

Re/THINKING JUSTICE SERIES

#housingreport

FROM INCARCERATION TO ENCAMPMENT



***Why so many Ontario prisoners
end up homeless***

jhs

AUTHORS

Lead Authors: Safiyah Husein
Capryce Taylor

Key Contributors: Jacqueline Tasca
Meaghan Costa
Reza Ahmadi

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A NOTE ON LANGUAGE

Criminal Legal System: In this report we are using the term “criminal legal system” which describes the collective institutions of policing, courts, and corrections (e.g., prisons/jails, community supervision). While these systems are also commonly referred to as the criminal justice system, we want to acknowledge in our choice of language that for many people, in particular Black and Indigenous Peoples, this system has never been “just”.

Homelessness refers to the situation of an individual, family or community that does not have stable, safe, permanent, or appropriate housing, or the imminent means and ability to obtain it.¹ There has also been a shift in language towards the term **unhoused** which emphasizes the role systemic factors play. We use the terms interchangeably throughout this report.

SYSTEMIC ACKNOWLEDGMENT

When recognizing the systemic challenges within the Canadian criminal legal system, it is important to acknowledge the historical and present-day impacts of colonialism and systemic discrimination which includes but is not limited to the overrepresentation of Black and Indigenous Peoples throughout the criminal legal system.

Black and Indigenous populations face higher levels of policing, incarceration, and biased treatment. In terms of admissions to Ontario correctional services, Black People are overrepresented by more than 3 times that of the general population, and Indigenous People by more than 6 times.²

This overrepresentation exacerbates pre-existing structural barriers rooted in systemic racism and colonialism. The intersection of racial disparities and criminal system involvement creates distinct challenges for Black and Indigenous populations in many areas including access to housing. Compounding the stigma of a criminal record, Indigenous and Black populations face discrimination from landlords, limiting their housing options, increasing their risk of homelessness. Despite a growing understanding of how racial identity influences individuals with criminal records in Canada, discrimination persists at both individual and systemic levels.

It is our hope that this acknowledgement contextualizes the research found in our report and serves as a reminder of our shared responsibility to engage in open dialogue, challenge biases, and work collaboratively towards dismantling the systems of oppression that result in persisting inequities in our criminal legal system.

EXECUTIVE SUMMARY

Far too many Ontarians are cycling between incarceration and homelessness. This revolving door is costly for individuals and society, as it exacerbates the homelessness crisis, compromises public safety and places significant strain on resources.

In 2023-2024, there were 7,455 releases from provincial correctional facilities recorded as having no fixed address, i.e. lacking housing. With no dedicated housing in the province for people exiting provincial jails, these individuals are left to find spaces at shelters or live rough on the streets. Being released into homelessness results in poorer health and social outcomes and increased risk of reoffending.

The goal of this report is to outline the key challenges, and more importantly, some promising solutions that will interrupt the cycle of incarceration and homelessness. Based on consultations with experts, including housing providers, lawyers, people with lived experience and advocacy organizations, the following key issues and recommended actions are outlined. The proposed solutions will help stop the revolving door of jail and homelessness.

Key Issue #1: Nowhere to live after jail

Currently, there is no provincial system of housing for people exiting provincial correctional institutions. Individuals may be unhoused upon release if they lacked housing when they were admitted, lost their housing while in jail or cannot return to their former housing due to release conditions.

Solution: Post Custody Transitional Housing

- **Recommendation #1:** *The provincial government should create a system of transitional housing for people exiting provincial correctional institutions, similar to the model of community-based residential facilities (more commonly known as “halfway houses”) for the federal system.*

Based on the experiences and perspectives of key experts in Ontario, key features and considerations for transitional housing are detailed in the report.

Key Issue #2: Income assistance interruptions cause housing loss

For short stays in the hospital, individuals continue to receive their income assistance to avoid housing loss. When it comes to incarceration, income assistance is discontinued for any amount of jail time. Reinstatement post release is usually not immediate. This leaves individuals experiencing housing loss due to lack of income, for even short stays in custody.

Solution: Update income assistance rates and processes

- **Recommendation #2:** *Update the OW and ODSP policy directives so that incarcerated recipients receive benefits for up to three full calendar months. This would bring the policy in line with the directives for recipients that are hospitalized.*
- **Recommendation #3:** *Increase income assistance rates proportionally to reflect the cost of living based on different areas in the province.*

Key Issue #3: Housing access is restricted by record-related stigma

The stigma of a criminal record and the increasing use of criminal record checks in housing applications are preventing individuals from accessing the private rental housing market.

Solution: Education and Promotion of the Right to Housing

- **Recommendation # 4:** *The provincial government, in partnership with community organizations, should lead an educational campaign for housing providers and landlords around rights-respecting, evidence-based practices for screening housing candidates. Education should help landlords and the public understand the connection between housing and reintegration, and the evidence around the use of criminal record checks as a predictive tool.*
- **Recommendation #5:** *Provincial and local governments should investigate local initiatives that encourage the exclusion of people with criminal records and work with local agencies to ensure communities are not acting against the right to housing and perpetuating the cycle of homelessness and incarceration.*

INTRODUCTION

As Ontario's housing crisis deepens, its most vulnerable communities are hit hardest. Among them are people with criminal legal involvement; those exiting correctional facilities, navigating the court system, or living with the consequences of a criminal record. These individuals often carry the weight of multiple, compounding disadvantages such as poverty, trauma, adverse mental health, systemic racism, and social exclusion. A criminal record is not their defining identity, but one outcome of broader vulnerabilities and unmet needs. Yet, this single factor is too often used to deny access to stable housing. Without safe, affordable, and supportive homes, they face heightened risks of homelessness, reoffending, victimization, and deteriorating health.

Ontario has an estimated 80,000 people that are experiencing homelessness.³ There were 42,492 releases from provincial correctional institutions in 2023-2024.⁴ Thousands of releases re-enter community without housing, making the criminal legal system a significant driver of homelessness in the province. Addressing the housing needs of people exiting custody is therefore not a marginal issue, it is essential to meaningfully reducing overall homelessness in Ontario.

