and differ for each offender in the CBRF. Staff explained it is expected that if the offender is not at the house, their whereabouts should be known at all times. While offenders are responsible for being open and honest with staff, either through their log book or by informing the staff verbally, there is also a degree of responsibility placed on staff to ensure they have enough meaningful contact with offenders so they know the offenders' whereabouts at all times. Offenders in the CBRF are also required to check-in face-to-face with staff three times per day, unless given an exception by their parole officer to do a telephone phone call. Exceptions are usually for employment/education purposes but may sometimes be granted if an offender has family in town or a special occasion.

As noted by Samantha, "observation is like nine tenths of our job"; however, it seems that all of the staff agreed support is the main focus. Even Samantha, who seemed to be more concerned about observation, also indicated that supervision was more often completed on those offenders that were not motivated – which falls into the non-ideal category – and was most often completed to give the offender a push to follow their correctional plan. This reflection again indicates that support of offenders is still viewed as the most important aspect of the employee's job.

Many of the staff indicated they believe they have a unique perspective of offenders that the parole officer does not have. Staff work in the resident's "home"; thus, they see the offenders more often than their supervising parole officers and are privy to observations of an offender in a different circumstance than the supervising parole officer. While parole officers visit with offenders at the CBRF from time-to-time, sometimes as little as once a week, bi-weekly, or less, staff at the CBRF are required to see the offender three times a day. Staff also are placed right in the midst of the offender's living situation which allows them to see the offender when they are in their "most comfortable setting", which is reflected in Jennifer's statement:

Because of the particular job that I have, I'm in a situation where I'm in the clients living space. My work space and the clients living space is shared, so that not only forces us to be in the same zone a lot and kind of get to know each other really well, or at least me get to know them very well. Like I know what's going on all the time, it kind of just is happening all around me.
(Jennifer)

5.1.2.1 CBRF Staff-Offender Interactions and Supervision in Smaller Halfway Houses

Jennifer and Lisa were both permanent employees at the smaller houses run by the organization and both felt that this was a benefit for them and how well they were able to get to know their clients. They both felt as if this allowed them to better monitor clients, as they were able to spend more time with the offenders and would then be able to recognize behaviour changes easier:

Well, like I mentioned, I'm right there so it's pretty easy for me to tell little things, like if somebody has been wearing the same clothing for a couple of days. We have much smaller numbers, as well, so it's much easier for me to think about seven people and what have they been doing. Other buildings have challenges of just sheer numbers, so with mine I'm lucky that I'm able to take that time and really get to know people. How I do that is just by hanging out with them and just continual monitoring. I'm there the same time every day and so I get to see their routines pretty well and I know their schedules. I guess with me, it's much more a case of like I notice when something is different more. (Jennifer)

It just makes for more communication [because] you've got the time. You will get certain people that will stand and chat. But I think smaller [houses are] definitely better because then they [the clients] know you are getting to know them. Now I can go to another [larger] building and read the paper and go

'ugh'. So, if you don't get to know who you're working with, all you basically have is what's on paper and I don't like that. (Lisa).

Sarah, who was a casual employee and worked at all of the facilities, also noticed a difference in how offenders were monitored based on the size of the facility. She felt that monitoring offenders in the smaller facilities was easier, as she would be the only staff member on shift and would have all interactions with the offenders. At the bigger facilities that were double staffed, she felt that she could have missed out on things due to the fact that she was not the only staff member interacting with the offenders. Additionally, she noted that since the bigger facilities had more offenders, sometimes she felt like she lost track of what the clients were up to:

I tend to be a pretty observant person, not saying everybody is cause they're not, but I think it's harder in the bigger facility. It's easier [at the smaller facility] because you have more [observation]. I think sometimes if you're double staffed [in the bigger facility], one person sees them. They literally walk in and walk out and you don't even know what they're wearing because some guys are the guys that does this and leaves; versus, the guys that comes there and draws your attention and you look at him. It's totally different, definitely more challenging [at the bigger facility], they're just not in your peripheral really. They've logged out somewhere and then it's just like 'oh shit, where's so and so'. It's way more risky there. (Sarah)

Brittany shared a similar sentiment, explaining that she felt it was easier to build better rapport with offenders who lived at the smaller houses compared to those who lived at the bigger houses:

It's way easier to just, you have less to do [at the smaller facility] so you're able to go up and talk to them and just sit in that common area. Also, just how the halfway house is set up. Like at [the bigger facility], you have the office and everybody is coming in and out of the office. The guy will have the conversation with you but maybe only for five minutes until another guy comes in and then they just take off right away. You can go into their units but you can't go in there for that long, especially when there's so many other guys there and there's so many things to do. (Brittany)

These observations allowed the staff to know more about the offenders (in their opinion) than the parole officers, as they are privy to seeing the offender at all hours of the day, multiple days a week. This played a huge role in how much the staff were willing to report and the reasoning behind their willingness to report offenders, as will be discussed further in section 5.3.6.

5.2. CBRF Staff Perceptions: Ideal Versus Non-Ideal Offenders

Staff were asked to describe what they felt made an offender ideal and what made an offender non-ideal. Generally speaking, as described by Amanda, ideal clients were “compliant... following the rules... easy to work with, not argumentative [and] happily involved in their plan”. In contrast, non-ideal clients were those who were “manipulative... lying and always putting up their back towards staff or house rules or parole officers [and] breaching” (Amanda). Given that most of the participants believed in rehabilitation, it was not surprising that ideal and non-ideal clients were described as follows:

[Ideal] Well one that abides by his conditions, obviously, and one that is willing to accept our help and is asking for our help. [They] really want to give it a good effort but he has to want our help. That’s the biggest thing for me. [They are] genuine and try [to] make the effort. A lot of them don’t make the effort. They just assume and let us do the work and sit back and let us take care of them. Somebody that shows motivation that comes looking for help and that carries through with what they say they’re going to do and then comes back to follow up. [They ask] ‘what would you like me to do? What else can I do?’ Just whatever. When they’re talking to you on a daily basis, you know they’re following through and you know they want help. When you have to go looking for them, not good. (Samantha)

[Non-ideal]... I think the ones that don’t have very much communication and you try to keep trying to figure out ways to communicate with them but still they won’t and they don’t want to, so it makes it hard. Or the ones that don’t want to do anything with their programming or anything. They just want to sit in their room and play video games or something like that. Yeah, hmmm, the ones that are angry and it seems they’re angry all the time. Or they just want to complain and everything is everybody else’s fault and they don’t take accountability for their own stuff. (Jessica)

Overall, the participants described how an offender’s personality and how much or how often they were willing to work with staff had the largest impact on whether the staff member liked or disliked them. CBRF staff described how perceiving an offender as a non-ideal client ultimately affected how they interacted with, supervised, and reported the offender. Table 1 provides a list of what the interviewees described as characteristics that distinguish ideal from non-ideal clients, descriptions that are explained further in the current section.

Table 1. Ideal vs. Non-Ideal Clients – Participant Descriptions

IDEAL	NON-IDEAL
<ul style="list-style-type: none"> • Happy to be released • Recognized they've done wrong/don't try to blame others for their crimes or wrongdoing throughout their reintegration • Allow staff to easily do their job – i.e. doesn't cause a lot of extra work • Respectful of the process • Mean what they say and prove it through their actions/behaviours – genuine motivation • Prepared to work on their issues • Show support to others in the house who may be in the same position they were once in • Understands they don't have to be the person in their file forever or the "offender" they've been labeled as • Polite, respectful, "not an asshole" • Positive attitude towards staff • Honest and compliant • Mind their own business – aren't prying about other clients and their offences • No substance abuse issues or sober • Employed • Set realistic goals • Cleanliness 	<ul style="list-style-type: none"> • Not motivated and constantly making excuses for their behaviour • Doesn't take ownership for their crime and doesn't recognize the pain/hurt they have caused to themselves, their friends/family, and/or the public – no accountability • Health (physical or mental) challenges • Manipulative: will tell staff what they think staff want to hear instead of what is actually true • Groomers • Unappreciative of the support staff are providing or attempting to provide and ungrateful • Put blame on others • Lazy – doesn't do anything with their day and has to be sought out by staff • Make the staff member feel uncomfortable or have some sort of negative psychological response to the client • Prolific or recidivist • Negative attitude all the time – mentally exhausting for the staff • Egotistical – think they are greater than everyone else or better than other offenders • History of going Unlawfully at Large • Low IQ • Sex Offenders

The participants explained that the designation of an ideal or non-ideal client is often quick for the staff member. Most of the staff's energy and resources are spent with the client when they first arrive, as the offenders are just getting out of the institution and often require more support than those offenders who have been in the community for some time. Staff identified that after spending a significant amount of time in the institution, offenders are varying degrees of institutionalized and they felt it was their

responsibility to help the offender settle in the community. As defined by staff, being institutionalized meant the offender was too comfortable living in an institution and had trouble adjusting to being back in the community, as it was hard for them to manage their behaviours and actions in an open environment. Lisa explained how, "Prison behaviour isn't necessarily acceptable in the community. Whether it's your language, your loudness, your attention seeking, that sort of stuff".

Participants explained that while the supervising parole officer is usually the one who determines and dictates the offender's risk and supervision level, CBRF staff are more likely to spend more time with recently released offenders to provide them more support when they feel most vulnerable. Since the staff members spend so much time with the offender when they first arrive to the halfway house, staff feel they are able to decipher quite quickly whether the offender would be considered ideal or non-ideal. Participants acknowledged that their interactions with the client after this designation period would then change depending on which category the client fit.

Generally speaking, staff members described ideal clients as those who were easier for the staff member to interact with, as the conversation flowed more naturally. Staff further appreciated offenders who were willing to be honest and open with their CMT, no matter the good, bad, or ugly. Staff explained that offenders who were more open were easier to build rapport with and staff members felt that these offenders were less likely to be manipulative in their interactions with staff. Since staff considered their role to be more supportive, they liked clients who were more willing to work on their problems and more willing to discuss their issues, as it made their job as a support person a lot simpler. Ideal offenders were described by Sarah as "someone who wants their life to be different and better and is willing to take the necessary steps to do that with our assistance". Sarah further noted that ideal offenders were "gung ho, you know, they're motivated [and] they're not resistant to the rules. They go with the flow and they're willing to jump through the hoops".

Ideal offenders were viewed by staff as willing to build rapport with the staff member and would go out of their way to start a conversation and communicate with staff daily to ensure they were updating the staff on their lives; however, as two

respondents mentioned, ideal clients were also cognizant of the staff members' time and what the staff member was busy doing:

I like it when they open up and talk but not when they're talking 24/7 when you're trying to get stuff done and it's obvious you gotta do stuff. Ideal is communicative about the stuff that's important. They are direct and don't beat around the bush. When [staff] ask them a question, they answer it.
(Emily)

I think the number one thing that I really like about clients is when they're just really open and really honest about their daily activities and they check-in with us a lot. I guess there's gray area there cause there are some clients that check-in with us too much and that's a little concerning. I do appreciate positivity but sometimes it can be almost over kill, so I really like clients who make realistic goals; they just do it and they don't over step or under step.
(Ashley)

Interviewees described non-ideal clients as offenders who would not allow staff to do their jobs or made it harder for staff to do their work; essentially, non-ideal clients were manipulative, untrustworthy, and unwilling to engage with staff. Most of the respondents noted that offenders who attempted to appear as the ideal client were most often designated a non-ideal client. Jennifer described these individuals as groomers, stating, "the groomers are the worst. I'd way rather deal with somebody who has a shitty attitude than somebody who is being fake and has an alternative purpose the entire time. At least I know what I'm getting [with the ideal client]". Emily and Sarah further noted that non-ideal clients were those who were just not nice, whether it was to staff or other clients:

When they're super rude or it's just like you always have to call them down or they're asking 'can I be a little late, can I call in, can I?' They just think they're greater than the rest of them. They don't understand that everyone's the same, everyone has the same rules, [they're] not better than anyone.
(Emily)

Someone who finds... who balks at everything, everything, every little thing. They have a problem with the rules, they maybe don't like their room, or if they're in a shared room, they don't like their roommate. Not looking for work, lying, making excuses. Just constantly finding ways to not follow their correctional plan but at the same time telling you that they're trying but they're not. (Sarah)

Staff members further noted that non-ideal clients were harder to manage and harder to observe, as they were often "hiding out" in their rooms. This behaviour caused a lot of frustration for certain respondents as observation is such a key factor to their job;

if they couldn't see what the offender was doing and the offender was not willing to disclose what they were doing, the staff were unable to judge how the offender was progressing. Interestingly, offenders who had health challenges were also considered non-ideal by the interviewees, as these offenders created a host of issues that the staff had to deal with and felt they were not adequately equipped to provide for the offender. This was especially true for offenders who had considerable mental health issues or brain injuries, as they were often vague in their locations or more often to be resistant; however, Ashley stated, "I think it's them being vague and not wanting to be found, but I also think it's a little piece of them just not knowing and just forgetting". When asked to describe non-ideal clients, Elizabeth questioned:

Or do they have a mental illness or a low IQ that makes them more susceptible to kind of being unpredictable in that sense? Someone who is more mentally unstable is more scary to me. Someone you have to walk on egg shells [around] makes me a little more nervous.

