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# Why housing matters in criminal justice reform

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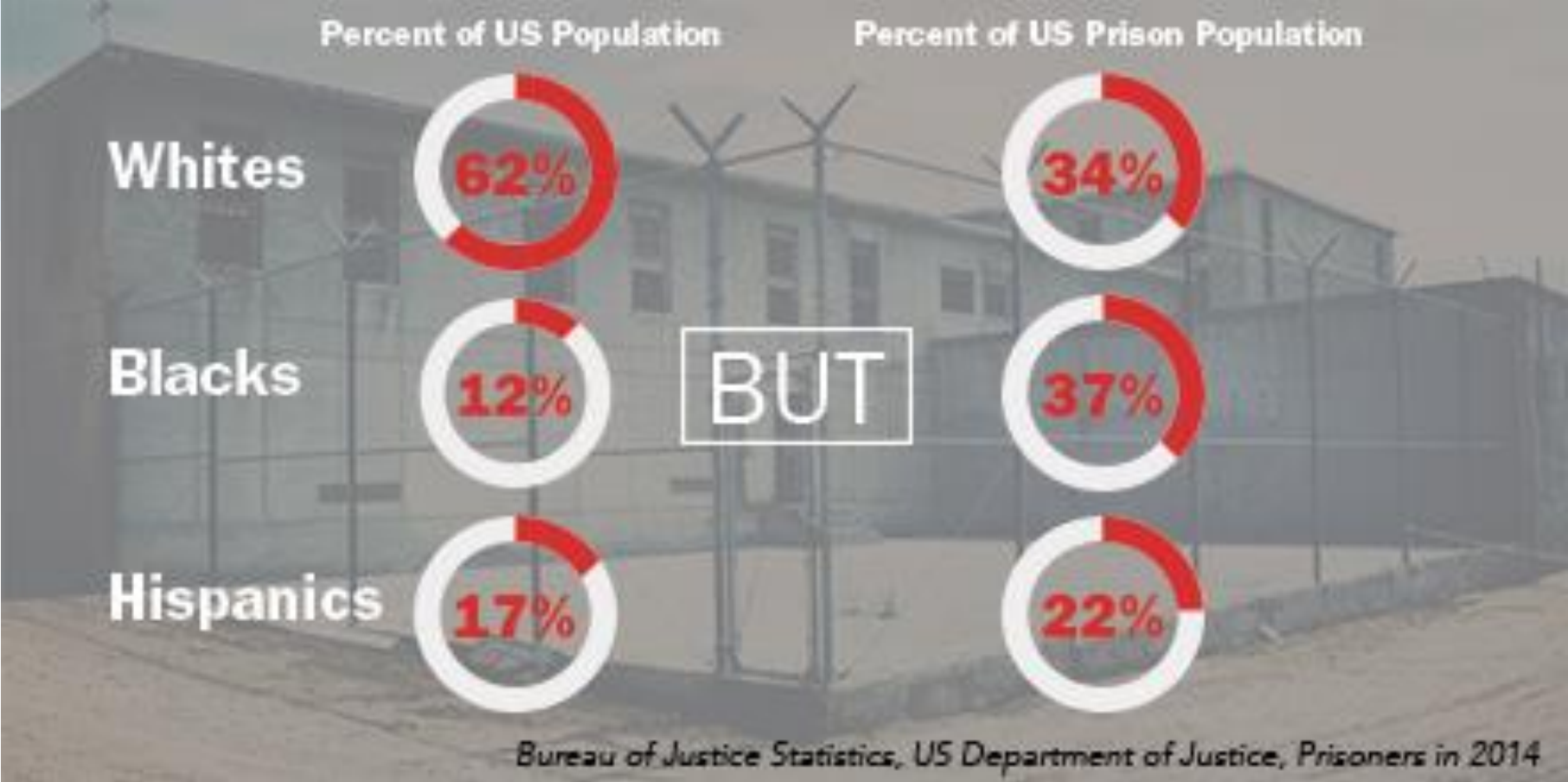
# How many people in the US have criminal records?