In 2023-2024, 7,455 releases from provincial jails were recorded as having no fixed address when they were first admitted to jail.⁵ This number does not necessarily represent unique individuals, as some people enter and exit provincial correctional facilities multiple times in one year. It also does not capture individuals who might have had a fixed address when they were admitted to jail but lost their housing while they were incarcerated. Nevertheless, it outlines an urgent issue. Thousands of Ontarians, many of which have mental health and substance use issues, are released straight from jail into homelessness, and this needs to stop.

Housing is not just a matter of shelter; it's a public safety imperative, a human right, a health necessity, and a financial issue. Housing is crucial for building safe, healthy communities. Stable housing is proven to reduce recidivism, improve health outcomes, and lessen the financial burden on emergency services and correctional systems. Without it, the vicious cycle of homelessness and criminal legal involvement continues, exacerbating the housing crisis and compromising the safety of our communities.

This report builds on previous research that explores the critical intersection of homelessness and incarceration and is based on comprehensive discussions with people with lived experience, housing providers, community service agencies and policy professionals. Stemming from these consultations, this report outlines actionable recommendations and best practices to reduce homelessness among individuals with experiences of incarceration. By using this collective expertise to inform policy, Ontario can move closer to breaking the

incarceration-homelessness cycle, enhancing public safety and safeguarding the rights and well-being of all members of our communities.

THE CYCLE OF INCARCERATION AND HOMELESSNESS

Homelessness and incarceration are deeply interlinked, with both contributing to the other, resulting in a cyclical relationship. Recent studies by the John Howard Society of Ontario (JHSO) have contributed data analyses and qualitative research to better understand this cyclical relationship. JHSO's recent report, [*Locked Up. Locked Out. The Revolving Door of Homelessness and Ontario's*](#)

[*Justice System*](#) found that incarceration is both a leading cause and result of homelessness.

Findings from the report

[*No Fixed Address: The Intersections of Justice Involvement and Homelessness*](#) indicate

that provincial correctional institutions are incarcerating a proportionately larger

number of people experiencing homelessness now than at any point in the last 15 years.⁶ Approximately 1 in 6 admissions to provincial institutions in Ontario were recorded as being “no fixed address”, meaning they lack stable housing.⁷

Whether someone enters the cycle through conflict with the law or homelessness, trying to exit the revolving door of housing instability and incarceration is a daunting and difficult task. The challenges facing individuals leaving jail are plentiful and compounding. Employment and housing are challenging to (re)gain, particularly with the added barrier of a criminal record. Lack of employment affects the ability to acquire housing, and a lack of housing makes it much more difficult to find a job. These challenges are often further complicated by worsened physical and mental health resulting from incarceration, making it seemingly impossible to get back on one's feet.

Provincial jails are mostly comprised of individuals on **remand**, meaning people who have been charged but not convicted and are being held in custody while their case moves through the courts.

Individuals on remand make up over 80% of the population inside provincial correctional institutions.⁸ Many cases with a pre-trial detention order – that is,



Remand refers to the placement of an individual in provincial custody pending trial or further court dates. Also referred to as pre-trial detention.

accused persons who were denied bail – do not result in convictions or jail sentences. In cases where an individual was given a detention order, a third of cases resulted in charges being withdrawn or stayed before trial and half of cases that went to trial involved charges being withdrawn.⁹ That means a significant portion of people held in pre-trial detention had their charges later dropped or withdrawn, yet they still experienced the punitive impacts of incarceration and the long lasting impacts to their employment and housing prospects.

The fact that most of the provincial correctional population is on remand, also presents challenges to reintegration planning. Remanded individuals don't have a set release date. Uncertainty around release dates can result in gaps in programming and reintegration planning for individuals in provincial correctional institutions. This results in many people being released without supports or referrals to address health and social issues, including homelessness.

DIVERSE EXPERIENCES IN THE CYCLE OF INCARCERATION AND HOMELESSNESS

Different populations experience incarceration and homelessness in distinct ways. Women, who experience intimate partner violence or violence due to homelessness may become more vulnerable to criminal involvement. For example, in intimate partner violence situations, it is common for both parties to be charged. In addition, women are particularly impacted by even short stays in custody as they are often primary caregivers to children. Single mothers make up 64% of incarcerated women.¹⁰ The arrest of a parent, loss of home and loss of income due to incarceration is highly disruptive and can have long lasting implications on themselves and their families.

Individuals from the 2SLGBTQIA+ community also have distinct experiences and challenges. Family rejection, discrimination, and harassment can lead to housing instability at a young age. Once homeless, they are at higher risk of violence, exploitation, and criminalization, especially in environments where their identities are not accepted or supported. Victimization and exploitation can also result in conflict with the law and incarceration.

For Black and Indigenous individuals, systemic racism and colonialism play significant roles, contributing to over-policing, racial profiling, and barriers to housing and employment.¹¹ Systemic racism is deeply entrenched in Canadian policies, laws, beliefs and systems. Black and Indigenous Peoples have been systematically dehumanized, othered, controlled and disenfranchised and are currently overrepresented in the criminal legal system. Inequitable systems and systemic discrimination result in a complex web of social, economic, and institutional obstacles to accessing housing, particularly with a criminal record.

THE NEED FOR TARGETED HOUSING SOLUTIONS

Housing is an essential piece in breaking the cycle. Without a safe place to live, it is immensely challenging to follow release conditions, access health care, search for work and reconnect with community. Without adequate housing, breaches of conditions, further charges and incarceration are more likely. Housing, on the other hand, improves health outcomes, helps prospects for employment, and allows individuals to connect with their community and build positive relationships.

Unlike with the federal system, where community-based residential facilities (commonly referred to as “halfway houses”) create a bridge between correctional institutions and community and allow for gradual re-integration, today there is no province-wide system of housing for people exiting provincial corrections in Ontario. Individuals are often released from jail onto the streets with unmet needs related to poverty, mental health and substance use issues. Even relatively short stays in jail can result in housing loss due to interruptions in income and loss of employment. The stigma of a criminal record can compound the challenges of finding housing.

Due to the unique and challenging barriers to housing for people with experiences of incarceration, targeted housing programs are required.

For more on criminal legal involvement and homelessness see the John Howard Society of Ontario’s two-part report series, [No Fixed Address: The Intersections of Justice Involvement and Homelessness](#), released in 2022 and [Locked Up, Locked Out. The Revolving Door of Homelessness and Ontario’s Justice System](#) released in 2024.