Ashley further indicated that she felt offenders with mental health issues or brain injuries were often given more chances. While she thought the offender may deserve "second chances", she also felt that there was a fine line between the offender actually deserving a second chance and the offender using these issues as a way to take advantage:

I think that clients who have mental health anything or anything to do with any kind of brain injury, anything that would affect their functioning, we definitely give more chances and I think that's partially necessary but I think that we also sometimes get taken advantage of because clients will use that. So, we're taken for granted or taken advantage [of]. (Ashley)

Overall, the participants explained how an offender's mental health issues made the job a lot harder, as staff felt they did not have the necessary means to help the offender though they were required to provide this support to them.

It is interesting to note that while participants described sex offenders as having characteristics that would fall under the ideal category, as they were often the most compliant, respectful, and most positive, most staff classified them as non-ideal:

I mean like I have sex offenders on my caseload and though they are, most of them are, very compliant, I'm still not trusting that they're going to be in the school ground or something like that. I'm still spot checking them and things like that. It's just different... so I do treat them differently but for different reasons. (Amanda)

Staff explained that sex offenders are considered non-ideal because no matter how compliant they are, they often caused more work for the staff who feel more responsible for monitoring them and for being aware of what these residents are doing at all times. Most of the staff noted that even if sex offenders were following all the rules and doing everything they needed to do, they found themselves going out of their way to monitor them more because they were concerned about what they were doing and whether they were following their correctional plan, regardless of whether the offender was classified as being low risk. Staff were also more concerned about sex offenders reoffending than other clients in the facility. Generally speaking, the staff felt that sex crimes were “worse” than non-sex crimes, which may explain their enhanced supervision and concern for reoffending.

5.3. The Use of Discretion and the Dynamics between CBRF Staff and Offenders

5.3.1. Communication with the Ideal Versus Non-Ideal Offender

The staff acknowledged that their interactions with clients was affected by the classifications of “ideal” and “non-ideal”. As Lisa stated, “I like to think that I treat them all on the (same level). In my eyes, they’re all the same thing. In my heart and mind, I may be thinking different things, not going to lie”. As much as staff wanted to believe they were treating all offenders the same, they admitted that depending on who the client was their interactions with the offender were different. Though it was clear that staff knew they were not allowed to think of offenders in terms of “favourites” or “favouritism”, and mentioned so, Lisa did accidentally use the term “favourites” when talking about specific clients. When asked to expand on her use of this term, she was quick to correct herself, stating that offenders were a “favourite for my self-preservation”; meaning, there were clients who were easier to work with as they were less exhausting, and caused less stress and work for the Community Based Residential Facility (CBRF):

In my mind, how can I put this nicely? In my mind there are people that are easier to work with. Easier just to, doesn’t matter how long the interaction, they’re just easier, right? And there are those who are exhausting, right? The exhausting ones... so I shouldn’t have said favourite, favourite for my self-preservation. (Lisa)

As previously noted, ideal clients were considered by the staff to be easier to speak with and conversations with them were described as flowing more naturally. Staff members noted that they were more interested in speaking to the ideal client and were more likely to ask questions because they had a genuine curiosity in what was going on in the offender's life. As described by Jennifer, "Ideal are generally very positive, generally will include a compliment of some sort... it's very friendly. It's very much just like a nice chat". This friendly interaction was further described by other staff members as follows:

The clients who fit into the ideal group, I feel like the conversations are a lot more relaxed. Maybe that's just because they flow better because they're doing everything that they need to be doing and I'm not worried about them but I think people that I'm suspicious of my conversations are more explicit, they're more to the point. There's more point to why I'm talking to them; whereas, the [offenders] that are more ideal, there might not be a purpose. The [offenders] who are non-ideal, I'm trying to figure something out [and] asking questions because I have to. (Ashley)

Wow, this makes me feel like a really bad person [but] well, I feel like some I might have more of a conversation with. The ones that may be less ideal will make it not a conversation but more of an argument, instantly. No matter what you say to them, they'll think you're accusing them of something. When you're trying to be like, 'how's your day going' and they're like 'what do you mean?' But the ones that are a little more ideal, you can actually have a conversation with them and it's not annoying. (Emily)

On the other hand, staff members stated that they would often have only minimal conversations with clients who they categorized as non-ideal. These interactions were often in the form of perfunctory greetings during mandatory check-in time. For example, Jennifer explained, "People who are on the other end of the spectrum, it's much more clinical... I can tell that my tone of voice is deeper. My questions are more serious, this is my job, and I'm not necessarily personally invested in how they are". Staff explained they knew they had a bare minimum of required questions they had to ask clients so they could report they at least interacted with the offender; therefore, this was all interactions were with non-ideal clients: bare minimum. Also, staff mentioned they felt more uncomfortable with offenders who did not have good communication skills, as they felt they had to put in more effort to get along with the offender but it was not reciprocated. Such interactions led to awkward situations, which the staff tried to avoid all together as the offender had come across like they did not want to interact with staff at all:

I think I have difficulty with those ones that don't communicate very much. Like, I've made efforts to try and talk to them and help them with different things but it's kind of like they don't want to interact with me at all. I don't know why that is and then it's uncomfortable and then I don't even, I try to avoid to have that contact now cause it feels awkward. (Jessica)

Since non-ideal clients were usually deemed by the participants as being manipulative, it caused further work for the staff when they did interact with them since the staff member often did not trust or believe the offender. When the staff did speak with the non-ideal clients, they found they were more likely to double-check the information that the offender was providing to them with outside sources. There was more follow up with other staff or with the parole officer on what the offender was telling them as it was often deemed untruthful. In contrast, the staff did not feel they had to do follow up with those clients who were categorized as being ideal and this resulted in less work for the staff.

5.3.2. CBRF Staff Resources and the Ideal Versus Non-Ideal Offender

Staff indicated they were more likely to offer their assistance to offenders who fit the ideal category. For example, Jennifer explained that if she was working in her office and an ideal client came down to ask for help she was more likely to stop whatever she was doing to assist the ideal client. In contrast with the non-ideal client, Jennifer would ask the offender to come back later when she was not so busy or to tell them she was unable to help them:

For clients that I like and I'm comfortable with, if they come up to me and I'm busy doing something and they ask for a favour or ask for assistance, the good ones are much more likely to get help in that moment and the others, I'll say 'no I'm busy' or 'I'll let you know when I've got free time' or whatever. If they do their best to show me that they're somebody who is worthy of me taking that time and spending it on them, then I'll do it. (Jennifer)

Interviewees explained that staff resources, such as offering an offender a ride in the staff's personal vehicle were more often to be provided to those offenders who staff designated as ideal; whereas, with the non-ideal client, staff would not offer a ride or would deny the offender's request for a ride if they asked. If an offender was considered non-ideal because they were rude, staff were also less likely to do anything for the offender mainly for the fact that the offender was just "an asshole":

I feel like it's because they're being nice, when they're assholes, it's like, 'nope, sorry, you get nothing'. I guess it's kind of unfair. For me, personally, it would just depend on [the offender's] personality. I find their crimes don't really actually mean much to me, if that makes sense. So, I'm judging them as people and then going from there. I don't think it's condition based, I think it's based on their niceness. I think that's what everything is based on... I'm not going to be nice to you if you're lying to me all the time, so ones that are genuinely trying to make a difference with their lives, I find it easier and you can tell that they're working hard and it's not just not fake. Some of them it's so obviously fake. (Emily)

I guess staff do pick their favourites and will work on stuff for them more. The guys who do come down to the office, the more staff engage with them and try and hook them up with stuff and check-in; whereas, guys that don't ever really come down and hang out, like typically nobody's looking into stuff for them if they're not interested or if management doesn't say [like], hey you need to hook him up with something cause he's not doing anything. (Brittany)

Essentially, if a client was considered mean or rude, staff were less likely to offer them services or go out of their way to support them whether or not they were low risk, following their conditions and/or doing well in the community. If a client was more personable, this was another reason that staff would offer assistance to the offender.

The staff did note that some clients were able to "play" staff. That is, while a client would otherwise be categorized as non-ideal due to the fact they were so manipulative, they sometimes fell into the ideal client category because they were so good at pretending to be compliant or "nice." It was noted that clients often knew who to ask when they wanted certain things. Amanda stated:

I mean, I think there's different staff that maybe would be more easy going about things. People [offenders] who will ask certain staff to check-in late or miss check-in. There's definitely clients that ask specific staff knowing that they will get away with more things. it definitely comes across as favouritism and it's not good for other clients to feel like they're being treated different than other clients. (Amanda)

When asked to elaborate on this point, Amanda stated that some staff often did not recognize when offenders were being manipulative. Amanda noted that these offenders were good talkers and "gushy with staff", suggesting that while a manipulative client was often deemed as non-ideal, there were some whom were very good at being manipulative and were able to appear as an ideal offender to some staff members. This perception would lead to them getting their way or extra privileges from those specific staff that they had a "better" relationship with and essentially manipulated.

5.3.3. The Ideal Offender and Complacency

Staff were also noted to become complacent in their job when they had more ideal clients in the house and breaches or violations were being missed because staff were becoming too trusting of offenders. When asked how often she thought situations went unreported that should have been reported, Amanda stated, “probably more than not. Probably 50% of times where things should have been reported”. When asked why she thought things were missed so often, Amanda explained:

I think people are unaware of the importance of reporting or what may seem odd or unaware of conditions. I also think that staff get complacent in their jobs and things definitely get missed that way and I think staff maybe trust clients on not breaching when really they shouldn't be [trusted]. I also think staff are unsure about, they don't want to get in trouble or stir the pot or yeah, get in trouble with management or looking stupid in front of parole officers for reporting too much or reporting things that are pointless or things like that. They just don't think it's serious enough to be reporting or they don't think it's significant enough (Amanda).

Amanda discussed how she would often have conversations with other staff, who would state that they “don't want [the offender] to get in trouble about things” or that they did not want to “stir the pot” with the offender as it would affect their relationship moving forward. She further mentioned that staff were concerned that the offender would end up finding out that it was them who reported the breach and this would lead to some sort of confrontation or the offender being mad at the staff member. For these reasons, it was noted that some staff members were not reporting things as they were too scared to deal with the aftermath and the potential conflict with the offender. This appeared to blur the lines of the relationship between offender and staff.

Sarah also noted that when there was more ideal offenders than non-ideal offenders in the facility, staff became more complacent and less aware in their job. She further noted that staff did not seem as focused on the duties of their job, leading to offenders breaching their conditions and absconding from the halfway house:

Sometimes stuff gets, falls through a crack and you don't notice or staff are not vigilant. They're just not present at their job, which is really a dangerous job to be [not vigilant at]. It's not a good, this is not a job to not be present in. You can't be on Facebook for your entire shift and just go yeah, hey. You

need to be aware, so I have no idea. There has been a couple UALs [offenders go Unlawfully at Large]. (Sarah)

One of the more experienced staff members, Samantha, noted that an issue with some of the younger, newer staff members was they “assume that to get along with, for rapport, that they have to be really good friends [with the offender]. That’s not true, you don’t have to be really good friends”. Samantha felt this became an issue, as staff were blurring the lines of their relationship with offenders leading to less reporting as they did not want to ruin that relationship or rapport:

Okay, this one comes up quite a bit because we have a lot of new staff and they think they should be [the offenders] friend and I keep trying to say, we’re friendly but we’re not their friend. If they screw up and you don’t report it, you might as well be their accomplice. You’ve got to report them, that’s our job. It’s not helping them by hiding that they’ve done bad because then they think they can get away with it. I’d say mostly with inexperienced staff or some clients are very good cons and they make you believe they’ll never do it again. [The offenders are] manipulative. That’s where I’m having trouble with the new staff. (Samantha)

It was noted that some staff felt that in order to gain compliance from an offender, they had to have a good relationship with the offender and not report any misconduct. This is another example of how the relationship may have resulted in certain boundaries being crossed. This was summed up by Emily, who stated:

I feel like some staff really do [treat offenders differently]. Our whole little staff would run better if everyone was on the same page. I feel like one person is stuck in their own way and another person is stuck in another way and they’re treating one client differently, but if we were consistent maybe they’d [the offenders] be a little more successful. Because it’s like you’re thinking that they’re always good [ideal clients] and not really paying attention to them, if that makes sense? ‘Oh, they checked in, cool, have a good day’ and you never talk to them again. (Emily)

It was further noted by Ashley that because many of the staff members were young, ideal clients who were younger also received more special treatment:

Age is a factor in that and I think there are some staff that they just spend more time with those younger [clients] that are easier to deal with. I almost find that there are boundaries and we really have to watch those because sometimes it almost becomes like a friendship. It’s on both sides, client and worker. Sometimes we need to take a step back. It’s good to have those fun conversations but when things like boundaries start being crossed, it becomes less professional, more personable. (Ashley)

Because staff felt they had more similarities and more in common with ideal offenders who were younger, they found it was a lot easier to relate to their issues and easier to communicate with them. Staff would spend more time with these clients due to the fact it was not a challenge to interact with them; however, it was recognized multiple times by staff members that these situations were often not okay and staff would have to take a step back and recognize there are boundaries.

5.3.4. CBRF Staff Monitoring of the Ideal Versus Non-Ideal Offender

The responses of the staff suggested that once a client was designated as ideal, CBRF staff would exercise their discretion to engage in less monitoring of their client's behaviour:

Monitoring will usually relax to some degree. Like if I feel like I trust the person, I think once I know somebody, I would be much more likely to let them sleep in through a check-in or call me for a check-in or something like that. I'll be more likely to let my guard down, I'll kind of relax. (Jennifer)

In most cases, offenders who were deemed ideal were those who the staff member thought were honest or following their correctional plan. Since staff felt that this offender was doing everything they could to progress, the staff did not feel that supervision of the offender needed to be as strict. It was not deemed as necessary to monitor them as much as those non-ideal clients who were thought to be dishonest or manipulative. As Elizabeth explained, "I'm sure with non-ideals, I'm looking more intently so if something were to change on a more ideal client, I probably wouldn't notice it as quickly".

