

Community Corrections and the NIMBY Syndrome

"In 1975, in St. John's, Newfoundland, the John Howard Society had an option to purchase a house on Leslie Street to operate as a half-way house for 'non-violent' offenders subject to City Council's approval. On December 30, City Council issued a permit to the agency to run the house; but a week later it began looking for a way to rescind the permit after residents of the street presented a 231-name petition against it. A briefing session was held in January 1976 with both the residents of the street and the sponsors of the house and City Council. The sponsors tried to assure the residents that only 'non-violent' offenders would be admitted to the house. The residents of the street remained unmoved and expressed grave concern about having ex-inmates in their neighborhood. Clearly several people were truly terrified at the prospect. While the councilors admitted that they had been consulted by the sponsors, they claimed that they had not understood what was at stake. One month later, the permit was rescinded and the John Howard Society had to cancel the proposed project and look for a different site."⁽¹⁾

This story could have been told yesterday as easily as 13 years ago, and it could have been set in almost any city in North America. It demonstrates what has come to be known as the NIMBY (Not In My Back Yard) syndrome. Where does this syndrome come from? What does it mean for community corrections? How do we overcome it? These are the leading questions to be dealt with in any discussion of how to enhance the role and contribution of corrections.

What is Community Corrections?

The notion of community-based corrections encompasses a wide variety of programs, including diversion, probation, parole, community service and fine option programs. Most of these programs have a relatively low profile and therefore are not likely to give rise to public concern of the "NIMBY" variety. For example, few members of the general public are likely to be aware of the presence of a probationer or a person doing community service work in their midst.

Parolees, on the other hand, stand apart. It is usually the more serious offenders that require gradual release to halfway houses. The unavoidable fact is that supervised release to a halfway house is necessarily associated with a very visible physical structure - a house -that is often located in a residential neighbourhood. This puts offenders, literally, in somebody's backyard. For this reason, from the public's point of view, halfway houses are the most worrying and troublesome aspect of community corrections.

The reintegration of offenders is not a modern innovation. Keeping offenders in the community dates back to ancient Greece and Rome, and Renaissance Europe, where criminals were punished by the community alone.⁽²⁾ Nor are halfway houses a recent development in corrections. In the United States, the first such houses were an outgrowth of religious and moral idealism and were established by groups like the Salvation Army and the Volunteers of America in the mid-1800s.⁽³⁾

Today the movement toward increased use of community corrections comes from the disillusionment with incarceration as the primary focus for criminal justice Systems. The search for alternatives to

imprisonment is international in scope.⁽⁴⁾ Clearly, if community corrections is the wave of the future, correctional authorities will have to become very creative in developing intermediate sanctions that provide a viable range of options to sentencing judges. If the halfway house is to play an important role, as a "half-in" option, the NIMBY syndrome must be overcome.

Prisons are costly to build and to operate, frequently overcrowded and in many ways inhumane. Most importantly, they do not seem to be particularly effective at rehabilitating offenders and curbing increasing crime rates. Community-based support and treatment services are intended to fulfil some of the rehabilitation functions that institutions do not provide.

For non-violent offenders, community residential facilities can provide a cost-effective alternative to imprisonment. For violent offenders, by promoting the gradual integration of the individual into the social and economic life of the community after part of the sentence has been served in prison, facilities such as group homes respond to the long-term needs of society. These houses have been among the alternatives of choice because they provide some degree of supervision while mitigating the harm of isolation from the community.

Although the research on public attitudes toward community corrections is spotty, there is evidence that the humanitarian aims of the halfway house are strongly supported in principle by the public.⁽⁵⁾ Problems seem to arise mainly when communities are called upon to put their well-meaning principles into practice. It is particularly difficult to promote the idea of halfway houses for violent offenders. In Canada Both federal and provincial correctional authorities fund halfway houses. There are 56 provincially funded facilities in Ontario alone. Provincial halfway houses usually house offenders under their jurisdiction, that is, young offenders and offenders sentenced to two years less a day.

Federally funded halfway houses provide community facilities to offenders serving sentences of two years or more. Approximately \$25 million each year is spent to house 1,200 federal prisoners a day in 170 halfway houses across Canada.⁽⁶⁾ Most of these facilities are run by private-sector agencies, whose operations are regulated by standards established by the Correctional Service of Canada.

The Correctional Service of Canada (CSC) and provincial government correctional agencies attempt to work in partnership to support the effective operation and expansion of a wide range of half-way houses or Correctional Residential Facilities (CRF).⁷ These CRFs (and halfway houses generally) are essential in that they provide:

- a) an effective alternative to conventional forms of incarceration;
- b) a bridge between institutional care and the community;
- c) a catalyst for innovation and change in corrections;
- d) a vehicle for community and citizen involvement.⁽⁸⁾

In order for community corrections to be effective and for these functions to be fulfilled, offenders must not be simply located in the community but integrated into it. If offenders are isolated, they will not develop the meaningful social ties that are the *raison d'être* of community corrections.