CURRENT PROJECT

This project builds on previous JHSO research projects, particularly the report, *Locked Up. Locked Out. The Revolving Door of Homelessness and Ontario's Justice System* that highlights experiences and challenges related to housing for people with criminal records and histories of incarceration. While previous consultations focused on identifying key issues, this work was focused on building practical recommendations to interrupt the cycle of homelessness and incarceration. Of particular focus was the creation of a blueprint for a provincial system of transitional housing.

The key issues and recommendations found in this report were informed by consultations with **44 key experts** from across the province, including people with lived experience of incarceration and homelessness, service providers, policy professionals, lawyers, and other parties with relevant experience and insights. The research involved semi-structured interviews and focus groups with engaged parties over the summer and fall of 2024. The project team used a snowball sampling approach to identify participants for the project.

The project team held in-person consultations in Thunder Bay, Sault Ste. Marie, Sudbury and Ottawa. Other focus groups and interviews were held virtually over Microsoft Teams or over the phone. The research team conducted a thematic analysis to identify key patterns and themes emerging from the interview and focus group findings.





KEY ISSUE #1: NOWHERE TO LIVE AFTER JAIL.

Many people are being released from provincial correctional institutions into homelessness – often resulting in them cycling back into jail.

As noted above, 7,455 of the 42,492 total releases last year were flagged as having no fixed address when they entered jail initially. As a result, thousands are released into shelters, encampments or the streets. Currently, there are no dedicated pathways to housing for these individuals.

It was highlighted in the consultations that people are unhoused for different reasons:

- They were unhoused when they were admitted.
- They had housing before their incarceration but lost it due to inability to make payments.
- They are unable to return to their home after their incarceration due to release conditions or circumstances of their case.

The first case highlights the revolving door many Ontarians find themselves in as they cycle through homelessness and incarceration. With a lack of housing options available to them and no friends or family to rely on, they are released onto the streets after each period in jail. This is supported by JHSO's previous research. The "Locked Up. Locked Out." report found that the percentage of people who were unsheltered before incarceration (12.9%) went up immediately after incarceration (15%) and returned to pre-incarceration rates 6 months later.¹² A similar trend was observed for individuals experiencing hidden homelessness (i.e., staying with friends and family). The rates of hidden homelessness stayed largely consistent pre-incarceration, immediately after and 6 months later.

Gail¹, from Northern Ontario shared her story with us:

Gail has diagnosed mental health issues. She experienced domestic violence which caused her homelessness in the first place and was living rough on the streets before being arrested. She was targeted while on the streets and experienced sexual and physical violence. Her medication to treat her mental health illness was stolen from her, and during the period without her medication, she had an incident that resulted in her getting arrested and going to jail. She was released back into homelessness and was sheltering in an abandoned building while trying to find other housing options.

Incarceration can also cause housing loss, particularly for those that are living paycheck to paycheck and without close relations to help make rent payments for them. Individuals on social assistance (i.e. Ontario Works or Ontario Disability Support Program) do not receive income assistance during their incarceration so they are unable to continue making rent payments. Others lose their job while incarcerated and their housing as a result. The data from “Locked Up. Locked Out.” also highlighted loss of housing due to incarceration. 40.1% of participants had their own place before their incarceration but this went down to 21.1% immediately after release and only went up to 27.2% 6 months later.¹³ This highlights the housing loss during incarceration and the fact that individuals who lose housing while incarcerated face significant barriers to regaining stable housing even half a year after release.

Finally, release conditions, such as no contact orders, can result in permanent or temporary homelessness upon release. In situations of intimate partner violence, these conditions or restraining orders prevent an individual from returning to their previous home, which, for people who do not have anyone to stay with, can result in that individual experiencing homelessness. Having no alternative housing options for the perpetrator can compromise the safety of the survivor/victim as they may be pressured to allow them back into the home. It is common following intimate partner violence incidents for the partners to want to reconcile. However, experiencing homelessness affected their ability to maintain employment and compromised rehabilitation and reconciliation. As a means of coping with homelessness, stress and a negative mental state, some turned to substance use, which also contributed to worse outcomes.

¹ Name changed to protect anonymity

"A home is first and foremost, you know, having a place to stay and then work. You know, obviously get back into the life routine of living and those three things will be met and plus guidance, counseling, whatever you want to say, to help keep our brain in a healthy spot."

- **Participant with lived experience**

As noted above, Community-Based Residential Facilities (CRFs), commonly known as halfway houses, play a crucial role in supporting individuals transitioning from federal incarceration back into the community. These facilities accommodate individuals on parole, statutory release, or long-term supervision orders, offering a structured environment that fosters reintegration. CRFs provide a range of programming designed to address criminogenic risk factors and the root causes of criminal behavior. Services often include life skills training, pro-social activities, employment support, mental health and substance use treatment, and system navigation assistance for accessing health care, resolving tax issues, and addressing outstanding civil legal matters. They also guide residents in understanding and complying with their release conditions, while enforcing accountability. These foundational principles support positive outcomes and work to reduce the cycle of recidivism, particularly for individuals who experience short, cyclical periods of incarceration. By collaborating with community organizations and correctional authorities, CRFs help individuals rebuild their lives and contribute to overall community safety.

In Ontario, there was a version of CRFs for individuals exiting provincial correctional institutions that were closed in the mid-1990s. Currently, some community agencies provide housing and residential programs for individuals exiting correctional institutions. However, these programs are unevenly distributed throughout the province and space is scarce, resulting in many individuals having few options upon release other than staying in shelters or sleeping rough.

Especially for individuals eager to alter the behaviours that resulted in their incarceration, shelters can be counterproductive to progress as they expose individuals to substance use, violence and negative peer influence, resulting in some people preferring to sleep rough on the street.

"I have seen so many people. They have a plan. They're ready to take action. They're ready to make changes. They're ready to put themselves on a more positive track. But housing is the first step, and a lot of people are actually released from incarceration with no housing plan... Being at a shelter or on the streets is just about the worst place somebody who's trying to get their life back on track could be. There's a lot of peer influence. There's tons of substances being used up in these places."