## More than you probably think:

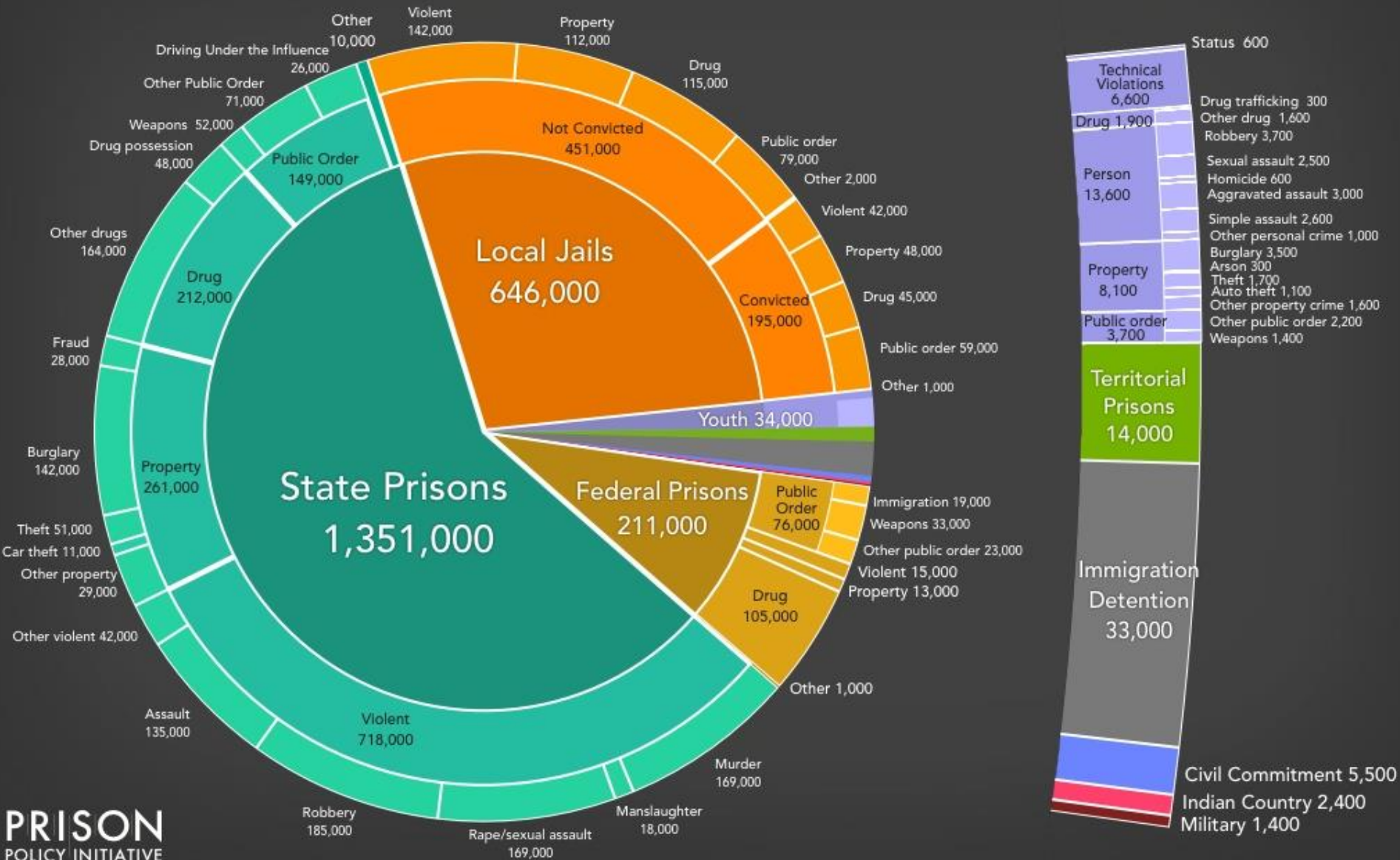
- US is the world's largest jailer:
  - 5% total world population, but "houses" 25% of world prison population
- More than 2 million adults were incarcerated in US federal and state prisons, and county jails in 2013
  - The vast majority of these people will be released at some point (95%)
  - Each year, more than 600,000 people are released from federal and state prisons, and more than 11 million cycle through local jails.
- **FBI estimates that as many as one in three Americans has a criminal record**

# Who is incarcerated?



# How many people are locked up in the United States?

The United States locks up more people, per capita, than any other nation. But grappling with why requires us to first consider the many types of correctional facilities and the reasons that 2.3 million people are confined there.