Staff noted they were less likely to complete spot checks on the ideal offender and were more likely to "relax" on their curfew checks. Curfew checks were completed to ensure that there was a live, breathing body in the offender's room. For ideal clients, staff were noted to either not do a curfew check on that offender and they would just check their fob system to ensure they were in the room, even though offenders could exit the room without the fob; or, the staff would just check the room to see if their keys and their things were still in the room, even though the offender could leave the room without taking their things and some offenders had done this when they had gone unlawfully at large:

Honestly, we as staff, just let things slide for some people. They just don't check-in at lunch and we seem to be okay with that because we've never had any other issues with them but I feel like if there were some people who didn't do that, we would have an issue with it... I think there are certain clients that staff seem to think should have been done parole already and are basically done parole, and we don't have to worry about them. They're just going to finish their time and be done and we let things slide, specifically curfew. (Ashley)

If an offender was an "asshole" or rude to staff, it was noted that the staff member would monitor them more closely, as they felt they could not trust what the offender was saying at any time; however, staff did note instances in which the reverse occurred. On some occasions, offenders who were deemed ideal were given more attention, but this was not deemed as negative attention and did not involve extra monitoring or reporting of the client to the supervising parole officer. These offenders were seen as "cool". Staff were sometimes observed by other staff as giving these offenders more attention and sharing more personal information with these offenders in order to bond with them. This approach would sometimes work against the staff member though as they would miss changes in the offender's behaviour that could relate to their risk level:

I think our ideal clients are going to receive more attention, for sure. I think we have clients who are just very personable and social and funny. A lot of our guys have a good sense of humour and I think it also depends on the staff. I do notice that we have a lot of younger staff right now so a lot of the younger clients are going to relate more to the younger staff, and I definitely find that guys that committed one crime or messed up once and they're very pro-social, they come from upper-middle class families, they have an education, and all those certain things. Clients who are more similar to us and our personal life, like all those similarities is going to make it easier to talk to somebody. (Ashley)

It sounds really bad but the clients that are kind of, from what I've noticed, the more cool clients, a lot of the staff seem to pay more attention to or talk to or try to bond with. Or maybe share personal stuff in order to bond with them. I think that clients can sometimes make staff feel good about themselves or give them the attention that they're kind of wanting. There are certain clients that are just more chatty than others too and when they engage with staff, staff are happy to engage with them, as well. I think it is a lot of personality. (Amanda)

These types of situations may result in human emotions clouding staff judgement. The staff often felt that because they had developed such a good working relationship with the ideal offender, they felt that the offender would update them on any good or bad going on in their lives so the staff were not reporting these offenders, as they did not feel

it was as necessary. Staff reported being over-trusting that the offender was reporting anything negative going on in their lives to them or their respective parole officer, which meant that situations relating to an elevation in the offender's risk were being missed and going unreported:

There could have been so much stuff going on with all those little instances that we didn't know and [the offender] got away with it, who knows. It was almost like too stupid to be true though. I had thought that I had this thing with them and then [they] just like turned it back on that whole narcissistic thing on me at the end, and then [they] brought down that sling hot. [They] wrote my name on it and everything and [they were] right in my face like I was the one making [them] do it. [That offender] to me is scary because he could take a vulnerable individual and just completely trash them... where they think they can get away with anything... the risk is increased because they start to feel like they can get away with it so then they start to live outside of their correctional plan and maybe start doing stuff on the side that nobody's aware of. (Sarah)

The above example relates to an offender who was deemed ideal, but in fact was manipulating staff to get away with more. This offender presented well to staff, which led to them labeling him as an ideal client when in fact he was using staff to get away with breaching his conditions. Because staff were trusting that he was doing everything he was supposed to by following his correctional plan and staying out of trouble, monitoring of this offender diminished; however, it was discovered that the offender was actually breaching his conditions and then would turn against staff when they eventually did catch on to what he was doing. Once he was finally reported to his supervising parole officer, he attempted to blame staff for the breaches and "flipped the script". Again, because he appeared to be an ideal client he was able to get away with breaching his conditions for a considerable amount of time before staff reported their suspicions to his parole officer. This relationship essentially elevated the offender's risk because, as described by Sarah, "they start to feel like they can get away with it so they start to live outside of their correctional plan and maybe start doing stuff on the side that nobody's aware of." Participants explained how this situation often arose with offenders who had been at the halfway house longer and had developed rapport with staff. As Ashley stated:

When they first arrive, we're definitely more strict with them because it's a totally different routine that they're getting into, so often they will miss check-ins at first and they'll ask when they [the check-ins] are and ask repetitive questions because there's just so much going on here. So, I think we have our eyes focused on the new guys when they first come and we make sure

that everything's being followed to a 'T'. But once they get a job or are out in the community doing something with their time, there's a little more leeway because once that's built up, we start to trust them and realize that, well this person's just at work, that's why they're calling half an hour late; whereas, when they first get here and they don't check-in it's like, where are they? I think it's just building that trust and rapport and having that routine set in place is huge when they first get here. Then after time, if that's what they've built up with you and given us back, we're a little more lenient. (Ashley)

Participants also explained how offenders who were deemed as being non-ideal on the basis that their crime was contrary to staff members' beliefs (i.e., sex offenders or offenders who had committed violence against women), were also more likely to be supervised and monitored more heavily than ideal clients. Sex offenders, specifically, were often monitored more closely than non-sex offenders. One respondent, Jennifer, claimed that she was always checking the time when a specific sex offender signed out and would find she was questioning a sex offender in more detail about location details and why they needed to be going somewhere during specific hours. In contrast, she would not question other offenders as much, as she did not feel she was as concerned about their whereabouts in comparison to the sex offender:

People who commit sexual crimes or crimes against children definitely, I think I'm more aware of their impact on the community, so that could even be just their presence in the community. I'm always like, what time is it? Why do you wanna go right now? Because our building happens to be next to or quite close to a school, that's something I need to be aware of. What time is it and is there going to be a chance, like is he just coming so he can take a peek around. (Jennifer)

Emily further echoed this sentiment, stating, "Well, definitely I think sex offenders need to be monitored more for where they are. If they don't have [an electronic monitoring] bracelet then definitely got to be checking to see where they are and what they're up to".

Staff members, most of whom were women, also indicated a specific bias toward offenders who had committed crimes against women. For example, Ashley indicated, "I think the ones that make me the most nervous are the ones who have domestic violence because a lot of those times, we don't hear about those cases even though they're still happening behind closed doors". Regardless of the offender's personality, staff indicated they would monitor these individuals more closely because if the offenders were to fall back into their crime cycle, they felt that there was a higher risk of the offender

victimizing the staff member. This concern resulted in the staff being more aware at all times of these offenders' attitudes and behaviours. As Jennifer commented:

If their crime does or does not involve violence, particularly toward women, that definitely alters how we work with them. Someone who is likely to commit crimes against women, we are definitely going to be more cautious, more cognizant, more likely to be aware of our own personal safety and I think therefore, the personal safety of others. Because I'm a woman and because I was raised to understand that I need to protect myself and be cautious and kind of have that underlying fear, it's easy for me to put myself in the place of a possible, I mean, a potential victim of a person. Like okay, how do I keep myself safe from this person? Therefore, how do I make sure that this person is not in the position where they can make other people feel unsafe or uncomfortable? And most of our employees are women and it would be, like, this is a weird position. As much as I want to be a person with the freedom to dress in whatever I would like, you know, speak however I would like, whatever, I'm not. Not only because of my job but just because we are dealing with people who haven't learned those lessons yet or who are still working on learning those lessons. We need to put ourselves in a place where our safety comes first and just building that underlying respect for people and for women before anything else. (Jennifer)

5.3.5. Frequency of Reporting of the Ideal Versus Non-Ideal Offender

The staff members indicated that major breaches of house regulations and release conditions, including an offender returning to the facility under the influence of drugs or alcohol or not being present for a curfew check were always reported, no matter the level of rapport between the staff member and the client or the classification of the client as ideal or non-ideal. However, the staff noted that there were situations where ideal clients were not properly curfew checked. Staff explained that a curfew check was considered improper when staff did not go into the offender's room and somehow communicate with the offender at their curfew hour. Sometimes the offender would be awake in their living area and the staff member would have to communicate with them but sometimes the offender would be in their bed sleeping, which would still require the staff member to ensure the offender was alive and breathing. Staff members noted that other staff members were not completing the curfew checks by physically going into the offender's room but rather were just checking the offender's log book to see if they logged back in or by checking the fob system to the offender's room. While staff said that offenders would "always" be reported for missing a curfew check, the fact that curfew checks were not being completed properly for some ideal clients suggests that missed

curfew checks were not always being reported because the staff were not paying enough attention to the ideal offenders:

Once I know, like if I feel like I trust the person, trust as much as we can in this, you know as much as we can trust our clients. I think once I know somebody, when somebody has been at the house for a few weeks, I would be much more likely to let them sleep in through a check-in or call me for a check-in or something like that. I'll be more likely to let my guard down, I guess, in the sense, like I know who they are I suppose. Once I'm a bit more comfortable with them, I'll kind of relax. (Jennifer)

Amanda further explained that she felt spot checks were not being completed enough, stating, "I just don't think those are high on the priority list. I don't think spot checks are done enough on people, [so] we can't really prove they're abiding by those conditions".

The reasons that some staff gave for always reporting major breaches had more to do with the fact that major breaches were less easy to hide and not reporting them would jeopardize the employees position within the organization. Minor breaches were considered more discretionary and the staff member felt that their reporting style would differ, as they would change their reporting style to allow them more say in the offender's case. Often, participants described minor breaches as breaches of the CBRF rules. An example of a house rule the staff communicated were the daily physical check-ins that offenders have to do three times a day. Emily stated, "I feel like people [staff] are a little more lenient with house rules cause it's like we have control". Staff further felt that they could "hide" minor breaches or get away with not reporting it more than with major breaches. Minor breaches were reported differently than major breaches depending on the relationship between the staff member and the client, and whether the offender was designated as ideal or non-ideal:

If I like a client more than another, and there can be many factors that can go into that, and by that I mean is this person easy to work with and do I enjoy working with them or whatever, then absolutely I'll make more of an effort to support [them]. I'll go more above and beyond. As much as I try to remain objective, I'm a human being and I'll have those things in the back of my mind. Non-ideal, I'm totally more likely to report things that they do that might not need to be reported but might down the line make it look like I had some sort of bias towards that person. If I get the feeling that someone is not being honest with me, I'm much more likely to report them. (Jennifer)

House rules... it's kind of one of those gray ones and we have some people who won't call in at check-in time cause they're at work and don't have access to a phone so that's something, honestly, we as staff have just let slide for

some people. They don't check-in at lunch and we seem to be okay with that because we've never had any other issues with them [offenders] but I feel like if there were some other people who didn't do that [check-in] then we would have an issue with it. I think it comes down to those ideal and non-ideal clients again. I would say most of our ideal clients are ones that are working but there are some non-ideal guys who work and those are the ones that we would require to check-in for sure. We've had some guys ask to miss noon check-in and it's like, no you have to [check-in]. (Ashley)

I think it depends on the staff too. Some staff really just trust them or I don't know, don't care and then some are really, really anal about [house rules], which makes it hard for me to draw the line. Where some staff might think it's okay for [offenders] to call, others will think it's absolutely not okay so then it's like, where do I come into that?.. Do I be the bad guy and follow my rules or do I jeopardize my job to please this client and staff members? (Elizabeth)

Considering offenders who were deemed non-ideal were thought to be dishonest or manipulative, staff reported that they felt they did report these offenders more to the offender's supervising parole officer as they had not established a great rapport with the offender and felt they did not have a good grasp on what factors were worthy of reporting or not. Offenders who the staff felt were "groomers" often had every action, conversation, and behaviour reported based on the fact staff were unable to gather an honest read on what the offender was saying. Staff also reported feeling a physiological reaction to this type of offender every time the client was around them, so they felt that everything the client did was worthy of reporting. Because of the negative reaction the offender gave staff, they also felt uncomfortable asking the offender questions to gather or clarify information. Emily commented, "there's certain staff that every time someone [an offender] breathes, they send an email. It can be good, but I just don't know if it's always necessary". Rather than ask the offender follow-up questions, the staff member would report the information to the parole officer and allow them to figure out whether the information was important or not, and whether any follow up needed to be completed.

