



A stronger Illinois begins at home

February 22, 2016

To: Chairman Rodger Heaton

From: Gianna Baker, Outreach Manager, Housing Action Illinois

Re: Recommendations for Reducing Recidivism by Expanding Stable Housing Opportunities

CC: Members of the Illinois State Commission on Criminal Justice and Sentencing Reform

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Dear Chairman Heaton:

Housing Action Illinois is a statewide coalition of over 150 organizations formed to protect and expand the availability of quality affordable housing. Our member agencies are homeless and supportive housing providers, housing counseling agencies, developers of affordable housing, centers for independent living that serve individuals with disabilities and policymakers. The successes of our coalition include the creation of the Illinois Affordable Housing Trust Fund, the state Homeless Prevention Program, and the Rental Housing Support Program. We also co-led the campaign that secured \$130 million for affordable housing in the state capital budget in 2009.

After reading Part 1 of the Commission's Final Report, we were glad to see that the Commission prioritized the goal of reducing recidivism by increasing the chances of successful reentry. While the Commission offered strong recommendations for enhancing reintegration such as removing barriers to obtaining professional licenses and State Identification cards, we were deeply concerned that the report did not include any suggestions for expanding housing opportunities. Research shows that people who find stable housing upon release are less likely to recidivate. Unfortunately, formerly incarcerated individuals encounter far too many obstacles in finding a place to call home.<sup>1</sup> We believe Illinois cannot successfully reduce the prison population and decrease recidivism without ensuring that men and women returning to our communities have access to stable housing.

One of the most pressing concerns that we hear from our partners throughout the state is the need to remove housing barriers impacting formerly incarcerated individuals. For example, transitional housing providers often share the stories of clients who complete substance abuse programs and secure employment yet are unable to find permanent housing due to criminal records.

A criminal record can create a lifetime barrier to housing even if the offense is unrelated to being a good tenant, old, or an arrest that did not result in conviction. A national study that surveyed formerly incarcerated individuals and their families in 12 states including Illinois revealed that:

*Despite their often-limited resources, families are the primary resource for housing for formerly incarcerated individuals. 79% of survey participants were either ineligible for or denied housing because of their own or a loved one's conviction history. 1 in 10 survey participants reported family members being evicted when formerly incarcerated loved one's returned.* <sup>2</sup>

Furthermore, a recent report found that housing providers frequently use criminal background checks to discriminate against people of color. <sup>3</sup>

In addition to overcoming stigma and discrimination in the housing market, formerly incarcerated people are disproportionately poor making it difficult to find a stable place to live in a state where there is a severe shortage in affordable housing. In Illinois, there are only 30 rental homes both affordable and available for every 100-renter households considered extremely low-income.<sup>4</sup>

Due to limited housing options, men and women returning to our communities are at high-risk of becoming trapped in a costly and inhumane revolving door between homelessness and incarceration. Researchers estimate that 25-50% of people experiencing homelessness have a history of incarceration.<sup>5</sup> Moreover, a study found that 74% of the individuals surveyed who had been homeless prior to their incarceration reported that stable housing would have prevented their incarceration. <sup>6</sup>

We urge the Commission to consider the following recommendations that will expand housing opportunities for individuals and families, promote successful reentry, and decrease recidivism:

**Recommendation 1: Remove unnecessary barriers to state-financed affordable housing for people with criminal records.**

Existing Models

Based on the recommendations of a governor-appointed Council on Community Re-entry and Reintegration, Governor Mario Cuomo approved several reforms last year to support the successful reintegration of formerly incarcerated New Yorkers including increasing access to state-funded housing.

New York's housing finance agency has created a new policy that ends discrimination solely based on a conviction, provides guidance on evaluating a criminal record, and requires all state-funded affordable housing providers to make individualized assessments of applicants with criminal records.<sup>7</sup> The policy applies to federal Section 8 rental assistance administered by state agencies, state-funded public housing, and affordable housing financed by New York's housing finance agency.<sup>8</sup>

At the federal-level, the U.S. Department of Housing and Urban Development (HUD) recently issued new guidance to ensure that people are not excluded from federally subsidized housing simply because of an arrest record.<sup>9</sup> The guidance also clarified that HUD does not require housing owners to adopt or enforce so-called "one-strike" rules that deny admission to anyone with a criminal record or that require automatic eviction any time a household member engages in criminal activity in violation of their lease. Examples of best practices on the use of criminal records as part of the tenant screening process are also included in the document.

