Background & Purpose

• Barriers to public and private housing for people with criminal records
• Criminal Justice Reform
• The purpose of this webinar is to provide basic information on corrections systems to homeless service providers in help them develop effective partnerships with reentry providers.
Agenda

- **Jayme Day** (moderator), Policy Director for Individual Homeless Adults, National Alliance to End Homelessness
- **Madeline Neighly**, Senior Policy Advisor, CSG Justice Center
- **Alix McLearen**, PhD, Administrator, Female Offender Branch, Federal Bureau of Prisons
- **Marcus Dawal**, Deputy Chief, and **Craig Emmons**, Division Director, Adult Field Services Alameda County Probation Department
- **Wendy Jackson**, Executive Director, East Oakland Community Project (EOCP)
- Q&A

Send us your questions!

Lines are muted to facilitate this call.

A recording of this webinar will be posted online at:

www.endhomelessness.org

If you have questions during the webinar, submit them in the question box on your control panel. We will answer as many questions as possible at the end of the webinar.
Reentry and Housing Coalition

• Coalition Mission and Goals
• Homeless Services 101 webinar for reentry providers
  – Second Chance Act grantees  
  – What reentry providers asked about
  – Tool coming out
• Website: www.reentryandhousing.org

Reentry Services 101:
What Homeless Providers Need to Know

Mary Owens USICH
September 14, 2016
Homelessness in America

2015 AHAR Report

- In January 2015, 564,708 people were identified as experiencing homelessness on a given night.
- 31% were found in unsheltered locations.
- Nearly ¼ were children under the age of 18.
- 9% were between 18-24.
- 68% were 25 years and older.

Housing Affordability in the U.S. for a Two Bedroom Apartment

| OR | Full-time job with hourly wage: $18.92 |
| OR | Full-time jobs at minimum wage: 2.6 |

Estimated Mean Renter Wage in the U.S.

- Full-time job with hourly wage: $14.65

Advancing Opening Doors

Opening Doors: Federal Strategic Plan to Prevent and End Homelessness:

1. Prevent and end homelessness among Veterans in 2015
2. Finish the job of ending chronic homelessness in 2017
3. Prevent and end homelessness among families, children, and youth in 2020
4. Set a path to end all types of homelessness
Our Results Since 2010

Overall Homelessness: 11%
Veteran Homelessness: 36%
Chronic Homelessness: 22%
Family Homelessness: 19%

Homelessness and Incarceration

- Nearly 48,000 people enter homeless shelters from correctional facilities
- About 25% of people in jail have a history of homelessness in the year prior to arrest (~340,000 people)

Homelessness
Criminal Justice Involvement
Reentry and Homelessness

• People leaving jails face housing challenges

• 50,000 people a year enter shelters directly after release

• Reentry programs and services are limited in meeting housing needs

Typology of Housing Needs

<table>
<thead>
<tr>
<th>Housing/Service Needs</th>
<th>Criminal Justice Involvement</th>
<th>Housing Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>Low</td>
<td>Family reunification, rapid rehousing</td>
</tr>
<tr>
<td></td>
<td>High</td>
<td>Affordable housing, rapid rehousing, transitional housing</td>
</tr>
<tr>
<td></td>
<td>People with law enforcement contacts due to criminalization of homelessness</td>
<td>Chronically homeless, chronic behavioral health conditions, and/or frequent users of corrections</td>
</tr>
<tr>
<td>High</td>
<td></td>
<td>Permanent supportive housing</td>
</tr>
</tbody>
</table>
Objective 9

“Advance Health and Housing Stability for People Experiencing Homelessness Who Have Frequent Contact with Hospitals and Criminal Justice.”

• Ensure Discharge Planning and Reentry

• Encourage adoption of housing strategies as part of state and community efforts to improve reentry from prison and jail

• Encourage state links to housing assistance.

