

Housing Access for People with Criminal Records

Criminal Justice Reform

As lawmakers make progress in reforming the U.S. criminal justice system that could potentially result in the release of tens of thousands of people—all who will need a place to live, receive supports, and reconnect with their families and communities—, there is growing concern for how the reentry population will fare upon their return. Even after serving their time, people with criminal records face collateral consequences that jeopardize their opportunity to make the most of their second chance.

When reforming our criminal justice system, we must ensure that people with criminal records have access to stable and affordable housing to help them get back on their feet.

As many as 100 million U.S. adults – or nearly one-third of the population – have a criminal record of some sort.

Collateral Consequences

Studies have shown that formerly incarcerated individuals **experience high rates of homelessness**, and in some urban areas an estimated 30% to 50% of people on parole have no place to call homeⁱ. 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 futureⁱⁱ.

Research has also shown that formerly incarcerated **individuals who cannot**

find stable housing are more likely to recidivate than those who doⁱⁱⁱ. Some even remain incarcerated past their release date if they are unable to find housing.

Barriers to Housing

Resources, especially affordable housing, are already scarce. There is currently a **shortage of 7.2 million affordable rental units** that are available to extremely low income households^{iv}. In a recent survey, **79% of survey participants were either ineligible for or denied housing because of their own or a loved one's conviction history**.^v

Congress gave public housing authorities (PHAs) and owners of federally-assisted housing broad discretion in screening out applicants with criminal records or precluding formerly incarcerated individuals from staying with their families who live in public housing. These policies disproportionately impact people of color and people with disabilities, as these persons are overrepresented in the U.S. criminal justice system.

Housing providers are not required to consider the totality of the circumstances surrounding criminal activity when they screen or decide to evict people from federally assisted housing. This means that mitigating circumstances, like the completion of a rehabilitation program, may not be considered. In some cases applicants or tenants may be punished for activity that has little to bear on their ability to fulfill the terms of a lease or on

community safety.

Housing as a Solution

Housing is a major tool for preventing recidivism. Participants who received supportive housing in one program were 61% less likely to be re-incarcerated within one year.^{vi} In a study by the Vera Institute of Justice, people on 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. Criminal justice expenditures could frequently be avoided, especially for the highest users who are cycling through multiple systems, with the provision of more appropriate community based housing and services.

Housing is also a crucial component of recovery for individuals with substance use disorders, such as opioid addiction.

PHAs are meant to house those who without public housing would not be able to live in decent, safe and stable housing. PHAs also need support to be able to provide access to harder to serve populations such as those with criminal records.

PHAs and owners of federally-assisted housing need clear policies provided by Congress to help address the many barriers to housing faced by people with criminal records.

ⁱ <http://content.knowledgeplex.org/kp2/cache/documents/2054/205408.pdf>

ⁱⁱ <http://poverty.org/sites/default/files/images/publications/WDMMD-final.pdf>

ⁱⁱⁱ <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/411289-Understanding-the-Challenges-of-Prisoner-Reentry.PDF>

^{iv} http://nlihc.org/sites/default/files/Gap-Report_print.pdf

^v <http://whopaysreport.org/wp-content/uploads/2015/09/Who-Pays-FINAL.pdf>

^{vi} <https://www.huduser.gov/portal/periodicals/cityscape/vol15num3/ch3.pdf>

To learn more about our coalition and reentry and housing information and solutions go to

www.reentryandhousing.org