The physiological reaction to offenders was expanded on by Elizabeth, who stated:

I would say ideal clients, [interactions go] really smoothly. Probably, usually quicker interactions. I'm a lot more calm with them probably and then non-ideal, I think I almost go into it with a little bit of anxiety. Usually I'm good at covering that [anxiety] but I know sometimes it can come through and I know it might make me a little more reactive, which is ironic because it does the opposite of what I want to do... I think a lot of how the clients react to me changes how I react to them, unfortunately. If there's been a client that

accused me of prying or writing too much stuff down, I know it's because they are defensive and don't want to get caught probably. (Elizabeth)

Jennifer mentioned the case of a previous client that resided in the house she worked at who made her feel "greased" and uneasy every time she had a conversation with them. Because of this physiological reaction and because the client fell in the non-ideal category mainly for the fact they were manipulative and hard to read, Jennifer would record and report in detail what the client said or did:

Every time he came to talk to me, my heart would start beating, my stomach was turning, I felt sick. After he left, my heart was still pounding and I just felt like I had gone for a jog. It was weirdly physical this response, so for that one I was like, I know this because I'm getting this feeling in my stomach every time. I do not trust you at all. I know you are up to something even if that something is you're not genuine in this conversation. You're not having this conversation with me to have it with me, you're having it to see what you can figure out. For him, I absolutely trusted that [feeling], as I went through a time in my life where I didn't listen to my intuition and it always fucked me over. (Jennifer)

Jennifer further stated that she would report more about this client so that the offender would be unable to twist her words or misrepresent the nature of their relationship when the offender was talking to their parole officer. Certain non-ideal clients were very good at "twisting words". Jennifer spoke about another specific, non-ideal client that she had to work with and how she felt she could not have a good relationship with this offender as the offender would "use your words against you". Jennifer stated that it was very difficult to communicate with this client because she constantly had to be cognizant of what she was saying and how she was saying it. She felt she could not say anything without the offender taking it the wrong way. Not only did Jennifer report everything about that specific offender and similar offenders because of how much she disliked them, she also reported them to ensure her job was safe and to essentially save herself if the client decided to go against her at any point and attempt to make her look like "the bad guy":

One particular client that was so manipulative in every conversation, everything I did with him I documented to the nines because I was like, I don't want ever for him to say 'she did this or she said this' or 'she seemed weird' or whatever. So, I'll kinda, yeah cover my ass that way... Every conversation I was groomed and I could never tell what was real and what was not, so for him that was a case of I need to protect myself because I don't know what the hell he's going to say or do. I just could not get a read on him because I knew that whatever he was telling me wasn't real and I

don't believe that I saw any glimpses into the real person he is, though he tried to fake show me. So, for that one and that was because I didn't know him, because I didn't feel like I got a sense of who he was or what he was like or what he was all about, everything. Everything was bad, everything was reported. Everything was note-worthy. (Jennifer)

While non-ideal clients were having everything about them reported, ideal clients would more often than not have less reported about them, particularly if the staff member felt reporting something would cause more trouble than it was worth. Elizabeth echoed this by stating, "If I have really good rapport, I tend to not report... I take what they say in stride". Ashley also explained that since ideal clients were considered more communicative with staff, she may not report situations even though they could be considered concerning:

There's actually a couple of clients who go through various ups and downs pretty consistently but because they're very open about what's going on with them, it's not something that I report even though the way they act, their behaviour, may seem concerning. Because they're very vocal about what's going on, I feel it's not a concern. Often it's the ideal clients more often than not... whereas, somebody who doesn't have or doesn't communicate that with staff, I might be more concerned about. (Ashley)

Participants also explained that if the staff member felt that the client was doing well, they often would not see a point in reporting something considered a "minor" breach as they felt it was just more of a hassle than anything. For example, an ideal client who was away at work during physical check-in times was required to call-in to the house instead of completing a physical check-in. Since the client was an ideal client and because of the clients job, Jennifer explained that she felt it was too much of an inconvenience for the client to check-in and as such trusted that the client was at work. Jennifer claimed that even though she knew the special check-in was a direct imposition from the parole officer, she felt it was unfair and that the parole officer was just attempting to cause more inconvenience to the client because she also knew the parole officer and the client had unresolved conflict. Jennifer did not want to cause further problems for the client by informing his parole officer that he was not checking in via telephone and because the offender was ideal, she was more lenient with that client:

I haven't seen documented that he's been checking in from work. I haven't reported that cause I know he's at work and he's made every effort to show me that he is trying so hard to be legitimate. Anything, anything he does wrong he is so upset about. For him, I know that as soon as he thinks that

someone thinks he's not following the rules, that's a risk factor for him because that decreases his self-worth. Like 'oh maybe I'm not a good person, maybe I can't do everything even though I try'. I can see that he's trying so hard and you know he is. You can tell when people are putting in effort and when they're sincere. Yeah, he's sometimes a bit of a kiss ass, but whatever. I know how hard he's worked, so yeah, I won't report that but I feel like it's small things. (Jennifer)

Jennifer felt that telling the parole officer would lower the clients self-esteem, as he had been trying so hard to progress and make positive changes, so this would trigger the client back into his crime cycle. Therefore, Jennifer explained she felt it was easier to pretend the client was following what he was told to do and that it was easier to hide the minor breach from the parole officer rather than have the client get in trouble and potentially heighten his risk: "so I'll do my own little part there to try to reward his efforts... if anyone else was putting in his level of effort, they would be golden but he's not [with his parole officer]."

Furthermore, for ideal clients, Jennifer stated that "if I know or if I truly believe I know a situation is a one off and not going to happen again, sometimes I might not report it. Or if it is something that is going to get me in trouble". Since Jennifer had gone so long without reporting the minor breach to the parole officer, she knew she would also be disciplined so decided that it was better for her and the offender to keep quiet about the violation. Jennifer further stated that because she knew the parole officer could verify that the offender was at work by different means (e.g. pay stubs), she did not feel the violation was dire enough to report it and risk her and/or the offender being disciplined.

5.3.6. CBRF Staff Reporting Practices: Emotional Reporting Versus Factual Reporting for Ideal and Non-Ideal Clients

Frequency of reporting was not the only difference participants described when discussing how they exercise discretion in their interactions with and responses to ideal and non-ideal clients. They also described differences in the style of the report they send to the supervising parole officer. Interviewees explained that each report CBRF staff members write to supervising parole officers has to answer four basic questions: who the offender was; what the situation, breach, or violation was; where it happened (at the house or in the community); and, when it happened. For clients designated as non-ideal,

participants indicated that these four basic questions were answered with no emotional attachment or opinion:

More conversational pieces, like, I try to include as much as I can always and always do the 'who, what, where, when, why' of the situation. So, like [ideal client], I have a good rapport with [him], so anything I have reported about him has included conversation because there's a lot of it. Other factors, other emotions, background information. I feel like if [non-ideal client] did something, I wouldn't have much because there wouldn't be as much to say and it would again be more clinical. I'll try not to influence and just leave it as objective as I possibly can, but the more information I can include, the more I will. I'm trying not to offer my opinion as much, but it's hard. (Jennifer)

In contrast, participants explained that with ideal clients, the staff member would attempt to provide their perspective or interpretation as to why the incident occurred. Elizabeth stated, "I think if someone is non-ideal, I will list more about the negatives of what happened; whereas, if we have a good rapport I'll make comments like 'they were in a good mood, as per usual'". Other respondents shared the same sentiment:

The only difference would be my personal tone of the reporting. So non-ideal clients: again, clinical, facts, maybe some other background information. Ideal clients, I'll try to help. I'll try to help the parole officer understand that there might have been something else going on but at the end of the day, it's not really my place. I do what I can [to help]. (Jennifer)

I've had to talk to a lot of parole officers who maybe they didn't get a good response from a client, but they don't know the background. They don't know what happened that day in their lives and it does make a difference. (Lisa)

In the case of ideal clients, interviewees explained how the staff member would be more likely to try to explain the offender's behaviour to the parole officer. As Jennifer noted:

If my opinion or my values towards this person [client] will sway them [parole officer] toward what I believe to be a better situation than I will totally do it. If I can and if I know, or I think I know, what's going on in a situation and I can make it better, that'll affect my reporting for sure. I never want somebody to be on house arrest or get suspended or not if I can help it. If I know they're having a bad day, I might let it go but usually what I will do is report and disclaim it. So, I will send the report because again, I'm way too paranoid of getting in trouble. I will send the report but I will say 'note that so-and-so has had a stressful event' or whatever. I'll always try and add my own take on the situation. When I see situations, I will totally try to advocate. I recognize that [the client] fucked up but people can only take so much. I feel like I get that information. I get those little parts that doesn't end up on paper. I'll totally try to do what I can. (Jennifer)

As staff felt they had more of an open relationship with the ideal client, they explained how they felt as if they were able to decipher the emotional reasoning behind why an ideal offender may have breached. For these reasons, the staff were more likely to provide supplementary information as to why the offender behaved the way they did. For offenders who were non-ideal and who the staff member felt like they did not really know, participants explained how they were more careful about including all miniscule, factual details about the offender rather than giving their opinion on a situation. As staff felt they had not developed a good rapport with non-ideal clients, they stated that they felt they were unable to provide an emotional reason for their actions. Staff also did not feel like providing an opinion on the non-ideal client because they had not built a relationship with them and ultimately did not care what happened to the client if they were suspended or given consequences for the breach:

An ideal client, you would want to give them always the benefit of the doubt or try to find a reason for [a breach] cause you don't want to fuck shit up for them. If it's something I can talk to them about and I feel confident that [the breach] makes sense and [the reason] is true, then I won't report it. (Sarah)

Staff further explained that they would change their style of reporting because they were constantly around the offenders and felt they were able to provide a "why" aspect to their reporting as they felt they saw more of an offender's emotions throughout the day. Staff were required to work in the place offenders called "home" (CBRF), to provide them with transportation, and to spot check them in the community when they were out going about their daily routine. Staff felt they saw more of the offender's interactions and daily lives than the parole officer did and because of this, they felt they knew more about the client and what would be considered "out of character" for the offender:

I'm more likely to be aware if someone has had a bad sleep or if they're stressed or, you know, they're dealing with family shit. If I know that somebody is feeling off, maybe they slept in, maybe they missed a check-in that technically [I am] supposed to send an email and report if they don't, [but] I just let them sleep. (Jennifer)

Additionally, staff felt the offenders were given less of a chance to have a "normal" reaction to stressful events that happened in their lives. Lisa stated she felt that the offenders were held to a higher standard to not have a reaction to negative events; whereas, those who are not on conditional release are allowed "normal" emotions when

something goes wrong even though nobody is “peachy-keen” all the time. For offenders, if something goes wrong and they react to it in a way that is seen as “negative” or a “deteriorating” attitude, they risk the chance of going back to the institution:

Those of us who aren't parolees aren't all peachy-keen all the time. You have a bad day, you have a bad day. You have something horrendous happen or really hurt you, it's hard for them to be out here and [they're] constantly judged. I know there's days where the moods that I see had, if was sort of unleashed on a parole officer that day and they'd be sent back for deteriorating behaviour when I know that it's something else, right? (Lisa)

Because of this, as previously noted, staff would include the why aspect into reports for ideal clients so there was some explanation as to why the offender may be behaving the way they are. Staff wanted to “go to bat” for these offenders because they thought they were more worthy of staying in the community and did not want a breach to send them back to prison. For non-ideal clients, reports would not include the “why”, as the staff did not want to influence the parole officers decision-making thus leaving the reports more objective and for the parole officer to decipher the “why”. Reports for non-ideal clients were more factual and clinical based whereas reports for ideal clients were factual, but also included an emotion or opinion to explain the offender's behaviour.

5.4. Relationships with the Supervising Parole Officers

An unexpected finding that emerged from the interviews with staff was that the relationship staff had with the parole officer and the relationship that staff observed between the parole officer and offender also affected their discretion and how they would supervise and report the offender. The staff members explained that there were some parole officers who they considered to be easier to work with and parole officers were also broken into those who were considered “ideal” or “non-ideal”. Staff further explained that how they viewed the parole officers also changed how they reported offenders to the supervising parole officer (i.e. factual versus emotional or personal report style). It was further explained by staff that they would change their reporting style based on how they viewed the dynamics between the offender and their supervising parole officer.

5.4.1. CBRF Staff Perceptions: Ideal Versus Non-Ideal Parole Officers

Similar to the staffs members' views that there were ideal and non-ideal offenders, staff believed there were also ideal and non-ideal parole officers. Parole officers who were considered ideal were those who would respond to emails and were appreciative of the information that staff were reporting. They were open to having conversations with staff and listening to their opinion on how the offender was doing and the progress they were making against their correctional plan:

I think some parole officers take information differently. Some really appreciate lots of emails; whereas, some don't even respond to your emails so I think the ones that respond and give you feedback, you definitely are like reporting maybe more. Like even the little things that shouldn't be reported, like over reporting. You can see it in case reviews when you go in, like some parole officers are really wanting staff's opinion but some don't want input from the house, so it's just like k, well whatever, I tried. (Brittany)

Participants also outlined that ideal parole officers appeared willing to consider what the staff member's opinion was and appeared willing to accept feedback from the staff member on what they felt would help the offender.

Non-ideal parole officers were essentially the opposite. They often were those who would not respond to emails or telephone calls, and did not appear willing to listen to the information the staff member would provide about the offender. Staff expressed they appreciated even a simple response back from parole officers when they did send messages, just so they were reassured the parole officer had actually received the information. Respondents also indicated that at times they felt the information they provided to the parole officer did not mean anything and they questioned how much weight the parole officers placed on the information, opinions, or knowledge they had of the offender when making decisions about the client. These were also considered non-ideal parole officers and created frustrations for the staff members, as outlined by Lisa and Jennifer:

I like to think it has some effect [on the parole officer's decision]. If it's not a black and white issue with the parole officer. Most parole officers welcome the insight because they are aware that you're the one that sees [the offenders] more than half an hour per week, so they do, most of them value your opinion. Sometimes the parole officer doesn't really care, they don't, and that's frustrating for me because if I see, I know there's days where the moods that I see, if that was sort of unleashed on a parole officer that day, [the offender] would be sent back for deteriorating behaviour when I know that it's something else, right? (Lisa)

I think part of that is getting to know the parole officers better. I feel like we're always fighting to prove that we do know our clients. I don't know if I get a say [in decisions]. That one is more to do with my relationship with the parole officer. If my opinion or my values towards this [offender] will sway [the parole officer] toward what I believe to be a better situation, then I will totally do it. So, I think if I know what's going on in a situation and I can make it better, that will affect my reporting. (Jennifer)

Table 2 provides a description of the characteristics that staff identified that made a parole officer ideal or non-ideal.