- **Participant**

A lack of housing can compromise safety and health and result in further arrests and incarceration. For those experiencing homelessness, it can be extremely challenging to keep track of various appointments or court dates, and failing to attend some of these may lead to breaches. In addition, people talked about how common it is for people to become criminally involved for reasons of survival. Individuals may commit small crimes to access shelter during the cold winter months. Some shared that substances can be used as a coping mechanism for dealing with harsh conditions on the streets, which may lead to addiction. This contributes to arrests, charges and jail time or can hinder efforts at securing housing. As one participant with lived experience noted, “There’s so much addiction in homelessness.”

“During the first three months of COVID, eight rooming houses closed down, left over 400 something people homeless. And the quickest way to survive is [selling sexual services], theft or [dealing drugs]. So, most people that are homeless are wanted because it's the quickest way to survive. And when they're in minus 20, that's what you're doing. So, it's like most people are wanted because of survival.”

- **Participant with lived experience**

Individuals with experiences of incarceration do not represent a homogenous, static group. Their needs are varying and complex. Some individuals may not require intensive community supports upon their release from corrections but face barriers to finding housing due to the stigma of a criminal record or lack of income. Others, particularly those with compounding health and social issues and a lack of social support systems, require not just shelter but wrap-around services. Individuals suffering from mental illness and substance use issues are overrepresented in incarcerated populations and may not have received adequate or appropriate care during their time in custody. Many individuals with years of experience cycling through chronic homelessness and incarceration have untreated health concerns, lack of income, experiences of trauma and abuse and a lack of life skills required to acquire and maintain housing. For these individuals, housing with supports upon release is necessary.

SOLUTION: CREATE A PROVINCIAL SYSTEM OF POST CUSTODY TRANSITIONAL HOUSING

Recommendation #1: The provincial government should create a system of transitional housing for people exiting provincial correctional institutions, similar to the model of community-based residential facilities for the federal system. Transitional housing options in the province should include culturally appropriate programs, that provide wrap around services, supports and focus on healing to address underlying social issues and prevent reoffending.

Transitional housing in this context refers to supportive housing that is short term and meant to prepare individuals for long term housing options.



Supportive housing is generally defined as shelter that combines rental or housing assistance with individualized, flexible support services. Supportive housing can exist in the private market, in community housing or in dedicated supportive housing buildings. **Transitional supportive housing** is short term programs to prepare individuals to move on to permanent housing or bridge the gap between institutions and permanent housing. Some individuals may transition into independent living while others may require long term supportive housing.

Supportive housing options are crucial in every community to meet the often-compounding needs of people with mental health and substance use issues, developmental disabilities, aging populations, those with traumatic or acquired brain injury and other populations requiring community support services. Individuals with incarceration experience have specific needs and challenges but often also overlap with one or more of those categories. To meaningfully address the housing crisis, there must be a range of supportive housing models resourced throughout the province to meet the demand.

Supportive housing offers essential services tailored to individual needs. It not only improves personal outcomes but also leads to considerable cost savings. Without adequate shelter and care, many people wind up in the emergency room or jail, at great personal and societal cost. Intensive supportive housing for mental health and addictions costs between \$2,000-\$5,000 per month to operate, which is significantly less than psychiatric hospitals (\$31,500/month), mental health facilities (\$17 000/month) and correctional facilities (\$11,000/month).¹⁴ The costs of supportive housing are much lower for individuals with less acute needs who may require referrals to community supports and/or some case management.

For many people exiting correctional institutions, transitional housing provides stabilization and fills gaps in care that prepare individuals to move into other housing models. For people who have cycled through homelessness and incarceration, gaps in life skills can create a barrier to accessing and maintaining housing. Transitional housing for this population provides access to health, food and employment services as well as supports to build conflict resolution skills, cleanliness, money and time management capabilities.

Transitional housing provides some individuals with a needed intermediary step between the rigidity of prison and the lack of structure in independent living. As correctional institutions are highly controlled environments, transitional housing

provides some rules and structure that support individuals to gradually become independent.

Transitional housing provides individual and community benefit. However, the tasks of coordinating and financing the capital and operations funding for these facilities is daunting for community agencies. The province should invest in transitional housing with a coordinated and standardized approach that brings together the relevant Ministries to work collaboratively with municipalities, community agencies, and First Nations, Inuit and Métis communities to best serve Ontarians.

Quebec's model of housing for individuals reintegrating from provincial facilities provides an example to build on. Community Residential Centres (CRCs) in Quebec support individuals exiting correctional institutions with services including housing, supervision and personalized support tailored to the needs of each individual.¹⁵ The CRCs are funded by the Quebec correctional authority, the Ministère de la Sécurité Publique (MSP) and operated by non-profit community organizations. The collaborative model is grounded in the Act respecting the Quebec correctional system that sets out the role of community-based organizations in reintegrating individuals post release.¹⁶

A Blueprint for Post Custody Transitional Housing

The following features and considerations reflect evidence-based approaches and insights from people with lived experience and housing providers. Tailored supports are essential to creating a supportive and effective transitional housing system here in Ontario.

1. HOUSING MODELS THAT MEET COMMUNITY NEEDS

In order to provide the required personalized approach, there should be different housing models available to fit the needs of individuals and communities.

CONGREGATE HOUSING MODELS

Congregate housing models are typically units in a building with on-site services. Residents in these housing units receive up to 24/7 support. They may live in self-contained, apartment style units or semi-private rooms with shared common areas. This model can be well-suited for individuals with high risk or high needs or those that require some level of supervision. For example, bail beds provide supervision, shelter and supports to individuals on bail with no fixed address. In more remote or rural communities where transportation can present a challenge, congregate housing with on-site services provides ease of access. Congregate housing can also provide a sense of community.

“Someone might transition out of shelter or transition into...more permanent, stable housing, but there’s still that sense of community that... is so important to people, right?... We see that all the time. People coming back to the shelter for weeks on end after finding housing because they miss that component, they miss that social component.”

- Participant

The John Howard Society (JHS) of Ottawa operates a **Bail Residential Program** that provides supervision and case management to individuals on bail who might otherwise experience homelessness or prolonged pre-trial detention. The congregate housing model provides 24/7 supervision and on-site support services for residents. The program involves a partnership with the local Canadian Mental Health Association (CMHA), so clients are able to access mental health supports without the waitlists experienced by people in the community. In addition to mental health and substance use services, clients have access to employment supports, upgrading and life skills, and social recreational services.