• Reduce criminalization of homelessness

Federal Interagency Reentry Council

• 20-agency Council established in 2011 by the Attorney General

• Coordinates Federal policy efforts to reduce barriers to successful reentry (housing, employment, benefits, services, civic participation)
The Federal Interagency Reentry Council: A Record of Progress and a Roadmap for the Future

Progress to date:

• Policy Clarifications
• Anti-discrimination guidance
• Pay for Success

Roadmap for the future:

• Engaging PHAs
• TA to HUD field staff

Connecting People Returning from Incarceration with Housing and Homeless Assistance

• Released by USICH in March 2016

• Tips on how to help people exiting justice systems connect to housing

• Provides a range of housing programs available for people returning from incarceration
Mary Owens
Management and Program Analyst
U.S. Interagency Council on Homelessness
mary.owens@usich.gov

www.usich.gov
The Council of State Governments Justice Center

- The CSG Justice Center is a national non-profit organization that provides practical, nonpartisan advice informed by the best available evidence on criminal justice topics.
- The National Reentry Resource Center (NRRC), funded through the Second Chance Act, is a clearinghouse of resources for the reentry/corrections field.

Madeline Neighly, Senior Policy Advisor, mneighly@csg.org

People leaving jail or prison have a variety of needs:

- Food
- Housing
- Mental health care needs
- Physical health care needs
- Medications
- (Re)starting benefits
- Transportation
- Identification
- Family reunification
- Employment
- Reporting to parole or probation officer
- Substance Abuse Treatment
People do not leave incarceration prepared or able to meet their needs

**Identification**
- Frequently required to access social services, housing, and to apply for employment
- Most people find themselves **without** state identification after incarceration


**Housing**
- 10% of people exit incarceration into homelessness
- California study found 10% of parolees were homeless with much higher rates in major cities (LA and SF)

**Health care**
- People in jails and prisons suffer from disproportionately high rates of HIV/AIDS, hepatitis, diabetes, and other illnesses
- 3x as likely to have a major mental illness
- 90% of people exiting incarceration are uninsured

**Family reunification**
- 54% of prisoners are parents with minor children (0-17)
- 2.7 million children have a parent in jail or prison

People do not leave incarceration prepared or able to meet their needs

**Transportation**
- Many rural areas have no public transit systems
- If public transit is available, it may be unaffordable

**Probation/Parole Reporting**
- Lack of transportation may interfere with ability to report
- Reporting requirements may prevent employment or even participation in or completion of treatment

**Employment**
- People with criminal records struggle to find and maintain employment
- The effect of a criminal record is more pronounced on black job seekers
- People with criminal records may be prevented from obtaining certain occupational licenses

Collateral consequences vary based on offense level (misdemeanor vs. felony)

Legal sanction or restriction imposed because of a criminal record

- Employment
- Licensing
- Housing
- Education
- Voting
- Jury participation
- Firearms rights

www.abacollateralconsequences.org

Communities of color are disproportionately affected by the criminal justice system

U.S. Incarceration Rates by Race/Ethnicity, 2010
(Number of people incarcerated per 100,000 people in that group)

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Rate per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Indian/Alaska Native</td>
<td>1 in 112</td>
</tr>
<tr>
<td>Black</td>
<td>2306</td>
</tr>
<tr>
<td>Hispanic</td>
<td>831</td>
</tr>
<tr>
<td>White</td>
<td>450</td>
</tr>
</tbody>
</table>


U.S. Adult Population

30% With a Criminal Record

Landlords are increasingly requiring background checks on applicants

**Fair Credit Reporting Act (15 U.S.C. § 1681 et seq.)**

- Limits disclosure of non-conviction criminal history to 7 years. Convictions may be reported indefinitely.
- Requires authorization from and notification to applicant if “adverse action” (duty on landlord).
- Require CRA to use “reasonable procedures to assure maximum possible accuracy of the information.”
- Preempts states from increasing adverse action notifications and restricting what information may be contained in report.

**Fair Housing Law (42 U.S.C. § 3601 et seq.)**

**Federal Fair Housing Law prohibits both**

- **disparate treatment**
  - Intentional discrimination of a protected class
  - Housing decision is made on the basis of race, color, religion, sex, family status, national origin, or ability/disability
  - Having a criminal record is not a protected category

- **disparate impact**
  - Looks at the effect of practices that are fair in form, but discriminatory in operation
  - Excluding people from housing because of a criminal record is likely to have a disparate impact on people of color, particularly blacks and Latinos. May violate the Fair Hiring Act if there is no substantial, legitimate, nondiscriminatory interest served.
Fair Housing Law Resources


Summary of Guidance from HUD on Use of Criminal Records in Housing (http://www.endhomelessness.org/page/-/files/2016-04-27%20Summary%20of%20Guidance%20on%20Use%20of%20Criminal%20Records%20in%20Housing.pdf)

Cities are implementing policies to support housing for people with criminal records