Table 2. Ideal vs. Non-Ideal Parole Officers – Participant Descriptions

IDEAL	NON-IDEAL
<ul style="list-style-type: none"> • Values the staff members' opinion or insight into the offender's case • Grateful for information that staff provides about the offender • Responsive to staff member's emails • Welcomes the communication • Will get to know the staff member and their relationship with the offender • Understands the emotional aspect of the offender's case and things that may have happened leading up to an event that could be considered a breach • Considers other factors going on in the offender's life when making decisions 	<ul style="list-style-type: none"> • Unresponsive or minimal response to a staff member's email • Makes the staff member "fight" or prove how well they know the offender • No or little communication • Does not let the staff member give information on what the offender is working on or does not allow the staff member to provide their opinion on how well the offender is doing in the house • Only cares about the facts of a situation and will not consider the emotional aspect when making a decision about the offender's case

5.4.2. CBRF Reporting Practices and the Ideal Versus Non-Ideal Parole Officer

While none of the respondents felt they were more knowledgeable than the parole officers with respect to making decisions about an offender, they did feel that because they interacted with the offenders so much they may be able to recognize and understand the client's behaviour better. Many respondents expressed frustration over the fact some parole officers did not care about the background information staff would provide: the parole officer did not care why a situation happened or the events that led

up to a breach happening (the emotional aspect), but rather only that it happened (the factual aspect). Respondents felt it was unfair that some parole officers would only see their clients as parolees who were not allowed to have negative emotions or reactions to negative situations. These relationships would subsequently change how the staff members would or would not report offenders to the supervising parole officer:

I will say, but this is what I know and I'll say it loudly and clearly. I'm telling people what I see on a daily basis and what I knew led up to the mood, why wouldn't you tell [the parole officer] that. If you want to call that sticking up or going to bat, I call it 'this is what really happens on a daily basis'. So yes, I'm going to say stuff on [the offenders] behalf because [the parole officer] is not seeing them, they're thinking... they [parole officers] have to have that kind of brain to suspect everything. When [the parole officer's] trying to make something out of an attitude, I don't agree with that. Because then [the offender] know[s] you are getting to know them. One of the clients asked me to attend meetings at parole because they commented that I saw her as a person and you do. We get to see the good stuff. We get to see the good person, as opposed to the paperwork right? (Lisa)

Jennifer provided more information regarding how she felt she gathered more information than the parole officers and how she felt that parole officers did not obtain the accurate picture of what is going on in an offender's life. Ultimately, this resulted in her providing more information to the parole officers because she felt she saw more of the offender's life:

I recognize that parole officers see our clients once or twice a week or month or whatever the hell, and that's not enough to know everybody and to know how the person [works] and know what they're working on day-to-day. They have much different conversations than we have and I can't presume to know what they are, or that I have a total clue of what's going on because I don't, but because I get the accurate picture – and I know I do because I'm there day in and day out – I will be able to tell [when it's just a bad day]. So, I can recognize, I think, when a parole officer will see a situation as something different than it might be. (Jennifer)

All of the staff who were interviewed indicated that they respected the parole officers, but did admit there were some they felt more comfortable speaking to and thus did change how they reported offenders to their parole officers depending on whether they characterized the supervising parole officer as ideal or non-ideal. Staff were more likely to report the "why" to parole officers they felt were ideal, as they felt more comfortable with expressing their opinion to the parole officer:

I think it's easier to bounce ideas off [them] and ask questions to those [ideal] parole officers. There's some where I would, I could say, 'oh this is what I'm thinking about this client, what are your thoughts? Do you think I'm on the right track?' Whereas, there's some parole officers where I just would be factual with. (Amanda)

Sometimes I feel like I have a say. It depends on the situation or the client, but I think I'm only just starting to get to that point where maybe parole sees me as a legitimate person. I'm only now starting to feel like my opinion might matter and I think part of that is getting to know the parole officers better. I think that if I take the care to conduct myself in the proper manner and provide all of those legitimate reports and my reasoning for doing so, I think that my opinion would be taken into account. (Jennifer)

I think there are a couple of parole officers that are super, super, almost too chill and relaxed and I've reported things before that I think are completely necessary to report and I either don't get a response or I get just 'okay'. Whereas, the majority of parole officers, I would say, are really responsive and grateful for the things we report. Yeah, definitely my relationship with the parole officer based on their responsiveness with me will affect that. I mean, I'm still going to report things that are crucial to report but there are certain things that are in the gray areas that with some, I might not say but with others I will always say because I know they appreciate that. Some of them are just 'you're wasting my time' kind of thing. (Ashley)

Jennifer further stated the following when speaking about one of the parole officer's she considered to be ideal:

She [ideal parole officer] totally valued my opinion. She would be more likely to ask me about what our clients are like on a day to day basis and what might be normal or out of the norm for them [the offender]. (Jennifer)

As stated, the ideal parole officer was one who appeared to be more interested and willing to listen to what staff had to say, so staff felt it was easier to report information to the ideal parole officer whether the information was needed or not. With a non-ideal parole officer, staff felt less comfortable reporting information because they felt as if they were being a nuisance to the parole officer or bothering them. They further felt that the parole officer did not care what staff had to say. Additionally, if staff felt they were being judged by the parole officer, they would often not report information because they did not want to look "stupid" for reporting something that may not be significant enough to report:

Sometimes if people [offenders] seem off, I feel like I'll just, I might just note it in our [halfway house communication] books, I wouldn't tell the parole officer. It would just be something to refer back to because once I type it out, it sounds stupid. I've for sure typed out emails before and then I read it back

and I was like 'why am I even taking the time to mention this'. They're gonna read it and be like, 'who cares'. I would think that it's not important or that it's not gonna be worth anybody's time because I've sent emails before and I just didn't hear anything back, so I'm like 'okay, do they not care or...'
(Jennifer)

It doesn't work that way. I know with some parole officers, they don't want to hear your opinion anyway. They just want facts. They don't care about your opinion. Most of them don't want to hear that, they just want facts.
(Samantha)

Earlier in the discussion, an example was provided where Jennifer was not reporting an ideal client to the supervising parole officer because she did not want the ideal client to get in trouble. Jennifer further explained that her relationship with the offender's parole officer was also non-ideal, which further influenced why she was not reporting information. Jennifer indicated that her relationship with the specific parole officer had always been a bit challenging and she felt that her opinion of the offender was not respected by the parole officer, no matter how much she had previously attempted to talk about the progress the offender was making. Because Jennifer felt that the parole officer was unappreciative of the information and because she did not feel that her opinion was respected by the parole officer, she would not report the offender to the parole officer to avoid these uncomfortable interactions:

I haven't reported that because I know he's made every effort to show me that he is trying so hard to be legitimate. And anything, anything he does wrong, he is so upset about. For him, I know that as soon as he thinks that someone thinks he's not following the rules, that's a risk factor for him because that decreases his self-worth. So that's a little thing and that is a direct imposition that parole wants him to do but I haven't told them that he's not doing that because I don't want him to get in trouble and I know his parole officer doesn't like him... whatever the fuck is going on but I know that he's [the parole officer] biased towards him [the offender], so I don't want him to get in trouble when he doesn't need to. If I were to email [his parole officer] and say he didn't do this, I know he'd get in shit and it's not necessary. That's maybe just specific to [that parole officer] cause I know how reactionary he can be. (Jennifer)

Finally, if staff felt the offender was being treated unfairly by the parole officer and if they observed a negative relationship between the offender and their parole officer, they would change the amount of reporting. If staff felt the relationship between offender and parole officer was negative and especially if the staff member designated the offender as ideal, they were less likely to report the offender. This was explained by Jennifer as follows:

I don't want [them] to get in trouble and I know [their] parole officer doesn't like [them] so I don't want them to get in trouble when they don't need to. I know how hard they worked, so I'll do my own little part there to try to reward their efforts. If anyone else was putting in that level of effort, they would be golden but they're not. (Jennifer)

In this particular case, Jennifer consistently observed conflict between the offender and their parole officer so to help the offender out Jennifer would not report minor violations as she felt they were "small things" and/or they could be explained if she ever did get caught for not reporting. The offender/parole officer relationship more often had an effect when the staff member had already deemed the offender as ideal; there was not much of an effect when the offender was non-ideal, as the staff member's never did anything extra for these offenders anyways.

5.4.3. Frequency of CBRF Staff Reporting to the Ideal Versus Non-Ideal Parole Officer

Participants indicated they were more likely to increase the frequency of their reporting when they considered the supervising parole officer to be ideal. As described above, ideal parole officers made staff want to give them information as they felt the dialogue between them was more open; whereas with non-ideal parole officers, staff felt they were just annoying the parole officer every time they would send information about an offender. Staff felt they could report anything and everything to ideal parole officers because the parole officer would appear more appreciative, no matter if the information was deemed necessary or not. In the case of a non-ideal client and an ideal parole officer, staff were more likely to feel validated in their relationship with the parole officer; thus, they were more likely to report information to the parole officer and increase the amount of information they were giving to the parole officer. This was summed up perfectly by Amanda and Elizabeth:

I feel like I report more to the parole officers that give me feedback or respond to my emails. Or I give a write up, what we're [staff and offender] working on. I'll write large, long emails about client progress and then sometimes I won't get an email back, which then makes me feel like maybe they just don't care or maybe it's pointless and a waste of my time. And then there's parole officers who are constantly reinforcing staff and appreciating them for what they're doing, they just welcome the communication. (Amanda)

I think I probably had an easier time emailing the women [parole officers] just because from my assumption, they have a gentler approach; whereas, there is the one parole officer that seems to be a little harsher with his rulings and dealings with people... [the offender] paints him in such a bad light and that he's such an asshole but everyone else, they're fantastic and super sweet. I think that I am definitely more wary of that for sure, so I'm more formal. It's more business. With [the women parole officers], you might mention more of like the emotional side or little comments that were made but with others, it's just 'this happened' so you have no affiliation with it. (Elizabeth)

This was important as communication is obviously a big factor in how staff and the parole officers make decisions. When staff felt more comfortable communicating with the parole officer, they were more often to seek out the parole officer's opinions and ask questions about certain clients. This was especially helpful when staff felt they could not get a particular read on a non-ideal client, so they would almost "over-report" observations, conversations, or situations they had with the non-ideal client as the parole officer made them feel more like an equal by asking for their constant input about clients.

Chapter 6

Discussion

Similar to their corrections counterparts (e.g., correctional officers, parole officers, and parole board members), Community Based Residential Facility (CBRF) staff in the current study exercised considerable discretion when making decisions about when and what to report to an offender's supervising parole officer, most often when those decisions surrounded house rules and things they felt they could control (e.g., curfew checks and spot checks). Participants provided various examples of how they exercise their discretion in their day-to-day roles, including changing the style of reporting from mainly factual to emotional depending on whether they considered an offender ideal or non-ideal. An additional example of this discretion is allowing ideal offenders to miss a telephone call check-in when they are at work and not reporting this to their supervising parole officer.

Much of this decision-making seemed to be dependent on whether the staff considered an offender "ideal" or "non-ideal" (i.e., whether the participant found the offender easy to work with or not). Ideal offenders were described as those who were

polite, respectful, honest, and compliant, and who had a positive attitude towards staff, other offenders, and their correctional plan. Ideal offenders set realistic goals and worked hard to meet those goals but were also willing to ask for the CBRF staff members help when they needed it. Ideal offenders were those who were happy to be released and recognized the wrong they have done through their crimes. Non-ideal offenders were those who were not motivated and unappreciative of the staff members help. They were also considered manipulative and dishonest, and they had a negative attitude about their correctional plan and their release. Non-ideal offenders were also those who had health challenges, those with a low IQ, those with a history of going Unlawfully at Large, and sex offenders.

The CBRF participants' comments suggest that the more a staff member liked the client, or the more the client fit into the staff member's designation of an ideal offender, the less likely the staff member was to report minor violations, such as missing a daily check-in or being late for a curfew check. This finding suggests that CBRF staff may play a significant role in how successful an offender is deemed to be while on their conditional release, as they have failed to report breaches to the supervising parole officer. Without these disclosures, the supervising parole officer may not have an accurate depiction of how compliant an offender is being on their release and how well they are following the conditions imposed upon them.

Another key finding is that the more a staff member liked a client, the more likely they were to include an emotional reflection in their reports about an offender's breach to the parole officer. The CBRF staff members were more likely to explain what they believe was the cause of their client's behaviour, which has the potential to sway a parole officer's decision-making to be more lenient with the offender, as the staff member hoped providing more emotional background to their report would provide more context as to why the offender acted in the way they did.