Congregate settings may not work for everyone. For some people, living in a building with other people who share the experience of recently being incarcerated can help with building connections while for others it can be unfavourable or even re-traumatizing. For some people, the scattered site model is more ideal.

SCATTERED SITE MODEL

Scattered site housing is a model where units are spread out across the city or town rather than being concentrated in one building or area. This model involves less supervision and may not offer services on-site. Scattered site housing is generally appropriate for individuals with less acute needs. Residents may have a caseworker that provides case management and referrals to support the individual with life skills, mental health and addictions supports, food and employment services. Scattered site or embedded housing units can support community integration.

The scattered site model is typically less resource intensive to operate. While they usually include caseworkers that provide case management and referrals to community supports, they often do not have 24/7 supervision or supports, which is less expensive.

Restorative Justice Housing Ontario (RJHO) operates five homes in the Greater Toronto Area specifically for people with criminal records. The homes provide heavily subsidized transitional housing with supports. RJHO leases directly from landlords and the resident is expected to contribute through their employment or income assistance but the rest is covered by the organization. Residents are connected with caseworkers that support with case management, planning and referrals. Individuals are able to live in the transitional housing program for up to four years and are provided with supports to access long term, stable housing.

Whether it be congregate living or the scattered site model, participants with lived experience stressed the importance of having a door they could close to their own space. In shelter settings or when living on the streets, there is a frequent fear or violence or theft of belongings, so having a space to foster a sense of privacy and security is essential.

2. STAFF AND MANAGEMENT MODELS THAT FOSTER TRUST

The effectiveness of transitional housing is shaped by the people who staff it. Whether it is staff working in congregate settings or staff working as caseworkers in scattered site models, they must be trauma-informed, knowledgeable and trained to provide the requisite support. Cultural competency training should be included for all new staff and as part of ongoing professional development. Individuals with recent experiences of incarceration can carry trauma, health issues and interpersonal challenges and it is important that staff have the capacity to provide the appropriate support. Staff with personal lived experience can be an asset as shared experiences can build understanding, trust and rapport with residents.

To provide the best care for residents, staff also need to be supported and resourced, and their pay should be competitive to attract competent and committed candidates. Working with populations that may have acute needs can be challenging and burnout is common. For many programs identified, attracting and retaining staff with the right education, experience and skills is difficult given the lack of funding available to properly train and compensate employees.

Although not all models that were identified operate in this way, it was noted that it is preferable to separate the management of the building from the service provider. If a resident's landlord is also the one that is providing referrals or acting as a caseworker, there can be perceived conflicts of interest or the resident may not feel comfortable opening up about challenges. When there is some separation, caseworkers can also play a supportive role between the resident and the landlord in the case of issues that may arise.

A crucial aspect of setting individuals up for success is having a caseworker stay with the individual throughout their housing journey, ideally for an extended

duration. If the caseworker is tied to one congregate housing site and they get evicted and lose that support, the individual then has to deal with services being cut off while also navigating finding new housing and potentially experiencing homelessness.

3. TIMELINES THAT PROMOTE HOUSING READINESS

The timelines associated with transitional housing may vary depending on the type of housing and the needs of the individual. Several individuals noted that there should be a focus on housing readiness. This individualized approach improves long term outcomes. For some people, a week or two in transitional housing is enough to stabilize the individual, connect them to community services for ongoing care and prepare the individual for alternative housing. For others with more acute needs, a longer stay in transitional housing may be necessary.

"Taking into consideration the ones that are institutionalized, it takes a little bit longer. Like me,... I haven't been in jail in a long time, but there's still some traits. And some of the men I live with, they're the same and I don't complain ... there's some things when you're institutionalized that are some barriers that are harder to get over and take longer.

- Participant with lived experience

Transitional housing providers discussed the importance of giving residents individualized supports and dignity in accommodation, while also preserving the transitional nature of the residence. In some transitional housing models, individuals get their own space to sleep but may have to share a bathroom or eating spaces. There may be rules about visitors. In these spaces, the residents often decide naturally that they are ready and interested in moving into alternative types of housing.

For some types of transitional housing, the timeline may be determined by other factors. If a person is residing in transitional housing during their bail period, the duration of their stay may vary and is contingent upon the time it takes for their case to be resolved.

4. APPROPRIATE SUBSTANCE USE SUPPORTS

It is very important to have different types of housing based on a spectrum of substance use needs. While substance-free environments are a top priority for some, others may require services that reduce risks. Substance use support for those coming out of incarceration is often an essential step in reintegration. Substance use services that are easily accessible, either on-site or close by, is critical. These services can range from counselling to substance use treatment programs. Direct and rapid access to treatment services immediately post

release for those who seek it is important and should be encouraged; equally, transportation to these services should be funded.

For some people exiting corrections, sober living arrangements are critical. Incarceration may have been a time to cease using substances and begin treatment. Being around others using drugs or alcohol may be triggering and can compromise an individual's personal progress or goals.

"Definitely no drug use and alcohol should be allowed in the facility because... that's the root of all our problems there, you know? And don't want to influence anybody else to follow up the path that they're going on.... You know, so this guy wants to get his children back, but he's got to refrain from drugs and alcohol. Don't go offer him drugs or, you know, do it in front of him and your roommates doing drugs."

- Participant with lived experience

For other people, living in housing that has zero tolerance for drugs and alcohol can set them up for eviction. There is a need for transitional housing options that take a more flexible approach to substance use and ideally focus on reducing the risks associated with use rather than strict rules mandating sobriety. Harm reduction approaches reduce substance related harms without requiring abstinence and can include information sharing, needle exchanges, supervised consumption sites or naloxone distribution. Harm reduction approaches ensure access to appropriate services and resources while supporting a healthy, safe environment for residents. Fundamental to a harm reduction approach is the absence of judgment while building trust and reducing risks to health.

Regardless of specific circumstances, individuals should be able to access housing and the appropriate substance related supports to improve health outcomes and promote positive participation in the community.