# Housing is key to preventing crime



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Housing can both be an upstream and downstream solution for preventing crime.

- Stable and decent affordable housing can help disrupt the cradle to prison pipeline.
- Housing after incarceration can serve as a stabilizing platform where people can get back on their feet, maintain employment, and reconnect with their families and communities, while also reducing recidivism and homelessness.



# Poor housing quality and instability can lead to juvenile involvement in criminal justice system



- Poor housing quality is a strong predictor of emotional and behavioral problems in low income youth.
  - Child with lead poisoning is 7 times more likely to drop out of school and 6 times more likely to end up in juvenile justice system.
- Children with housing instability are more likely to repeat a grade, get suspended, and have among the lowest academic performance in their class. They are less likely to graduate from high school.
- Nearly 121,000 children are in the foster system because their parents lack access to safe, decent affordable housing.
  - Children growing up in the foster system are more likely to experience physical, developmental and mental health problems, including emotional and behavioral problems. Indeed, children and youth in foster care are suspended or expelled from school at higher rates than their peers.
  - They are also more likely to end up in jail. One study found that 34 percent of youth who left foster care at age 17 or 18 had been arrested by age 19.

# Housing can reduce recidivism among reentry population



Supportive housing has been found effective in decreasing shelter use, incarceration, inpatient hospital stays, and emergency room visits and their associated costs among people with criminal records.

- In one study, participants who received supportive housing were 61% less likely to be re-incarcerated within one year.
- In a recent study, people with criminal records who lived on the street were shown to have been rearrested at double the rate of their counterparts who secured housing.
- In a study by the Vera Institute of Justice, people released from prison and jail to parole who entered homeless shelters in New York City were seven times more likely to abscond during the first month after release than those who had some form of housing.

**Reducing recidivism is a win across the board**

# Housing challenges upon release



- In a recent survey of formerly incarcerated people and their families:
  - 79% of survey participants were either ineligible for or denied housing because of their own or a loved one's conviction history;
  - 58% of survey participants were currently living with family members while only 9% were living in transitional housing; and
  - 1 in 10 survey participants reported family members being evicted when loved ones returned.



# Hard choices

Darnell Smith  
(spent 10 years  
in Sing Sing):  
“You’re telling  
me I cannot live  
with my wife  
and kids and the  
only way I could  
is if they leave  
public housing?”



# Having a criminal record can lead to homelessness and vice versa



- A study found that 9% of adult state and federal inmates reported an episode of homelessness in the year prior to arrest, 4 to 6 times the estimated rate in the general US adult population.
- Approximately one out of ten individuals entering prison will have experienced homelessness in the recent past, and of those leaving prison, one out of ten will experience homelessness in the future.
- The US Interagency Council on Homelessness estimates that roughly 48,000 people entering shelters each year are coming directly from jails or prisons.
- A study found the first 30 days after release from prison or jail was when people were most likely to experience homelessness.
- One study found that in some large urban areas, 30 to 50 percent of all people on parole are homeless.
- A 2004 Urban Institute study in Baltimore found that among those released from jail, one-third did not report having a place to live on release.

# Barriers to housing



- Shortage of affordable housing for people with low incomes: 7.2 million unit shortage of housing that is affordable and available to extremely low income households.
  - NY state housing wage is nearly \$27!
- Discharge planning does not sufficiently take into account housing needs. Where's the coordination?
- Reentry population often returns to disadvantaged communities that lack transitional/supportive services.
- Landlords, including those who receive federal funds and public housing agencies, have broad discretion to screen people out of housing.
  - Issues that often come up during screening process:
    - Overly long lookback periods
    - Overly broad categories of crimes considered
    - Landlords fail to consider mitigating evidence
    - Third party screening companies and incorrect public records/data
    - Admission policies not widely available