If a client is considered non-ideal, the staff members indicated they were more likely to report every detail of the offender's behaviour, regardless of whether they felt it was important and whether it involved a minor or major violation. They justified this form of reporting by stating that the non-ideal offenders were manipulative or dishonest, and that since they had not established a great rapport with them, they were unable to grasp

what was actually worthy of reporting or not. Reports for non-ideal clients were also strictly clinical and fact-based and did not include an emotional piece as in the report written for clients who were considered to be ideal. What this means is that reports for non-ideal clients were less likely to include explanations for the client's behaviour as staff were not as invested in influencing the parole officer's decisions; however, for the ideal client, staff were more likely to try and influence the parole officer's decision by including an explanation for the client's behaviour as they did not want to see the ideal client be breached.

Community parole officers make very important decisions in assessing an offender's risk and to facilitate their rehabilitation. When addressing risk, parole officers need to consider all relevant pieces of information. A large amount of the information that parole officers rely on comes from staff at halfway houses. If halfway house staff are withholding information on offenders from parole officers, this could heighten an offender's risk and jeopardize community safety. Offenders who are manipulative and "playing" staff may be considered to be an ideal client, resulting in troublesome information not being reported to their supervising parole officer which, in turn, may lead to more negative behaviour. This may result in an offender not complying with their correctional plan and getting away with potentially serious violations and/or criminal activity. This can also have a negative effect on offenders who are being over-reported on. While it may seem that overreporting an offender may be a good thing, this can ultimately raise their risk level as well. Overreporting an offender may lead them to become non-compliant due to the fact that offenders may see this as unfair treatment and a focus on their deficits. An offender's motivation to do well deteriorates when they feel there is a rigid application of rules and they are being treated unfairly. Overreporting may thus be taken as staff being too intrusive, resulting in further noncompliance (Ugwudike, 2012).

The findings suggest that offenders who are seen as non-ideal may not be given a fair chance to be compliant, as halfway house staff admit they tend to interact less with offenders they do not like and are often more likely to be flexible in the application of rules for offenders they do like. While ideal offenders are those who are described as more compliant, non-ideal clients may not be given a fair chance to do well as the staff member has already deemed that they do not want to build a working relationship with

them, especially since staff admitted the designation of ideal or non-ideal was determined quite early on in the offender's entry to the halfway house. If the non-ideal clients feel they are being monitored unfairly and staff admit to over-reporting offenders they do not like, these behaviours may trigger the offender to be non-compliant based solely on the fact they feel disrespected and that staff are domineering or intrusive, as "the perception or belief that one has received unfair treatment may undermine the perceived legitimacy of authority and discourage compliance" (Ugwudike, 2012, p. 338).

On the contrast, a CBRF staff member's use of discretion in reporting the emotional aspect of an ideal offender's behaviour and their more positive interactions with ideal offenders may lead to a more successful release for the ideal offender. Positive relationships between offenders and those who supervise them have been identified as critical in ensuring an offender remains motivated and committed to following their correctional plan (McCulloch, 2012). As described in the current study, if CBRF staff are more willing to interact with ideal offenders, more willing to assist them in setting up resources or supports in the community, and more willing to "go to bat" for them to their supervising parole officer, this could result in the offender being more motivated to follow their correctional plan and an overall more successful release.

Weinrath (2016) found that when correctional officers first begin their employment, there seems to be a consensus that inmates are dangerous and manipulative, resulting in new recruits being guarded around offenders. Eventually after some time, officers are able to develop a rapport with inmates, characterized by dynamic interactions between staff and offenders that have been found to be beneficial for correctional officers and ensuring safety or compliance on the unit (Weinrath, 2016). This finding is relevant to the current study where halfway house employees admitted that during the first weeks of an offender's reintegration, they were more observant around the offender and spent more time with the offender due to there being less rapport established and staff viewing the offender as more vulnerable; however, shortly after this period and once the staff member developed an understanding of who the offender was, they would then determine whether the offender was ideal or non-ideal. The participants explained how their interactions with offenders they characterized as ideal were more beneficial for their job as they were able to have better communication with the offender and more detailed conversations. The staff felt this allowed them to have a better understanding of the

offender's behaviour and thus what was "worthy" of reporting to the offender's supervising parole officer. With the non-ideal offenders and those they were not having much communication with, the staff members felt they had to report everything about the offender as they were unable to get a grasp of what was normal behaviour for the offender or not.

Similar to the findings of Bell and Trevethan (2004), the present study found that the staff at CBRFs tended to exhibit a more humanistic approach (i.e. they tended to believe their role was more related to supporting the offender in their reintegration, rather than focusing solely on supervision) in their interactions with offenders in the halfway house facility. However, the degree to which this approach was evident appeared to depend on whether they characterized the offender was categorized as either an ideal or non-ideal client. The extent to which a staff member "liked" a client had a significant impact on interactions with the client and the degree to which they were monitored. While all of the staff who were interviewed for the present study noted that their job required them to provide support to all of the offenders housed in the CBRF, and that support was the primary responsibility, their comments suggest that they were more likely to expend extra effort to assist those offenders who they categorized as ideal. This support was often due to staff viewing these offenders as being easier to work with. This extra support may help explain why these offenders are seen as making more progress in their correctional plan due to the fact that studies have shown positive outcomes are attributed to the feeling of warmth, empathy, respect, and dignity, and offender change is more likely when rapport is built between offender and staff (Kemshall, 2012; Taxman & Sachwald, 2012).

Pro-social supervisory techniques and the quality of the offender-worker relationship can support an offender living and sustaining a "good life" when there is less focus on their deficits and more focus on the personal, interpersonal, and social contexts of an offender's case (Kemshall, 2012). Offenders have reported that staff taking a humanistic approach is more beneficial for offenders and will increase their desire to be compliant (Kemshall, 2012); this may suggest that staff in the current study could be affecting an offender's desire to be compliant based on whether they applied a humanistic approach to certain offenders or not. Staff in the current study admitted to offering more assistance to ideal offenders compared to non-ideal offenders, so they

could be affecting the offender's desire to be compliant based on their perceptions and differentiated treatment towards certain offenders.

There are specific characteristics that have been found to contribute to correctional officers developing a more pro-rehabilitation outlook, which may relate to why participants in the current study adopted a more humanistic approach. In their study, Beijersbergen and colleagues (2013) found that in units with a higher officer to inmate ratio, offenders feel officers treat them with more respect, are more fair and humane, and they have a more positive relationship with staff. Staff who work on smaller units feel safer in their work environment, resulting in higher officer confidence and using their "authority" in a more professional and appropriate manner (Liebling, 2011). It should be noted that some of the staff members who worked at the smaller halfway houses felt they were better able to gather information and develop rapport with the offenders because there are fewer offenders to monitor. The smaller houses also allowed staff to spend more time with the offender and see them in their "home" space. In comparison, the larger halfway house was built so that offenders had to come down from their living space and into a staff office to do daily check-ins, which minimizes the amount the staff members interact with offenders and thus minimizes the amount of supervision they are completing, as well as the amount of rapport they are able to build with offenders.

Some participants in this study noted feeling uncomfortable reporting an offender's breach, as they did not want to ruin the relationship they had developed with the offender. Some participants further noted that they felt other staff would not report certain things as they felt the staff did not want the offender to retaliate if they found out who had reported the breach. Given that all of the participants were female workers, previous literature may help explain these concerns for individuals in the current study. For example, previous literature has noted that female correctional officers can provide a positive change in the unit (Beijersbergen, Dirkzwager, Molleman et al., 2015), Crewe (2011) discovered some concerns regarding female officer and male inmate relationships; specifically, volatile reactions that would occur when inmates perceived a "shift" of female officers from pseudo-intimacy to enforcing authority. Inmates perceived that if an officer was being nice, they should be "on your side", so when negative remarks were written it resulted in resentment and confusion over officer-inmate engagement. While relationships with male officers were not viewed as so emotionally

turbulent, similar reactions still occurred (Crewe, 2011). Given this pseudo-intimate dynamic between officers and inmates, it places officers in a hard spot as they are expected to maintain appropriate, positive relationships with inmates to promote compliance, but they are also expected to meet custodial duties and utilize their authority when needed (Crewe, 2011).

Offence characteristics have been found to play a role in how often, and to whom, parole officers impose technical violations of an offender's conditional release (Steen, Opsal, Lovegrove, & McKinzey, 2013) and the current study suggests that offence characteristics play a role in how CBRF staff interact with, monitor, and report offenders. Steen and colleagues (2013) found that sex offenders and offenders with significant mental health needs are more likely to receive technical violations than their counterparts. Sex offenders are deemed to be less stable while in the community compared to when they are in the institution, so officers have been found to supervise them more closely due to the officers concern that the offender will commit a new offence (Steen et al., 2013). This finding is supported in the current study, as CBRF staff reported enhanced supervision of sex offenders, as they found sex offences to be "worse" than non-sex offences and were more concerned for reoffence.

Participants in the current study also identified offenders with mental health issues as being more unpredictable and thus harder to monitor. They identified that these individuals were often vague in their disclosures to staff members or more resistant to the assistance provided by the staff member, making them harder to supervise. Participants in the current study also felt that they were not fully equipped to meet the needs of these offenders nor were they able to provide them with the amount of support they felt the offender deserved. This is similar to previous literature, as offenders with significant mental health needs are believed to have a more difficult time adhering to conditions and officers cannot be relied upon solely to provide the significant amount of support that these offenders need; therefore, these offenders are more likely to receive violations compared to offenders without significant mental health concerns (Steen et al., 2013).

Many of the participants in the current study deemed sex offenders and offenders with mental health issues to be non-ideal clients, as they were considered less stable

and harder to monitor. The staff admitted to monitoring these offenders more often, as they felt they needed to have tabs on them at all times in case something needed to be reported to the offender's supervising parole officer. Though respondents admitted sex offenders were often more compliant and respectful when interacting with staff, they were deemed as non-ideal and staff felt they were reporting sex offenders more often for miniscule things. Sex offenders are 20 times as likely to have a technical violation complaint (Steen et al., 2013) and the current study found that CBRF staff were more likely to report sex offenders to their parole officer based on the fact that they are non-ideal and are deemed as requiring more monitoring. This finding suggests that a sex offender may have less of a chance on conditional release due to their activities being more closely monitored and over-reported by staff to the supervising parole officer due to their non-ideal label rather than as a result of their actual behaviour.

Whether the CBRF staff considered an offender compliant or not also played a role in whether they labelled the offender as ideal or non-ideal, which, as noted, the labels ideal and non-ideal played a role in how often participants in the current study reported the offender to their parole officer. This finding is similar to previous literature as Steen and colleagues (2013) found that offenders who regularly miss scheduled appointments or urinalysis tests were more likely to receive technical violations and formal complaints, as it is seen as the offender not putting in a considerable amount of effort while on parole. From the officer's perspective, this behaviour suggests that the offender is not willing to complete their sentence with compliance, leading the officer to question whether the offender would remain crime free in the future; thus, increasing the offender's risk to public safety (Steen et al., 2013). Officers make most of their decisions based on an offender's risk to public safety, so if an officer feels that an offender is a risk to the public or if they believe the offender will not succeed while on parole, they will be more likely to issue a violation against an offender (Steen et al., 2013). This is relevant to the current study, as staff would not supervise those offenders who were considered more likely to be doing well or more likely to be successful on conditional release as they did not believe these offenders were doing anything that would likely require reporting to the parole officer.

Similar to the current study, offenders who are perceived to be following their correctional plan and putting in an effort to build rapport with staff were seen as ideal

and had less monitoring and less reported about them. In some cases, even if the offender was breaching a direction from their parole officer (e.g. not completing a phone call from their work place for check-in time) but the staff member thought the offender was doing well and meeting the objectives of their correctional plan, the staff member would not report the offender as they felt the offender was trying and the negative report to the parole officer would cause the offender to give up and regress. That said, the staff indicated that major breaches or incidents were always reported, no matter the relationship; however, this may be because the staff members were more concerned that they would be reprimanded themselves, rather than actually caring about what happened to the offender.

When corrections personnel are making decisions, a high amount of weight is placed on how the offender presents; factors such as the offender's attitude, personality, and behaviour are large contributors to how officers make decisions. Previous literature (Steen et al., 2013; Samra-Grewal et al., 2000) has shown the effect of the subjective nature of how officers make decisions based on these notions; however, these studies are limited. These studies (Steen et al., 2013; Samra-Grewal et al., 2000) show that whether an offender and an officer get along may play a role in how often an offender will receive a technical violation or complaint, which as a result affects the likelihood of the offender being successful on their release. The current study has similar findings, as how an offender presents plays a large role in whether the CBRF staff label an offender as ideal or non-ideal, and thus whether the staff member will report an offender to their parole officer. While CBRF staff are not the final decision-maker for an offender's case, their interactions with offenders and subsequent reports play a huge role in an offender's conditional release status and whether they are successful on their release.

Finally, similar to previous findings by Maier (2020b), participants in the current study described some issues with the lack of power or amount of say they had regarding an offender's case. Considering halfway house staff felt they interacted with offenders more and had a better understanding of their behaviour, they were frustrated with certain parole officers who did not appear to appreciate their feedback about a client. This finding seems to be consistent with Maier's (2020b) study, as participants found that while some parole officers took the time to know the offenders on their caseload, others were more concerned about rule compliance and were "detached" from the offender's

lives. The current study found similar descriptions by interviewees and expanded on this, noting that staff would change how and when they would report information to these parole officers, especially when they perceived the offender to be an ideal client.