5. COMPREHENSIVE, WRAP AROUND SUPPORT SERVICES

Support services are a critical aspect of transitional housing for recently released individuals. Services should encompass a variety of supports based on individual needs and may include mental health and substance use support/treatment, life skills, employment and educational programs, and practical assistance with budgeting, cooking, cleaning and home upkeep. Case workers should work with the individuals to set goals and provide supports or referrals to assist with the attainment of those goals. All supports provided to recently released individuals should be trauma informed as individuals frequently experience trauma before, during or after their incarceration.

Mental health and substance use issues are common among people involved in the criminal legal system. Incarceration experiences can lead to deteriorated mental or physical health, which may increase the care needs of individuals recently released from custody. Some people may not have identification or a primary care doctor, which impedes access to health care and medications. To promote healthy communities, healthcare and mental health should be connected to housing. Existing transitional housing programs in Ontario have found success in having partnerships with hospitals, mental health providers and substance use support providers, easing the referral process and allowing for swift access to crucial health care services.

In terms of life skills and practical assistance, for individuals who have cycled through homelessness and incarceration, developing these skills is often essential for preventing evictions and promoting successful living situations. When asked what is provided currently and what is found helpful by residents, the following were raised:

- interpersonal skills,
- conflict resolution,
- anger management,
- food preparation,
- cleanliness,
- scheduling, and
- budgeting.

Peer mentorship programs have a proven track record of success for people impacted by the criminal legal system and play an important role in reintegration for many people. Given the trauma and negative treatment many recently incarcerated people experience, it can be difficult for them to establish trust and be open to receiving support. A peer mentorship model is beneficial because although everyone's experience is different, having gone through similar circumstances can be a point of connection and understanding. In addition to providing relatable support, peer mentorship/support programs reduce power dynamics.

Supports should also include connecting residents to pro-social recreational activities. Social isolation is common among people with experiences of incarceration. Due to relocation, release conditions or active choices to choose new lifestyles, many people lack friends or family to spend time with. Yet having a social support system is a crucial factor in successful reintegration. Recreational programs like sports teams in the community, art or cooking classes can help build relationships, skills and self-confidence, promoting better long-term outcomes. In some congregate living settings, recreational programs

can happen on-site in the form of making art, preparing meals or engaging in traditional cultural activities.

“There’s about 15 of us. We started years ago. Anybody with sex work experience, we got paid \$25 to go do art and then we end up writing a play. And every one of us was pretty much homeless and like, using hard drugs. And then by the end of it, like there was only two or three of us that used.”

- Participant with lived experience

6. SUPERVISION AND RISK MANAGEMENT

Bail residential programs provide an essential type of transitional housing for people who would otherwise experience prolonged incarceration or homelessness. Supervision is a crucial aspect of those transitional housing settings so there may be more restrictions and rules than are needed in other types of transitional housing.

Ne-Chee Friendship Centre’s Bail Residency Program offers both supervision and residential services to those involved in the bail process. The supervision component advocates and assists clients through the court process and monitors the conditions set for clients to assist in their compliance to their bail conditions. Residential services provide enhanced support services for those who are unable to return to their communities or require enhanced supervision. By supervising individuals in community or through residential supervision services these two programs jointly respond to the high number of remands that affect the courts and local custodial institutions.

Where there are individuals with higher needs or histories of violence, staff must have the requisite training and higher staffing/security levels would be necessary. It is important to consider acuity level and place individuals in the appropriate type of transitional housing.

Those who have been recently released with release conditions may have to attend programs, avoid certain people or places, find and maintain employment and/or adhere to curfews. Housing options that support these conditions is important for individuals to remain compliant and avoid breaches. Where possible, housing should be accessible to key areas of the city and transportation assistance should be provided. Hub models that provide crucial services in one spot can also be helpful to make it easier to access community agencies without having to visit multiple locations.

7. FLEXIBLE STRUCTURE

One of the benefits of transitional housing following experiences in custody is a gradual step down in terms of structured living. Incarceration is highly controlled, and some individuals struggle with going from that to completely independent, unstructured living. Housing with some scheduling in the form of meal times and pro-social activities can ease residents into more independent living. Life skills training that includes scheduling can also be helpful for some people to promote successful living beyond the transitional housing program.

When asked what they appreciated about transitional housing or would have liked to receive, people with lived experience talked about rules that are firm but provide some flexibility for individual challenges and issues. For example, one strike rules where a single infraction results in eviction are counterproductive. However, having some rules of conduct to promote a safe, respectful living environment were welcome. It was noted that for some people, they may need more structure and restrictions when they are first released and then as they adjust, the restrictions can reduce, gradually preparing the individual for more independent living. In all cases, an individualized approach is necessary.

8. CULTURALLY SAFE AND APPROPRIATE SUPPORT

Cultural safety and specificity in housing are important aspects of transitional housing. For people who have experienced systemic racism or discrimination and disconnection from culture and community, culture can be a crucial part of reintegration and healing. Transitional housing should be created and operated with cultural support in mind. Innovative and flexible approaches to funding should be encouraged in First Nations, recognizing the limitations, geographic distances, jurisdictions, capacity and complexities of First Nations life.

Transitional housing can be critical in urban areas for Indigenous individuals who cannot return to their hometowns or First Nations community for various reasons and would otherwise have no where to go. For Indigenous People, housing should include a space to smudge and do ceremony. In line with calls from Indigenous communities, Indigenous organizations should be adequately resourced to provide Indigenous-specific housing based on need identified through measures like the Point-in-time count. Non-Indigenous specific housing should have partnerships with Indigenous organizations to provide appropriate referrals and care for Indigenous residents. Family unification can be particularly important for Indigenous People so having a safe space to be with families and children is crucial.

As outlined in the Black Justice Strategy, Black People/ People of African Descent should be named as a group prioritized for service and support within the National Housing Strategy, with special attention paid to newcomers, those

with a criminal record, and for people being released from jail or prison.¹⁷ Transitional housing programs should ensure access to culturally specific services for Black individuals and staff should be trauma-informed and trained in how anti-Black racism impacts the experiences of Black People in the criminal legal system.