### Implementation

The Illinois Housing Development Authority should create an anti-discrimination policy to provide guidance for evaluating criminal records and require all state-financed housing operators to adopt the policy in their tenant selection plans.

## **Recommendation 2: Expand Permanent Supportive Housing Units and Rental Subsidies.**

### Existing Models

Supportive housing is a cost-effective, evidence-based solution for reducing recidivism, improving health outcomes, and helping people to remain stably housed. Supportive housing is permanent affordable housing combined with individualized case management services for people with disabilities like serious mental illnesses or chronic medical conditions such as substance abuse disorders. Supportive services offered to tenants can include health care linkages, employment counseling, substance abuse recovery, financial literacy education and independent living skills.

The Illinois Housing Development Authority funds supportive housing using their existing resources, such as the federal Low Income Housing Tax Credit Program, to create the actual housing units. Funds for the supportive services come from a variety of resources, including the Illinois Department of Human Services using General Revenue Funds and the Health and Human Services Medicaid Trust Fund dollars from Illinois' annual operating budget. In Illinois, the average annual cost per person in state-financed supportive housing is only \$4,000 while the average annual costs of housing a person in prison is \$22,000.<sup>10</sup>

### Implementation

The Illinois Housing Development Authority and the Illinois Department of Corrections should work together to create a Permanent Supportive Housing Bridge Subsidy to provide tenant based rental assistance and supportive services to individuals leaving prisons who are at risk of homelessness. The rental subsidy would serve as a bridge to more permanent sources or rental assistance such as Section 8 Housing Choice Vouchers. IHDA and IDOC could model the program after the Illinois Division of Mental Health Permanent Supportive Housing Bridge Subsidy Program.

Illinois can fund a Permanent Supportive Housing Bridge Subsidy for individuals exiting prisons by utilizing existing state and federal funding sources for affordable housing, such as the Illinois Affordable Housing Trust Fund, the state Rental Housing Support Program and federal HOME Investment Partnership Program funds. Reallocated funds from Illinois Department of Corrections programs that are no longer needed and/or that have been deemed ineffective are another potential resource

Illinois should also create a new state capital budget that can serve as another source of funding for Permanent Supportive Housing. In 2009, Illinois set aside \$130 million in the state's capital budget for affordable housing and later allocated about half of that funding to permanent supportive housing projects through a competitive application process.

### **Recommendation 3: Develop Initiatives to Reduce Recidivism Among People Experiencing Homelessness that Have Frequent Contact with Jails and Other Public Systems.**

#### Existing Models

CSH (formerly known as the Corporation for Supportive Housing) has worked with several communities across the country to develop Frequent User Service Enhancement (FUSE) initiatives that target supportive housing services to people who have frequent contact with jails, homeless shelters, and emergency health care systems. FUSE convenes stakeholders from the mental health, homeless, and jail systems to use a data-driven approach to provide housing and stability to the individuals with the highest needs.

FUSE projects throughout the nation have reduced recidivism, decreased jail stays, and resulted in a more effective investment of public funds. Examples of the outcomes achieved through FUSE include:

- 39% reduction in the number of days in county jail and 83% reduction in the costs of jail, detox, shelter, and emergency rooms for participants in Hennepin County, Minnesota.<sup>11</sup>
- 50% reduction in the number of days in jail for participants in New York City, as compared to a comparison group, and a 92% decrease in shelter days.<sup>12</sup>
- 99% decrease in shelter days and 73% decrease in jail episodes for participants housed for 12 months or more in Connecticut.<sup>13</sup>

#### Implementation

Illinois should create FUSE initiatives to provide stable housing and supportive services to justice-involved individuals that have frequent contact with jail systems and homeless shelters. The state should provide competitive funding for public safety entities to work in partnership with homeless service providers, mental health agencies, and housing providers to develop FUSE programs.