The importance of the location of the halfway house in a community setting has been clearly established. It is also a matter of common sense. If halfway houses were located in distant rural settings, far from

employment opportunities and treatment programs, they would cease to be viable alternatives to incarceration.

What are Public Attitudes Toward Halfway Houses?

The key question, in the context of the NIMBY syndrome, is whether these facilities have an adverse effect on the communities in which they are located. There is a significant amount of research to indicate that group homes for the mentally disordered, the physically disabled and the elderly do not have any adverse effects on residential neighbourhoods.⁽⁹⁾ There is considerably less material on the impact of halfway houses or correctional group homes.

What is clear, however, is that when faced with the prospect of having a CRC in a residential neighbourhood, the community can be expected to manifest the NIMBY syndrome.⁽¹⁰⁾ There are three reasons for this: People have attitudes toward and perceptions of offenders that have little to do with reality; people fear crime and expect that close physical proximity to offenders will expose them to greater risk; and people are afraid that a group home will somehow taint the neighbourhood and cause property values to plummet.

What little research there is in Canada, however, indicates that the presence of a correctional halfway house does not have any impact on the crime rate in the neighbourhood in which the home is located.⁽¹¹⁾ Furthermore, property values in all neighbourhoods fluctuate and no research has shown that these fluctuations are affected one way or another by the presence of a halfway house.) Adverse public opinion regarding these issues may well be due to lack of knowledge. It is interesting to note that people who are aware of a group home in their neighbourhood are less likely than people who are unaware of the presence of a group home to feel that property values are threatened or that the crime rate is increasing.⁽¹²⁾

More interesting still is the finding that most residents of neighbourhoods where a halfway house is located are unaware of its existence.⁽¹³⁾ This is not surprising, as most halfway houses keep an intentionally low profile in the community.⁽¹⁴⁾ The reasons are simple: residents of the home are usually struggling to adjust to life in the community and it would be counterproductive to have them singled out. It is in the long-term best interests of the correctional community for halfway houses to be as inconspicuous as possible so that there will be no public relations problems.⁽¹⁵⁾

Because people are usually unaware of the existence of a halfway house in their area, adverse public opinion tends to be a direct consequence of isolated and notorious incidents involving group home inmates, which arouse fear and indignation. This is true of neighbourhoods that have a group home as well as those that do not. In fact, some community members who are strong opponents of halfway houses prior to having one next door come to realize that their fears are for the most part unfounded, and become welcoming neighbours.⁽¹⁶⁾

When a tragedy such as a murder or an assault takes place in any community, people's attention will be focused by the media on the locale and circumstances surrounding the incident. Naturally, if the incident

involves a parolee or ex-offender, the entire criminal justice process to which this individual was previously subjected may be called into question. Similarly, when the tragedy takes place in a halfway house or is perpetrated by a resident of such a facility, the public may have questions concerning the circumstances that led up to the incident. This does not mean, however, that neighbours will immediately call for the abolition of halfway houses.

In fact, after the murder of Celia Ruygrok, a night supervisor at Kirkpatrick House, a halfway house for men in Ottawa, the John Howard Society held several open house discussion sessions, which were attended by neighbours and concerned citizens. Several helpful suggestions for improving procedures at the house were made by those in attendance. Two of the neighbours who took an interest in how to prevent similar tragedies from recurring subsequently joined the Board of Directors of the Society. Gerald Ruygrok, Celia's father, has since become a tireless advocate for maintenance of high standards of professionalism and staff training in community corrections. Impacts of the NIMBY Syndrome There is no research that details the harmful effects of the public's negative views on community corrections. It is difficult to measure the influence of the public on community corrections policy. Some areas that might be interesting to explore in this regard are: In Sentencing

- Are judges loath to use community corrections options in sentencing in very high profile cases or for certain types of offences regardless of the appropriateness of such penalties for certain specific offenders?
- Are judges affected by the prospect of attracting criticism as the result of incomplete or exaggerated media accounts of sentencing decisions involving the use of less severe community sanctions?
- A question in a public opinion survey done for the Canadian Sentencing Commission proposed two solutions to the problem of prison overcrowding: 1) build more prisons, or 2) sentence more offenders to alternatives to imprisonment. When asked how they would prefer government money spent, 70% of respondents favoured the latter alternative.⁽¹⁷⁾ This is an indication that, in principle at least, Canadians support the concept of community corrections. There have also been some indications that the Canadian public support the use of halfway houses specifically.⁽¹⁸⁾ This support was found to exist by several focus group studies done by two different polling companies in the last two years. Are these sentiments getting through to the judiciary? Should it be relevant to the sentencing process?