Suswin Village is a 30-bedroom shared living environment in North Bay, Ontario that provides structured, supportive and supervised transitional living. Operated by the North Bay Indigenous Friendship Centre, Suswin Village is an urban Indigenous residence that provides cultural, mental health, addictions support, life skills, education, and employment training. Suswin Village supports individuals who have experienced homelessness and/or are transitioning from corrections.

9. PROCEDURAL FAIRNESS AND TENANT RIGHTS

Transitional housing and some supportive housing units are exempt from the *Residential Tenancies Act*. The Act creates a framework that sets out tenant rights and responsibilities and recourse for violations. Considering the exemption, it is important to consider frameworks for transitional housing programs that ensure procedural fairness, oversight and accountability. Programs should set out fair and transparent processes for settling disputes and for appeals that ensure procedural fairness for residents.

TRANSITIONAL HOUSING AS PART OF A BROADER HOUSING STRATEGY

It is important to note that the success of transitional housing depends upon other types of housing for residents to transition into. While transitional housing is not appropriate in all circumstances and does not in and of itself solve the homelessness crisis, it plays an important role in communities as part of a larger housing strategy. There are a range of housing types that may be important for people at different points in their lives. These housing types range from emergency shelters, to congregate supportive living to market housing. While this is sometimes thought of as a housing continuum, the representation of housing existing on a continuum suggests that people should be striving to go from one end to the other on the spectrum. Instead, a range of housing options should exist in communities, recognizing that the objective is not to move from one type to another in a linear fashion but to be able to find housing that meets individual's needs and circumstances.

KEY ISSUE #2: INCOME ASSISTANCE INTERRUPTIONS LEAD TO HOUSING LOSS

As outlined above, interruptions in income can result in housing loss for incarcerated people. Income loss due to interruptions in income assistance is a key issue that was raised in the consultations.

In Ontario, the two main income assistance programs are Ontario Works (OW) and Ontario Disability Support Program (ODSP). For OW, there are eligibility requirements, and the amount of money depends on individual circumstances, but a single individual can receive up to \$733 per month for basic needs and shelter. For those eligible for ODSP, a single individual can receive up to \$1,368 per month for basic needs and shelter.¹⁸ Current income assistance rates have not kept up with inflation or the cost of living, and, in Ontario, they leave individuals well below the poverty line without sufficient means to pay for basic living expenses.¹⁹

Individuals are not eligible for income assistance when they are incarcerated. They could also face repayment fines if their income assistance was continued in error. Reinstatement of income assistance post release is usually not immediate, resulting in periods without any income post release. Many individuals in provincial institutions are on remand, meaning they have not been convicted of a crime, yet the interruptions to their income assistance is quite punitive. Even if their charges are later withdrawn, periods of time in jail can result in homelessness and long-lasting consequences if people are unable to keep up with housing payments.

"How can we legitimize the punitive aspect of suspending people's OW and ODSP when they're on remand? They are legally innocent."

- Participant

This issue is known to local governments as we heard of one city that was helping with rent payments for up to three months to help prevent housing loss for people experiencing short term incarceration. The investment is warranted given the long-term costs, both financial and individual, of housing loss.

If an individual loses their housing due to interruptions in their income assistance, it can be very difficult to source out other options that fall within their limited budget. The difficulty of having to find new housing is not just due to the limited budgets of people on income assistance. There is also the added stigma of having a criminal record or having been incarcerated that can pose additional barriers.

SOLUTION: REFORM SOCIAL ASSISTANCE RULES TO PREVENT HOUSING LOSS AND REMOVE UNNECESSARY RED TAPE

Recommendation #2: Update the OW and ODSP policy directives so that incarcerated recipients receive benefits for up to three full calendar months. This would bring the policy in line with the directives for recipients that are hospitalized.

Recommendation #3: Increase income assistance rates proportionally to reflect the cost of living based on different areas in the province.

While income assistance is suspended for individuals experiencing incarceration, it continues for individuals during extended stays in a hospital. According to the OW policy, if an individual has community accommodation and financial commitments to that accommodation, the full amount of income assistance is issued for the first three full calendar months of their hospitalization.²⁰ After three months, the administrator may reduce the amount paid on behalf of the hospitalized person to no less than \$149 per month.²¹ Similarly, for ODSP, a recipient is eligible for income support while in a hospital or substance abuse recover home. The amount of income support may be reduced after three months and consideration should be given to the cost of maintaining the individual's community accommodation and other expenses.²²

When an individual is hospitalized, although they are receiving temporary shelter in the hospital, preserving their housing in the community is important to ensure they are not released from the hospital into homelessness. Similarly, when an individual receiving income assistance is incarcerated, there is a benefit to maintaining their income support to prevent release into homelessness, particularly for shorter stays in custody. Therefore, the OW and ODSP directives on stays in custody should be updated to be consistent with the policies for stays in hospital to avoid unnecessary housing loss.

Income assistance rates are currently deeply inadequate. In Ontario, the average rent for a one-bedroom unit is \$2,327²³, yet the maximum amount an individual can receive from OW is \$733. Further, if an individual is unhoused, for example living in an encampment, they are only able to receive the basic needs portion, or \$343 per month.

Income assistance rates in Canada are not keeping pace with rising living costs, and Ontario is falling behind other provinces. A review of welfare amounts across the country found that the total welfare income in Ontario falls below all provinces except New Brunswick and Nova Scotia.²⁴ Further, income assistance rates in Ontario have not kept up with inflation, resulting in the amounts having less benefit over time.

Income supports are an important measure to prevent homelessness and promote stability, especially during periods of transition such as release from incarceration. Without adequate and timely financial assistance, individuals exiting custody face enormous barriers to securing or maintaining housing, meeting basic needs, and reintegrating into the community. By reforming income assistance policies to ensure continuity of support during incarceration and aligning benefit levels with the real cost of living, Ontario can help reduce the cycle of homelessness and recidivism that disproportionately affects those with the fewest resources.

KEY ISSUE #3: HOUSING ACCESS IS RESTRICTED BY RECORD-RELATED STIGMA

The stigma of a criminal record is preventing individuals from moving into the private market. It was noted that criminal record checks in housing applications are more common than they used to be and are being used as a basis to deny applications. Amid a housing crisis and a competitive rental market, this leaves individuals with criminal records at a significant disadvantage.