A breakdown in the relationship between halfway house staff and parole officers is of concern given the primary role halfway house staff play in providing parole officers with information regarding offenders. If this communication is being affected because staff feel the parole officer is not appreciative of the information or the parole officer is not responsive to the input provided to them, their relationship may affect the amount and type of information that is shared with the supervising parole officer. In such cases, parole officers are not receiving potentially critical items of information. While staff may think they are holding back information that is not important or seems trivial, in the broader context, this information could be very important in supervising and managing the offender's risk in the community. Although halfway house staff have information about the residents, including their index offence, criminal history, and correctional plan, unlike parole officers they do not have access to the offender's file and the details of their case. Often staff do not have access to the hard copy Case Management files, which can include important information not available in the electronic database (Offender Management System [OMS]). Again, if there is a breakdown in information passing between halfway house staff and parole officers, the staff member may be missing out on important key information that they should be looking for in their observations of offenders that could be raising that offender's risk level. This lack of information could result in an offender being viewed as successful when they are really pushing boundaries and breaching conditions. As a result, public safety may be at risk, as once offenders start to push boundaries and breach the conditions of their release, they may start to fall back into their crime cycle and reoffend.

Chapter 7

Conclusion

Despite the critical role that Community Based Residential Facilities (CBRFs), a.k.a. halfway houses, play in the adult corrections system, they are highly under-researched. The role of CBRF staff and their discretion in decision-making when it

comes to an offender's conditional release is also very under-researched despite the large role CBRF staff play in monitoring offenders on conditional release. Staff at CBRFs play a huge role in the reintegration of offenders, providing support and supervision of offenders while they are on conditional release. They are constantly interacting with the offenders, often more than the supervising parole officer; thus, they play a huge part in monitoring, supervising, and supporting offenders on their reintegration back into society. Staff see the offenders five plus days a week and are consistently checking in with the offender throughout the day. CBRF staff should be considered a huge component of the offender's case management team (CMT), as they can offer very valuable insight into how the offender is doing in the community and any future resources they may acquire once they are no longer under sentence. The current study was designed to explore the discretionary decision-making of staff in federal halfway houses and the impact of this decision-making on offender residents. The study explored staff perceptions of the relationship between CBRF staff and offenders by interviewing 10 CBRF staff with various years of experience working in halfway houses operated by a non-government organization located in an urban city in British Columbia.

A number of themes emerged in the current study. For the roles and responsibilities of CBRF staff, themes emerged that outlined the role that CBRF staff play in supporting and monitoring offenders in the community and how the size of the halfway house plays a role in interactions between the staff and offender. Staff perceptions of offenders, specifically what made an offender easier to work with – ideal – or harder to work with – non-ideal – was also identified as a theme. Themes based off these dynamics between staff and offenders, specifically communication with the ideal versus non-ideal offender, staff resources with the ideal versus non-ideal offender, the ideal offender and complacency, staff monitoring of the ideal versus non-ideal offender, frequency of reporting of the ideal versus non-ideal offender, and reporting practices of the ideal versus non-ideal offender were also identified. Finally, themes revolving around the staff member's relationship with the supervising parole officer and the staff member's perception of the relationship between the offender and their parole officer were identified.

The current study suggests that the perceptions halfway house staff have of offenders – more specifically, their designation of offenders as ideal or non-ideal – may

play a significant role in the staff's supervision, exercise of discretion, and their reporting behaviour to parole officers. The interview data suggest that the relationships between the staff members and the offenders, staff members and the parole officers, and offenders and the parole officers played a role in the quantity and the quality of the reporting by staff members. This entire dynamic may have a significant impact on the reentry of an offender into the community.

The findings of the current study are also important as they highlight how the perceptions that halfway house staff members have of an offender can affect the offender's progress on conditional release and, potentially, their success or failure on reentry into the community. While an offender who is in the community is no longer in a correctional institution, they are still being supervised by federal corrections, they are still serving their sentence, and they are still in a sense "incarcerated". Halfway houses still provide the offenders with rules, directions, and structure, more than if the offender was just living in the community and supervised solely by a parole officer. Halfway houses are similar to an institutional setting, as offenders are constantly under the supervision of CBRF staff; however, the discretionary decisions of halfway house staff, who may not have as much training as correctional officers and have less policy to follow, can have a greater impact on offenders.

Parole officers are reliant on a number of different agents in order to ensure that the discretionary decisions they are making are based off the most relevant, up-to-date, and accurate information. Parole officers rely heavily on halfway house staff to provide clear and descriptive observations of offenders when they are in the community. They rely on staff to be honest about what an offender is doing and how they are behaving when they are unable to visualize these interactions themselves. If halfway house staff are not providing full disclosure in their reports to supervising parole officers this can lead to detrimental effects on an offender, such as a loss of freedom if they are returned to the institution, as well as risk to the public via an offender reoffending. Risk assessment is a very discretionary decision that parole officers have to make, but it is a challenging part of their job that relies to a great extent on outside sources to ensure they are making well-informed decisions. While parole officers do have the benefit of actuarial assessment tools, a large part of their job is making assessments based off their perceptions of the offender's behaviour, attitude, motivation, and accountability. As

parole officers do not have contact with offenders at all times of the day, halfway house staff play a large role in assisting parole officers to monitor and supervise offenders in the community. Halfway house staff do not have the authority to suspend an offender or to make any formal decisions; however, the information they provide to parole officers can still be considered essential for parole officers to use when they make their own decisions. Decisions that must be based off accurate, relevant, and objective information. Effective practice in community corrections is based on consistency, continuity, consolidation, and commitment. All four of these factors ensure the reduction in recidivism by ensuring the offender receives supervision that is focused on their needs, motivating, utilizing their strengths, and providing a holistic environment to reduce an offender's risk and ultimately protecting public safety (Turner, 2012).

7.1. Policy Implications

The current study suggests that relationships halfway house staff have with offenders and with parole officers can have a significant impact on the information provided to supervising parole officers which may impact the client's conditional release. CBRF staff also play a large role in supporting offenders in the community by giving them a positive community support or by identifying community resources for the offender's needs, such as medical needs, mental health needs, or identification. The current study suggests there is a level of complacency due to staff working mostly with ideal offenders that plays a role in how staff interact with offenders and why this complacency may result in them not noticing breaches or potential breaches. The current study further suggests that employees at the halfway house may not be aware of their complacency or the bias they use within their reporting until confronted with it. Though many were quick to point out the faults of their coworkers and were honest that they will change their reporting style depending on whether they found a client ideal or non-ideal, many did not seem to recognize how these relationships with the offenders were affecting their own decision-making. Regular training or information sessions provided by the organization and focused on decision-making, dynamic risk factors of offenders, and bias in relationships may be able to combat the complacency and bias that takes place in the workplace, as well as bring awareness to staff that complacency does take place. It seems important that to help prevent any further issues surrounding complacency, bias, and the use of biased discretion, some sort of heightened

awareness and attention towards these issues may be important. Training, as noted above, is a first step in providing an awareness; however, workshops, more open conversations between coworkers and/or management, and more open communication between the halfway house and the parole office would also be helpful. It would also be important for staff members to be up to date on offender files so that they are reminded of the offender's risk factors to look out for and ensuring their designation of the offender as ideal or non-ideal does not cloud their judgement.

Additionally, the findings suggest that oversight of halfway house employees is needed. While the Correctional Service of Canada (CSC) has its own set of policies, code of conduct, and directives, it does not appear that halfway houses have anything formal that halfway house staff are required to follow to ensure they are "following the rules" or maintaining appropriate boundaries with residents. It further does not appear that there is a formal process for offenders to follow in order to submit a complaint or grievance against a decision of halfway house staff, which calls into question how well these staff members' actions are being monitored: actions that directly affect the freedoms and human rights of federally sentenced persons. As such, an external body, similar to the correctional investigator that governs CSC, would be beneficial to oversee the decisions being made in the CBRF. This external body could provide a non-biased approach to ensure that discretion is being used appropriately in the CBRF.

Along with an external body, it may also be beneficial for the organization to employ "senior staff" or to have supervisors/managers present at the halfway house during the employees' shifts. This may provide for some oversight to ensure that all employees are completing the duties of their job in a fair and non-biased manner, as they are being monitored by the supervisor on site. It further adds an extra set of eyes to ensure employees are not becoming complacent in their jobs and missing potentially critical incidents or information.

Further, it is important for the non-profit organization to develop their own code of conduct and directives that outline appropriate employee conduct. If the halfway house is to implement its own policy, similar to CSC's Commissioner's Directives, this may further point out areas where training is lacking for the employees to ensure they are not labeling offenders as ideal or non-ideal, leading to unfair judgement of an offender's

case by the parole officer. An internal body, along with the external body, would provide a more formal mandate for CBRF employees to follow to ensure they are using their discretion in an inappropriate manner.

7.2. Limitations

This study makes a valuable contribution to the existing literature examining halfway houses and discretionary decision-making in corrections. However, the study has several limitations. The sample size is small and the participants worked for one non-for-profit agency operating all of the halfway houses in one Canadian city, which limits the generalizability of the findings. However, the study offers in-depth descriptions of the staff members' perceptions of offenders, specifically what makes an offender "ideal" or "non-ideal", as well as in-depth descriptions of how these perceptions can alter the staff member's discretion when making decisions about an offender. The study thus contributes to the limited body of research examining the role of CBRFs and the decision-making and discretion exercised by staff working within these facilities. The study is a great starting point in offering some insight into how CBRF staff perceptions and discretion may affect offenders on conditional release, and how the nature of the dynamics between halfway house staff and the offender or halfway house staff and the supervising parole officer affects how halfway house staff ultimately do their job.

A further limitation is that the sample was all women. While the organization in question mainly employed women, including male staff members may offer a different perspective on working at the halfway house and how male staff members develop rapport with offenders. It is possible that women and men non-participants may have different experiences working with clients than the women who agreed to participate.

Another limitation is that the study was centered on interviews with halfway house staff. These staff related their responsibilities and experiences, how they categorized offenders, and how these labels affected the decisions they make about them, as well as how staff used their discretion when trying to decide whether they should report an offender or not. Additionally, the staff members in the study also related their perceptions of parole officers and how this changed how they used their discretion when deciding what to report about offenders, as well as how their perceptions of the

offender's relationship with their supervising parole officer affected their decision-making. No independent observations were made of staff-offender interactions in the facility, precluding verification of the materials gathered in the interviews. Similarly, no offenders or parole officers were interviewed which would have provided information on their lived experiences and their perspectives of the relationships with halfway house staff and how these may impact the exercise of discretion and the challenges faced by offenders on conditional release.

7.3. Future research directions

Future research focused on the relationship between Community Based Residential Facility (CBRF) staff and offenders would be beneficial generally, as the staff-client dynamic has rarely been studied, if even at all. This research could be completed from the perspective of staff and offenders, and would be beneficial if pursued using qualitative, quantitative, or mixed methods. Research focused on the offender's perspective would allow for the offender's lived experience and could potentially affirm the experiences of halfway house staff and whether offenders sense potential bias. The offenders' perceptions of how they were treated may also be able to offer insight into how these relationships led to an offender's willingness to comply with the conditions of their release and how the relationship between CBRF staff and the offender, from the offender's perspective, played a role in their success on conditional release.

Future researched focused on the discretionary decisions of CBRF staff would also be beneficial. As noted previously, while CBRF staff do not make any formal decisions that may suspend or revoke an offender's release, they are heavily relied on to provide accurate and honest information to parole officers who do make these formal decisions. Again, this research could be completed from the perspective of staff or offenders (i.e. how offenders view how CBRF staff use their discretion), and would be beneficial if pursued using qualitative, quantitative, or mixed methods.

Another area for future study would be to observe the interactions between halfway house staff, the offenders, and parole officers. These observations would provide a more in-depth examination of how the dynamics of these relationships affect

the decision-making of halfway house staff and parole officers. Interviewing parole officers would be beneficial to examine how they use information from halfway house staff, as well as how they perceive the dynamics between parole officers and halfway house staff. Further, analysis of case files and looking at the success rate of those on conditional release depending on the length of their time at a CBRF would be interesting to see the effect that CBRFs and CBRF staff have on an offender's release.

Future research that expands the sample size and uses multiple locations may also determine how the housing model may change staff members' interactions with offenders and thus how much they may be reporting. Participants in this study noted that staff who worked in the smaller houses versus those who worked in the larger houses were able to create better working relationships with the offenders and develop a better rapport with them. Staff in the smaller houses were able to witness more of the offenders behaviours and felt they were better able to gauge the offender's mood for the day because they were more directly involved in the offender's living space. Halfway house size is an interesting area to look at to see how much staff may be missing depending on how many offenders they have to supervise; as well, to examine if a certain size of facility allows for better rapport and support.

Additionally, women correctional officers are perceived as holding a more rehabilitative approach when dealing with inmates by displaying more empathy and creating a more humane and supportive prison environment (Beijersbergen, Dirkzwager, Molleman et al., 2015). All of the participants for the current study were women and the organization mostly employed women workers, which is consistent with Bell and Trevethan's (2004) dated study. As such, a comparison between women and men staff approach cannot be drawn as the current study did not have any men participants. Future research should thus examine whether women CBRF staff – similar to female correctional officers (Beigersbergen et al., 2015) – hold a more rehabilitative outlook when working with offenders. Future research should also examine the relationships between women CBRF staff and women and men supervising parole officers, as some of the staff interviewed in this study mentioned they felt more comfortable reporting an offender's progress, or lack thereof, as well as their own opinion of the offender, to the women parole officers who they perceived as more approachable and accepting of the information.