In Parole

- Parole boards are often criticized for keeping the release decision-making process secret. If the process were to be opened up, would pressure from the public give these decision makers less latitude to give marginal cases a chance at release for fear that any risk is too much risk?
- If halfway houses are now being used primarily to house nonviolent offenders because the community has made it clear that violent offenders are not welcome and that release decision makers should not take any risks, what are we doing with violent offenders? Clearly, prisoners sentenced to life imprisonment can be detained forever only if they constitute a risk. All other prisoners must be released at some time. If the NIMBY syndrome or the public's fear prevent

gradual release, society will surely suffer greater harm for not providing transitional programs to offenders.

What Can be Done? Future policies must be built on facts and the identification of effective measures, so that the positive aspects of correctional group homes in the community are increased and the potentially negative aspects are avoided.⁽¹⁹⁾ Development of these measures is the responsibility of those who operate halfway houses and those who fund them, as well as those in the criminal justice system who control the process through which offenders pass before becoming residents of community correctional centres.

One of the essential ingredients to bolstering public confidence in the halfway house system is a strong, visible commitment to it by correctional authorities. This means providing offenders with the treatment and support necessary for reintegration into the community, which requires resources. Social services are essential, but it is even more important for halfway houses to have enough qualified staff to provide support and assistance in all areas from life skills to counselling and, where appropriate, security.⁽²⁰⁾ If Canadians, as the research suggests, are sympathetic to the concept of community corrections, then we must be prepared to pay for adequate staffing and staff training for halfway houses and other community residential facilities. This means that the correctional authorities who fund halfway houses must ensure that salaries are at high enough levels to attract and retain professionals. High staff turnover is detrimental to the quality of service that is provided and to the security of the public, and is therefore potentially harmful to the community in the long run.

Beyond the actual measures that control the risk to the community, it is important to educate members of the community to the realities and importance of community corrections. Because the public is not likely to take an interest in the plight of offenders except when personal safety (or property) is perceived to be threatened, it is up to correctional professionals to assume the lead role in recruiting community support and involvement in community corrections. This said, it becomes a question of deciding what elements of corrections should be emphasized in any public education campaign.

Undoubtedly, the first issue that must be tackled is public concern over safety. Myths must be dispelled about the nature of the offender population in Canada and the percentage of offenders who have committed serious crimes against the person and are eventually released to CRCs. Another important point has to do with the average length of stay of most residents in CRCs or policies related to length of stay. It may be very difficult to prevent a NIMBY reaction to release programs for violent/sex offenders, who make up a substantial proportion of our penitentiary population. It is of course extremely important that the public be made to understand that it is precisely this group that needs supervised release the most.

Second, open and honest discussions of the process undertaken to determine the fitness of an offender for release into the community must take place in order for the public to begin to understand and trust that the selection process, although not infallible, does involve judicious choice and extensive research. (Of course, it may be difficult to explain that some of the offenders who are the worst risks are released automatically on Mandatory Supervision.)

Third, research on the extent to which prisons can and should be used for rehabilitation of offenders, and on the cost and effectiveness of incarceration for these purposes relative to community facilities should be shared with the public. Most public opinion experts agree that the public is very pragmatic on most issues and is usually interested in practical, cost-effective solutions to problems.

Fourth, the purpose of community corrections as a well-established and effective form of treatment, rather than an act of clemency, must be brought to the public's attention. Before this can happen, however, research on the effectiveness of treatment in the community must be undertaken.

Fifth, correctional experts should explain the potentially negative effects of incarceration for certain individuals and for the community at large: incarceration is an expensive correctional tool for nonviolent offenders that is likely to increase an individual's dependence on the system by decreasing the individual's ability to manage life in the community. Emphasis should be placed on the advantages of community corrections and halfway houses, which do not require the maintenance of costly institutions with large staff and do not remove offenders from employment and other opportunities to maintain productive lives.⁽²¹⁾

Conclusion

NIMBY is a syndrome that arises in relation to many issues from low-cost housing⁽²²⁾ to special-needs housing for mentally disordered individuals and the elderly, to halfway houses for criminal offenders. It is almost always a symptom of fear. For the most part, this fear seems to spring from ignorance. If more information were provided, the symptoms would, in many cases, disappear. An informed public may be a more accommodating public.

Over twenty years ago the American Correctional Association suggested that halfway houses "should be in as good a neighbourhood as community attitudes will permit."⁽²³⁾ In other words, community attitudes set limits on where CRCs can be set up. It is difficult to say how far we have progressed since the mid-sixties.