We appreciate the Commission's efforts and look forward to working with you. For additional information, please contact me at 312-939-6074 x. 110 or [gianna@housingactionil.org](mailto:gianna@housingactionil.org).

Sincerely,

Gianna V. Baker



Outreach Manager  
Housing Action Illinois

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- <sup>1</sup> Council of State Governments. (2006). *Public Housing Authorities (PHAs) and Prisoner Reentry*. Retrieved from [http://www.endhomelessness.org/page/-/files/1081\\_file\\_RPC\\_PHAs\\_one\\_pager\\_v7.pdf](http://www.endhomelessness.org/page/-/files/1081_file_RPC_PHAs_one_pager_v7.pdf).
- <sup>2</sup> Ella Baker Center, Forward Together, Research Action Design. (2015). Who Pays the True Cost of Incarceration on Families. Retrieved from <http://ellabakercenter.org/sites/default/files/downloads/who-pays.pdf>.
- <sup>3</sup> Greater New Orleans Fair Housing Action Center. (2015). *Locked Out: Criminal Background Checks as a Tool for Discrimination*. Retrieved from [http://www.gnofairhousing.org/wp-content/uploads/2015/09/Criminal\\_Background\\_Audit\\_FINAL.pdf](http://www.gnofairhousing.org/wp-content/uploads/2015/09/Criminal_Background_Audit_FINAL.pdf).
- <sup>4</sup> National Low Income Housing Coalition. (2015, March). *Housing Spotlight: Affordable Housing is Nowhere to be Found for Millions*. Retrieved from <http://nlihc.org/article/housing-spotlight-volume-5-issue-1>.
- <sup>5</sup> National Health Care for the Homeless Council. (2013, November). *Incarceration & Homelessness: A Revolving Door of Risk* Retrieved from [http://www.nhchc.org/wp-content/uploads/2011/09/infocus\\_incarceration\\_nov2013.pdf](http://www.nhchc.org/wp-content/uploads/2011/09/infocus_incarceration_nov2013.pdf).
- <sup>6</sup> Health Care for the Homeless, Inc. (2011). *Still Serving Time: Struggling with Homelessness, Incarceration & Reentry in Baltimore*. Retrieved from <http://www.hchmd.org/pdfs/Re-entry%20Report%20-%202011.pdf>.
- <sup>7</sup> Office of Governor Mario Cuomo. (2015, September). *Governor Cuomo Announces Executive Actions to Reduce Barriers For New Yorkers With Criminal Convictions*. Retrieved from <https://www.governor.ny.gov/news/governor-cuomo-announces-executive-actions-reduce-barriers-new-yorkers-criminal-convictions>.
- <sup>8</sup> Ibid.
- <sup>9</sup> U.S. Department of Housing and Urban Development. (2015). Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions. Retrieved from <http://portal.hud.gov/hudportal/documents/huddoc?id=PIH2015-19.pdf>.
- <sup>10</sup> Lending A Hand Delivering Results: IHDA Fiscal Year 2013 Annual Report. Retrieved from <http://www.ihda.org/about/news.htm>; Illinois State Commission on Criminal Justice and Sentencing Reform. (2015, December). *Final Report: Part 1*. Retrieved from <http://www.icjia.org/cjreform2015/pdf/CJSR%20Final%20Report%20Part%201%201-4-2016.pdf>
- <sup>11</sup> National Association of Counties (2012, May). *Linking Justice Involved Individuals with Supportive Housing*. Retrieved from <http://www.naco.org/sites/default/files/documents/2012.05.10%20Supportive%20Housing%20Webinar%20Presentations%20PDF.pdf>
- <sup>12</sup> National Association of Counties. (2012, May).
- <sup>13</sup> CSH. (2015). *CT Collaborative on Reentry (CCR)*. Retrieved from <http://www.csh.org/wp-content/uploads/2016/02/CT-Collaborative-on-Re-Entry-Program-Summary-2016.02.12.pdf>.