Federal halfway houses, or CBRFs, are an integral part of corrections and the criminal justice system. With nearly 40% of the offender population in Canada under community supervision (Public Works and Government Services Canada, 2018) and nearly one-third of the community offender population requiring residency in a CBRF (Zinger, 2019), halfway house staff play an important role in monitoring and aiding the reintegration process of offenders to the community.

The use of halfway houses and the dynamics and challenges that characterize CBRF decision-making are fairly under-researched, especially in Canada. The findings from this study suggest that the dynamics or relationships between CBRF staff and offenders can tell a lot about an offender's chances of success while on parole; specifically, whether they are being reported for breaching the conditions of their release or not and how this affects their conditional release. Additionally, the findings suggest the relationship between CBRF staff and parole officers plays a role in how successful an offender may be on conditional release. Further information on these dynamics may provide insight into how better to rehabilitate and reintegrate offenders into society to become pro-social individuals and promote public safety.

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Appendix A.

Analyzing the Relationship: Study Details

Title: Assessing the Relationship Between Halfway House Staff and Residents

Principal Investigator: Kadance Backman (250-320-9211); kbackman@sfu.ca

Supervisor: Dr. Curt Griffiths (778-782-8418); griffith@sfu.ca

Department: SFU School of Criminology

Topic: What is the dynamic that exists between the staff in halfway house for federal offenders on parole and how does this dynamic affect decisions to breach offenders for violations of their conditions of parole?

Aim/Purpose: The objective of this study is to examine the role that halfway house staff play in the re-entry of offenders who are on federal parole. More specifically, the study will attempt to identify the dynamics between the staff and parolees that may result in the residents being violated for conditions of their parole. This will include examining whether staff “play favourites” in deciding whether to notify the offenders’ parole supervisor of violations of parole conditions. Although previous studies have examined the decision-making of parole officers in determining whether to suspend an offender for violating the conditions of parole, little attention has been given to the role of halfway house staff in this regard. This study is designed to fill this gap in the published literature.

Procedures:

The study is a qualitative research study and will involve conducting interviews with adult employees working in halfway houses who are responsible for providing in-reach services to residents who are on parole from federal correctional institutions.

Participants will be asked to partake in one interview, which is expected to last from 60-90 minutes, but with the participants having to read the consent form they may be involved for a total of 2 hours. Interviews will be recorded using an audio device and then stored in a VeraCrypt container on the principal investigator’s computer. The research may involve a small proportion of Aboriginal individuals but it is not intended to single out any Aboriginal-specific data or characteristics of Aboriginal peoples; therefore, it is not expected that culturally appropriate assistance is needed.

- **Feasibility:** I am a casual employee of a non-profit organization which runs a number of halfway houses, so gaining access to employees will not be difficult since many of them are my fellow staff members. I will reach out the employees to ask for their participation in the study and provide them with a copy of the information sheet in which to base their decision.
 - o **Inclusion:** All employees will be recruited or asked to take part in the study. This will allow for a diverse group of people with different backgrounds. Some of the participants work strictly in female halfway houses, some work in strictly male halfway houses, etc. so by including all of the employees, this will allow for different perspectives from different groups. This will hopefully allow for a wide range of responses. I believe there is a total of 21 employees (this includes full-time, part-time, and

- casual workers) so hopefully this will be the total amount of participants but there is the potential that some may not consent to participate.
 - **Exclusion:** N/A since all employees of the organization will be asked to participate.
- **Conflicts of Interest:** Since I am still a casual employee of this organization, there is the potential for conflict of interest because there is the chance for employees to disclose that they are going against the policy of the organization by not reporting a breach of condition of a specific client. Because of this, participants will be informed that information disclosed to me in the study will be kept confidential and the employer will not be informed of any policy misconduct in relation to how employees may/may not report clients based on what could be perceived as “favouritism”. The organization has asked for a copy of the study results, which I have agreed to give them. I plan to give the organization a copy of the written thesis document after it has been written and edited so that the information is anonymized and no details of the participants can be identified. This has already been disclosed to employees and I have included it in my consent form where it does state that the thesis is a public document and also has the chance to be published in public journals/articles.
- **Consent:** Consent will be obtained verbally. Participants will be informed they will be able to withdraw from the study, if they so wish. Considering there is some harm to participants with regard to them (potentially) disclosing going against policy in the workplace, verbal consent is appropriate as it does not create a paper trail that may lead to disclosing their information. The only written portion of the study will be notes I take during the interview, so I can link my notes to the audio recording (times and pieces of information at those times). These notes will only include time stamps of information I find significant to make note of when I eventually transcribe the audio recording.
- **Confidentiality:** Confidentiality will be kept by being sure none of the participants names are included anywhere in the study (e.g. no written consent form) and names will not be included in the paper submitted (pseudonym will be used if necessary). Since I have worked with the participants, I will also be able to “alter” their responses so that any identifying characteristics that may come up in the way they speak (such as expressions or words) can be changed to not give away their identity. Participants will be informed that all measures will be taken to protect their identity. All information obtained for the purpose of this study will be stored in a VeraCrypt container to protect data. Similarly, the identity of the halfway houses and their location will remain anonymous. The locale of the study will only be identified as “halfway houses in Canada.” Information obtained will be anonymized so that no identifiers can ever be linked back to the participants. Interview transcriptions will be labelled in the sequence in which they are obtained and then the participants will only be linked to that sequence number.
 - **Audio Recording:** Only the researchers of the study will have access to the audio recording. I will use it to transcribe the recording and then it will be deleted once transcription is complete. At the time of transcription, the audio and any electronic files will be stored in a VeraCrypt encrypted container on my (the principal investigator) laptop. I will only keep the data for two years.
- **Secondary Use of Data:** The study will use secondary data obtained from a graduate course taken by the researcher in Spring 2018. The professor of the course was the gatekeeper for the REB and he approved the study to be conducted. Two interviews were done with participants from the same

organization in which I am using for the current study. Data – specifically the audio recordings and the transcription of the audio recording - was kept and stored in a VeraCrypt encrypted container. The secondary data will be stored in the same manner as the new data that will be obtained; thus, it will be stored and kept in a VeraCrypt encrypted container. The secondary data is already anonymized and it will be destroyed in the same time period as the new data obtained; it will be destroyed after two years.

Appendix B.

Informed Consent: Study Information Sheet

Assessing the Relationship Between Halfway House Staff and Residents

You are being invited to take part in a research project due to your employment at a community-based residential facility. As the researchers, we would like to learn more about your involvement with individuals who have been released on parole from federal institutions. Here is all you need to know about the research and the researchers, and if you have any further questions please feel free to ask:

WHO ARE WE:

Principal Investigator: Kadance Backman (250-320-9211); kbackman@sfu.ca

Supervisor: Dr. Curt Griffiths (778-782-8418); griffith@sfu.ca

Department: SFU School of Criminology

The research is being conducted for a graduate degree, specifically for a Master of Art's thesis. A thesis is a public document and the research may be published in academic journals or presented at conferences in the future.

WHAT IS THE PURPOSE OF THIS STUDY:

The purpose of the current study is to determine how halfway house employees may categorize, or label, their clients and what these categories may look like. The study aims to provide definitions for these categories/labels and the characteristics of clients that fall within each category. This study also seeks to determine how these categories may affect how employees report/do not report a breach of conditions (for the clients) to the supervising parole officer, and if certain characteristics in the clients may lead to less reporting by the halfway house employees.

It is expected that the interview conducted will take anywhere from 60-90 minutes.

Including you being briefed on the information about the study, as well as allowing us to answer any questions you may have, it may take 2 hours for your participation in the study. There will only be 1 interview conducted.

IS THE STUDY VOLUNTARY:

Your participation in this study is COMPLETELY voluntary and you can withdraw your participation at any point in the interview. You may also withdraw your data at any point until the research project is completed. There will never be any negative consequences to you if you choose to withdraw.

HOW WILL THE STUDY BE COMPLETED:

In this study, we will ask you questions regarding your involvement working with individuals who are on parole and living at a halfway house. We will ask you questions about your relationship with these individuals and how you may characterize them into "ideal" or "non-ideal" individuals. We want to know more about the individuals who are easier to work and those who are more difficult to work with, and how this affects how you do your job. All information gathered will be verbal, as we do not want any paper trail leading to your identification!

Some of the questions we ask may seem sensitive or personal. If you feel uncomfortable answering a question, you do not need to answer it if you do not want to. There will be an audio recording of your interview and physical notes taken, but these notes will only identify time stamps of information that the researchers find significant.

ARE THERE ANY RISKS:

Participants will be asked questions that may lead to the disclosure of information that may go against their employer's policy; i.e. the non-reporting to a supervising parole officer about a client's breach of conditions. Because of the potential risk to the employee in disclosing said information, the researcher will take all measures necessary to protect the confidentiality of the participants in the study. The identity of the employee will not be disclosed to the employer at any time, and any policy misconduct will not be reported by the researcher (who is also an employee) to the employer. My role as a researcher and my role as a community support worker at this organization are two separate entities and thus will not overlap. Please be aware that a copy of the study (a copy of the written thesis document once it has been anonymized and edited to not include any personal identity details) will be given to the organization, but your participation in the study as well as your name or any information to identify you will never be disclosed to the employer. Any policy misconduct that may be disclosed to the researcher will never be linked to you or your identity.

If you ever feel uncomfortable answering a question, please feel free to let us know that you do not feel comfortable answering the question. If you have any concerns throughout the interview or at any time, let us know!

WILL I BE IDENTIFIED:

You will never be identified directly and the researcher will take every step necessary to guarantee your confidentiality. The research project will use anonymized data, such that any identifiers of you will be removed from the transcription of the audio recording and there will be no names or identifying features used in the written transcription. There will be no codes that will link your responses to the questions back to you at any point and there will be no time where your identity will be disclosed to anybody.

Any audio recordings or electronic transcriptions will be kept in an encrypted container, so that only the research team is able to access the data. The encrypted container is an electronic container that is password protected – the only way for the data to be visible is for the researcher to enter the password to see the data! Once the electronic transcript is completed, the audio recording will be deleted and destroyed. Data for the study will only be kept until the research project is complete.

CAN I OPT OUT:

You may withdraw from this study at any point during the interview with no consequences. There is no need for you to give a reason, just inform the research team that you wish to withdraw. Your interview will then be complete and information gathered from the interview will be destroyed. The data will only be used for this specific research project and any information obtained during the research project will not be used in the future.

CONTACT FOR COMPLAINTS:

If you have any concerns about your rights as a research participant and/or your experiences while participating in this study, you may contact Dr. Jeffrey Toward, Director, Office of Research Ethics at jtoward@sfu.ca or 778-782-6593

Appendix C.

Interview Schedule

1. Describe your role/job
2. Describe what you think makes a resident/client “ideal” – what are the characteristics of these clients that make them ideal to you?
3. Describe what you think makes a resident/client “non-ideal” – what are the characteristics of these clients that make them non-ideal to you?
4. Describe the different risk levels of residents/clients
 - a. How are clients/residents managed or monitored differently (by you as the employee) based on these risk levels?
 - b. What do you think are different supervision styles that you use to monitor the different risk levels of clients?
 - c. Do you think that some clients/residents are given more chances or advantages than others? If so, how do you think this relates to their risk level?
 - d. How are staff resources divided differently between clients? Do you think this relates to their risk level or something different?
5. Which clients receive more focus or attention and what do you think are the characteristics of those clients that result in them receiving more attention?
 - a. Do you find there are certain clients you tend to monitor or question more, and what is it about them that makes you question/monitor them more?
 - b. Do you think there are certain clients that cause you to be more suspicious about what they are doing; if yes, what are the characteristics of those clients?
6. How do clients build trust/rapport with you?
 - a. What characteristics of these clients helps build that trust/rapport?
7. How are your daily interactions different with clients that fit into your “ideal” group and those who fit in your “non-ideal” group?
8. How do you think your differing interactions with the ideal/non-ideal groups play a role in noticing differences in appearance or behaviour of the client?
9. How are interactions with clients different based on when the client first arrives versus after a rapport is built with them?
 - a. Do you think there is a difference in how you monitor them?
10. What is the process of reporting a client once they have breached a condition or you think they have breached a condition?
 - a. When do you feel you know you need to report something?
 - b. What are the characteristics of the client that makes you think you have to report?
 - c. What about the client affects your decision to report them?
11. How often do situations go unreported that you think they should have been reported?
12. Has there ever been a situation where something seemed off about a client but you didn't report them? What were the characteristics of that client and which group (ideal or non-ideal) do they fit in for you?
13. How does your rapport with the client affect when or how much information you report?

- a. Do you think the amount of information you report, when you do report, has anything to do with the client fitting into the ideal or non-ideal category?
- 14. Do you think there are certain parole conditions that are often overlooked by staff?
- 15. Can you name a situation(s) where you were shocked to learn that a client breached (after the fact and you did not report it)?
 - a. What were the characteristics of that client that made the breach shocking?
 - b. What were the characteristics of your relationship with that client?
- 16. Have you ever reported a breach and then felt guilty?
 - a. What were the characteristics of that client, or that situation, that made you feel guilty?
 - b. What were the characteristics of your relationship with that client that made you feel guilty?