Due to unpaid fines or other issues, individuals with experiences of homelessness and incarceration may not have good credit, which can further impact an individual's ability to be competitive on housing applications. Even if an individual does have good credit, stigma is a huge barrier as landlords may look less favourably upon individuals who are unhoused, those receiving income assistance and/or individuals with a criminal record.

"...less people in Canada have gone to prison than in the US, proportionally. So, less people know someone's been to prison. It's easier to demonize someone whose been to prison in Canada to say, 'oh, I don't want to deal with someone who's been to prison' because they don't know anyone else has ever been in prison... They're much more forgiving in the US and giving second chances than Canada, which we think we're better. We're more "liberal," than they are. We're not. I think there's more discrimination in Canada against ex-prisoners than in the United States."

- Participant

Black and Indigenous individuals face compounding barriers due to systemic racism and discrimination by landlords. Additionally, certain policies have disparate impacts. For example, policies prohibiting smoking prevent smudging, which is integral to Indigenous ceremonial practices.

The stigma associated with criminal records is often linked to assumptions and prejudice, rather than real experience. For many people with a criminal record, housing is hard to come by and keeping it is a priority, thereby making them ideal tenants.

"Residents do well when they're signing a lease because it's a precious commodity for them. They will do everything in their power so that they don't slip up."

- Participant

In some communities in Ontario, landlords are encouraged to screen candidates for criminal records. Participants from Ottawa shared being asked for criminal record checks from landlords as part of their Crime-Free Housing Program by the Ottawa Police. The goal of the Crime-Free Multi-Housing Program is to keep

illegal and nuisance activity out of rental communities.²⁵ However, previous criminal involvement is not necessarily an indication of future illegal activity. In a province where a million people have criminal records, blanket exclusion of people with criminal records from the rental market does not result in safer communities and may contribute to crime rather than decrease it.

The barriers to accessing the private market mean some individuals who are ready to move out of transitional or social housing, are not able to do so without going into homelessness. That means one less bed for someone else in need. Reducing barriers to accessing the private market ensures everyone is able to access the type of housing required to meet their needs.

SOLUTION: END UNLAWFUL EXCLUSION AND PROMOTE HOUSING EQUITY IN THE PRIVATE MARKET

Recommendation #4: Provincial and local governments should investigate local initiatives that encourage the exclusion of people with criminal records and work with local agencies to ensure communities are not acting against the right to housing and perpetuating the cycle of homelessness and incarceration.

Recommendation #5: The provincial government, in partnership with community organizations, should lead an educational campaign for housing providers and landlords around rights-respecting, evidence-based practices for screening housing candidates. Education should help landlords and the public understand the connection between housing and reintegration, and the evidence around the use of criminal record checks as a predictive tool.

Provincial and local governments should ensure that local initiatives do not violate the right to housing. In 2019, the Canadian government passed the *National Housing Strategy Act*, that affirmed Canadian housing policy is rooted in the right to housing as understood by international human rights law, i.e. that people have the “right to live somewhere in security, peace and dignity”.²⁶ This requires policies and programs to give priority to vulnerable groups and those in greatest need of housing. Since public housing cannot provide accommodation for all of Canadians, private market practices that arbitrarily exclude people with criminal records is in violation of the right to housing.

Local initiatives that encourage the exclusion of people with criminal records do not promote safety. Rather, by removing housing options, more individuals with criminal records face precarious housing and homelessness, increasing the risk of reoffending and creating instability and vulnerability. Housing access is an evidence-based strategy for promoting safer, more resilient communities.

Educational campaigns play an important role in shifting perspectives and behaviours. Organizations and service providers have found success in building

relationships with landlords to reduce barriers to private market housing through education and awareness. With the right information that dispels misconceptions, housing providers in local communities are willing to consider applicants with criminal records. In fact, we heard from housing providers that found a landlord willing to give a formerly incarcerated tenant a chance and due to the positive experience they had, the landlord became a champion for the cause, encouraging others in their network to do the same. Through sharing their experiences they encourage others to question preconceptions and give fair opportunities to applicants that have experiences of incarceration.

Research on housing indicates that criminal records do not provide good predictive value for determining housing success.²⁷ Landlords should understand the utility of criminal record checks, how to interpret the results of a check and how to fairly assess potential candidates.

Government-led educational campaigns have the power to change hearts and minds. Many organizations are working on an individual level building relationships with landlords and sharing information to dispel myths and misconceptions. However, a larger scale educational campaign would have much farther reach and larger impact.

In the United States, April was declared Second Chance Month through a proclamation by the White House and by many State governments across the country.²⁸ Working closely with community-based organizations, the government is changing the narrative around people with criminal records to combat stigma and promote successful reintegration.²⁹ Leadership from the provincial government would support increased awareness and promote a necessary cultural shift here in Ontario.

CONCLUSION

Thousands of people are discharged into homelessness from provincial correctional institutions every year, returning to communities across Ontario. Without housing, individuals end up in shelters, encampments or sleeping rough. Not only does this compromise individual health and social outcomes, it also has a great societal cost. Individuals released into homelessness are more likely to reoffend, compromising public safety and entrenching individuals in a revolving door of jail and the streets.

A provincially coordinated system of transitional housing for provincial releasees would fill a huge gap and address a huge need in the system. Instead of being released into homelessness, if those without a fixed address can be released into housing with appropriate supports, they could focus on gaining employment,

addressing health and social issues, reuniting with family and improving their lives.

Also crucial are reforms to prevent housing loss. Simply aligning the policy around allowance during incarceration with the policy for hospitalization can prevent unnecessary housing loss and homelessness upon release for vulnerable Ontarians. Finally, promoting opportunities in the rental market creates pathways for individuals who have turned their life around to live independent, productive lives.

Access to safe, stable housing is not just a personal need, it is a public imperative. When we shut formerly incarcerated people out of housing, we don't just trap individuals in cycles of poverty and instability; we weaken our communities. Targeted, inclusive housing solutions are smart investments in public safety, economic strength, and human dignity. The evidence is clear: when people have a place to call home, they rebuild their lives, reconnect with their families, and contribute to their communities. Ensuring meaningful housing access for people with criminal records is not only the right thing to do – it is urgent, necessary, and in the best interest of all of us.

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