Increasing public awareness and promoting changes in attitude is a slow process. Research is needed to produce accurate and honest information. Both qualitative and quantitative research must be continuously conducted to ensure that people do not have unrealistic expectations of corrections generally and community corrections specifically, and that misconceptions and misinformation do not contaminate the people's sentiments. The process will require a long-term commitment, but it must first be seen as a priority and it must be supported by sufficient funding.

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Research Branch of the Correctional Service of Canada.

- (1)Zeitoun, L. (1976). *"The Development of Community-based Residential Centres in Canada."* Extracted from a speech given at the First International Conference on Community Residential Care for the Disadvantaged or Socially Stigmatized, July 1976, University of Surrey, Guildford, Surrey, U.K.
- (2)Smykla, J.O. (1981). *Community-based Corrections: Principles and Practices.* New York: MacMillan, 7.
- (3)Smykla (1981), 12.
- (4)*In fact, the theme for the Eighth United Nations Congress on the Prevention of Crime and Treatment of Delinquency in Havana in 1990 is the search for "credible non-custodial sanctions."*
- (5)Environics (1989). *"Qualitative Investigation of Public Opinion on Sentencing, Corrections and Parole,"* Focus Canada, September 1989; and Decima Focus Group Study, Toronto, April 27, 1988. See also Doeren, S., & Hageman, M. (1982). *Community Corrections.* Cincinnati: Anderson Publishing Co., 16.
- (6)Crawford, T (1988). *"Halfway Houses: Pleading a Case with Society,"* The Toronto Star, February 20, 1988.
- (7)*For the purpose of this discussion, no distinction will be made between CRCs and Community Correctional Centres (CCC), which are run by CSC itself.*
- (8)*National Parole Board and Correctional Service of Canada (1989). Community Correctional Centres and Community Residential Centres: A Study of their Comparative Utilization.*
- (9)Kappel, B. (1986). *Community Impact Study: The Effect of Locating Correctional Group Homes in Residential Neighborhoods.* Toronto: Canadian Training Institute. See also material presented to the Ottawa Task Force on Special Needs Housing, 1987 to present.
- (10)*This is supported by findings in Envionics, Focus Canada, September 1989.*
- (11)"Kappel, B. (1986). *Community Impact Study, 45.*
- (12)Kappel, B. (1986). *Community Impact Study, 45.* See also Metropolitan Toronto Branch of the Canadian Mental Health Association (1986). *Re: Action, Fall 1986; and Goodale, T., & Wichware, S. (1979). "Group Homes and Property Values in Residential Areas,"* Plan Canada 19/2, 162.
- (13)*Kappel found that only 11% of the residents of a neighbourhood where there was a halfway house were aware of its existence.*
- (14)*The staff of Fergusson House, a group home for adult women in conflict with the law, described the interaction of the home with the community as minimal. Beyond the immediate neighbours who have asked permission for their son to use the basketball hoop, the only members of the public who come to the house are volunteers or people who are sympathetic to the plight of the residents and want to make donations of clothing or housewares. Beyond these contacts, the residents make use of social services and other community facilities much as most families do.*
- (15)*In an informal discussion with the staff of McPhail House, an "open custody" group home for female young offenders, it was explained to this writer that efforts are taken to keep the music at a respectable decibel level during barbecues in the yard and to keep the property neat to prevent disturbing neighbours. As any parent can attest, this is not always easy when the residents are 15- and 16-year-old girls who, but for some problems, are average teenagers who "could be anyone's kids."*

- (16)English, K. (1986). *"Neighbors Happy with Group Homes: Once Bitter Opposition Dissolves as Homes Run Without Problem,"* The Sunday Star, October 26, 1986.
- (17)Doob, A.N., & Roberts, J. V. (1987). *"Public Attitudes Toward Sentencing in Canada"* in Walker, N., & Hough, M. *Sentencing and the Public.* London: Gower.
- (18)Environics (1989). *"Qualitative Investigation of Public Opinion on Sentencing, Corrections and Parole,"* Focus Canada, September 1989; and *Decima Focus Group Study, Toronto, April 27, 1988.*
- (19)MacNeil, J., & Kappel, B. (1986). Executive Summary, Community Impact Study: The Effects of Locating Correctional Group Homes in Residential Neighborhoods, 18.
- (20)These observations came from discussions with the staff at McPhail House and Fergusson House, two facilities for women in conflict with the law that are run by the Elizabeth Fry Society of Ottawa.
- (21) Smykla (1981), 49.
- (22)Glannone, F. (1989). *"Ignorance, Meanness Typify NIMBYs,"* The Toronto Star, May 31, 1989.
- (23)American Correctional Association (1966). *Manual of Correctional Standards.* College Park, Maryland: The Association, 137.