**Housing Authority of New Orleans**

- Eliminated ban on providing housing assistance to people with criminal records (March 29, 2016)
- Creates individual review of criminal histories to ensure maintenance of safety while increasing housing opportunities

**Seattle**

- Mayor created Fair Chance Housing coalition in 2016 following recommendation by the Housing Affordability and Livability Agenda set in 2015
- Low-income housing agencies created individualized assessment policies to increase housing opportunities for people with criminal records while maintaining community safety
Reentry Services 101
Alix M. McLearen, Ph.D.
Administrator, Female Offender Branch
Federal Bureau of Prisons

Corrections Overview

- BOP is nation’s largest correctional system
  - 122 prisons
    - 28 female
    - Located nationwide
  - BOP is one of more than 3,000 systems in the U.S.
    - National
    - State
    - Local
Types of Facilities

- Corrections includes
  - Prisons
    - Longer-term, sentenced
    - State or Federal Government
    - Often rural
  - Jails
    - Local Government
    - Short-term sentences or pretrial
  - Juvenile facilities

Services for Incarcerated Persons

- Level of service varies by
  - Length of stay
  - Type of facility
  - Resources of facility
- Nearly all facilities offer reentry and self-improvement services
  - Education
  - Job Training
  - Mental Health Treatment
  - Medical Care and Wellness
  - Parenting
  - Special Population Services
Reentry Planning

- Ideally, considerable effort is expended in preparing for release
  - In BOP, assignment of case manager to develop individualized reentry plan
  - Review risks and needs
  - Identify programs and services in release area
  - Suitable housing is generally a required component

Housing Issues

- Shorter-term facilities have less time to plan
- Special populations may be more vulnerable to homelessness
- Fewer options for some individuals (rural, special needs)
- Even the best laid plans....
Housing Options

- Halfway House or Residential Reentry Center
- Other transitional housing
- Own property
- Stay with friends or family
- Short-term shelter
- Homelessness

Solutions

- Correctional workers and community providers have the same goals
  - Quality services
  - Continuity of care
  - Reduce recidivism
  - Prevent homelessness
  - Accessibility to those in need
Future Directions

- Communicate
- Make information widely available
- Know that corrections cares

THANK YOU!

ALAMEDA COUNTY PROBATION DEPARTMENT

ADULT FIELD SERVICES
**Adult Investigations**

- Deputy Probation Officers investigate, evaluate and make recommendations about a client in the presentence report.
- The presentence report is mandated by law and assists the Courts in making appropriate sentencing dispositions.
- Risk Assessment
- Static 99R Investigations
  - Completed 2,809 presentence reports
  - Completed 2,269 Risk Assessments

**Risk Based Supervision Model**

- Risk Assessment Score 20 or below - Services as Needed (Low)
- Risk Assessment Score 21-24 is supervised by KIOSK DPO (Medium)
- Risk Assessment Score 25+ is supervised by a Supervision DPO (High)
Services as Needed Caseload

- Client is placed on probation.
- Client is ordered to go to Orientation.
- Client’s folder gets placed in the bank of the Services as Needed Caseload.
- Client receives services as needed by the Officer of the Day by the client calling directly to the Probation Department or reporting to the office.

Domestic Violence

Deputies work with the Courts, police, victim advocates and other community providers to provide services to domestic violence cases in compliance with Penal Code Section 1203.097.

Specialized domestic and family violence caseloads.

All domestic violence cases or cases with domestic violence conditions are assigned to a supervision caseload.
**Sex Offender Unit**

A collaborative approach to sex offender management (Containment Model) became mandatory in California beginning July 1, 2012.

- Three required components: participation by a supervising probation officer; sex offender treatment provider; and polygraph examiner.
- All clients on probation for sex offenses are assigned to a specialized caseload.

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**AB109 – Realignment**

The realignment legislation enacted in October 2011:

- 1) Created a new sentencing mechanism for non-violent, non-serious, non-high risk sex offenders
- 2) Clients serving time in prison for realigned offenses are now supervised by probation.

Realignment (PRCS and Mandatory Supervision)

- Risk and Needs Assessment
- Response Grid – Rewards and Sanctions
- Flash Incarceration
- Collaborations with community based organizations & other county agencies
Thank You

Adult Field Services Division

Questions?

A recording of this webinar and presentation slides will be available at www.endhomelessness.org & www.reentryandhousing.org