

Public Housing for People with Criminal Histories

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FACT SHEET

Expanding Access to Public Housing for People with Criminal Histories

Housing stability is essential for breaking the cyclical relationship between incarceration and homelessness and supporting a formerly incarcerated person's successful return to his or her community (Metraux et al., 2008). However, until recently, tenant-selection criteria in most public housing throughout the country have prevented formerly incarcerated people from formally returning to their homes or living with family members in public housing. Lacking other housing options, many of these people still lived with their families in public housing but off the lease and "in the shadows," which put their entire family at risk of eviction.

Promoting Family Reunification in Public Housing

To reduce the risk of recidivism, programs that prioritize family reunification and do not use a person's criminal history as a deterrent to housing access are crucial (Solomon et al., 2006). Research shows that improving access to stable, affordable, quality housing substantially increases the likelihood that a person leaving prison or jail will be able to connect with existing family support, find and retain employment, and rebuild supportive social networks, reducing their reliance on homeless shelters and increasing public safety (La Vigne et al., 2009; Nelson et al., 1999).

Since 2011, the U.S. Department of Housing and Urban Development (HUD) has explicitly encouraged all public housing authorities (PHAs) to utilize their discretion in giving people a second chance at housing. A number of housing authorities—in Baltimore, Chicago, Los Angeles, and New York City, for example—are running new programs to help people with criminal histories access public housing. Others—such as in Oakland, CA and Burlington, VT—have well-established programs, with successful track records.

- > **Chicago Housing Authority** launched a pilot program for 30 people who have completed a year of case management at one of three participating service providers. Providers issue a certificate to participants, which they can use as proof of mitigation of circumstances, and continue to work with them for an additional year. The pilot serves people with families in public housing developments and in Section 8 housing, as well as people who wish to move into their own subsidized unit. A similar pilot is underway with the Cook County Housing Authority.
- > **New York City Housing Authority (NYCHA)** operates the Family Reentry Pilot Program—a partnership between NYCHA, the New York City Department of Homeless Services, the Corporation for Supportive Housing, and the Vera Institute of Justice (Vera). Through the program, formerly incarcerated people join their families in public housing under temporary permission and receive case management services from partnering nonprofits to facilitate

successful reentry. Participants who complete the program can ultimately be added to the household's lease or can choose to use this as a temporary housing option while they get on their feet.

- > **Oakland Housing Authority (OHA)'s** Maximizing Opportunities for Mothers to Succeed (MOMS) program, in operation now for 13 years, connects mothers in medium or minimum security at the Santa Rita jail to housing provided by OHA. To be eligible, mothers must participate in a counseling, education, and employment assistance program in the jail and continue with case management services once they return to their community. The housing authority has 11 units set aside for program participants. At the conclusion of the approximately 12-month program, women who successfully meet their programmatic goals and lease requirements can apply for permanent housing and their prior conviction will not be held against them. The program is planning to expand to 30 units and will include units for fathers leaving jail.

Additional Policy Options to Reduce Homelessness and Improve Reentry

A growing number of PHAs across the country have begun to adopt policies that provide formerly incarcerated people with the opportunity to live in federally subsidized housing. Below are two additional examples of how jurisdictions can expand access to housing:

- > **Update screening criteria** for new applicants and additions to the lease. Some PHAs have reworked their screening processes to be more holistic in evaluating prospective applicants with conviction histories. With support from Vera, the Housing Authority of New Orleans amended its Admissions and Continued Occupancy Policy to establish more comprehensive screening procedures that use a range of criteria for applicants with criminal records.
- > **"Ban the Box"** for housing. Modeled after efforts to remove inquiries about criminal convictions on job applications, San Francisco and Newark, NJ have "fair chance" ordinances for people applying for housing. In San Francisco, for example, affordable housing providers must conduct individual assessments of each applicant with a conviction history, rather than automatically denying his or her application. This assessment must consider **directly related convictions** only, **time since conviction**, and **evidence of rehabilitation**.

For More Information

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The Vera Institute of Justice is an independent nonprofit organization that combines research, demonstration projects, and technical assistance to help leaders in government and civil society improve the systems people rely on for justice and safety. Vera's Family Justice Program provides training, technical assistance, and research to help community-based organizations and government agencies—such as corrections, parole and probation, and juvenile justice entities—adapt their policies and practices to be strength-based and family-focused.

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