# Recent action to address barriers



## HUD

- New guidances related to fair housing/disparate impact and use of arrest records in screening people for federally-assisted housing
- Report highlighting pilot programs and best practices
  - Includes information about NYCHA's family reentry pilot program

## Congress

- Legislation introduced: Fair Chance at Housing Act (HR 5085)

## New York

- Gov. Cuomo's administration will adopt new-anti discrimination guidance for NY-financed housing.
  - New guidance will forbid discrimination based on a conviction alone, and require operators to make an individualized assessment of applicants based on factors such as the seriousness of the offense, the time since the offense, the age of the applicant at the time of the crime and evidence of an applicant's rehabilitation.
  - The guidance will cover state-funded public housing, federal Section 8 rental assistance administered by state agencies, and affordable housing financed by the Housing Finance Agency.

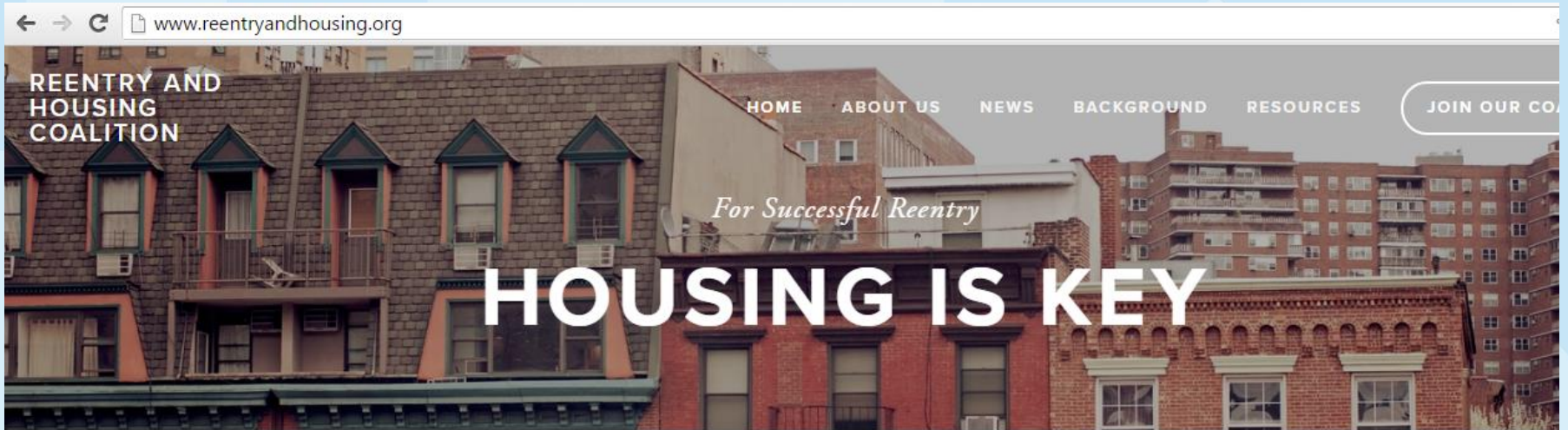
# NYCHA Family Reentry Pilot



- 2 year pilot program aimed to help formerly incarcerated people by reuniting them with their families in public housing.
- First phase: 150 people wishing to live in public housing—all of whom have been released from a correctional facility within the past three years—were carefully screened for housing assistance and provided case management services from reentry service providers.
- Goal: eventually add these people to their family's public housing lease.
- Partner organizations: Vera Institute of Justice, Corporation for Supportive Housing, NYC Department of Homeless Services, NYC Department of Corrections, Fortune Society and others
- None of the participants have committed a crime or violated parole since their entry.
  - Bucks the nation's recidivism rate of more than four in 10 offenders who return to state prison within three years of their release.



For more information, please check out our coalition website at [www.reentryandhousing.org](http://www.reentryandhousing.org) and please feel free to email me at [eweiss@nlihc.org](mailto:eweiss@nlihc.org).



## Criminal Justice Reform - Are We Ready?

Deinstitutionalization in the 1970s was a good thing. However, we were not ready with enough community supports to help the thousands of people who were released, and as a result many people with mental illness became homeless.

Now we are seeing efforts to reform the criminal justice system, another good thing. This could potentially result in the release of tens of