

Housing Barriers Faced by Formerly Incarcerated People and Their Families

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The Dr. Beatriz María Solís Policy Institute (SPI) is an experiential policy advocacy training program advancing racial, economic, and gender justice throughout the state of California.

Over the course of a year-long fellowship, SPI delivers tools, builds networks, and develops leadership across a dynamic cohort of leaders who are ready to shape California's policies.

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Starting Over, Inc. believes all people have equal value and works to overcome homelessness by addressing its immediate effects and root causes through transitional housing, re-entry services, and civic engagement.

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Prevalence of Incarceration in the Riverside Region

- Riverside County dwarfs the California average in prison and jail incarceration rates - the jail population is nearly **50% higher than the average California county**
- **Average annual jail admissions in Riverside County: nearly 60,000**
- Black Californians are incarcerated at 8 times the rate of white Californians, and Indigenous Californians incarcerated at 3.7 times the rate of white Californians

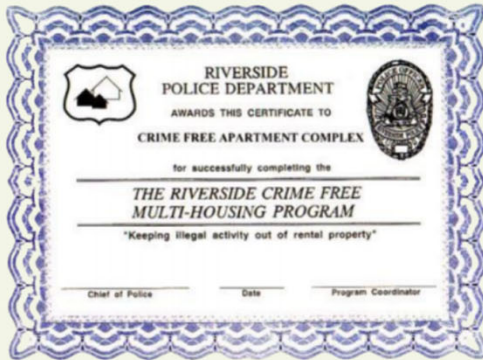
Housing Access and Homelessness in Riverside

The City of Riverside received a "D" from the Southern California News Group in 2020 due to its failure to meet state-mandated goals for permitting affordable housing.

Riverside's 2020 Point in Time survey revealed a **41% increase in youth experiencing homelessness** and that **1 in 5 unsheltered people had lost their housing in the past year**. It found 2,884 individuals experiencing homelessness, a 3% increase from 2019.

In addition to these barriers faced by many Riverside residents, formerly incarcerated community members are subject to additional scrutiny and exclusionary policies.

Barriers to Housing for Formerly Incarcerated People



Nationwide, an estimated 45,000 policies pose collateral consequences to incarceration, re-punishing people for time already served by regulating their work, home, or social lives.

Studies show that housing is the most important risk factor associated with recidivism for people on parole and probation.

Accessing Public Housing Options as a Formerly Incarcerated Person

Section 8 housing vouchers provided by HUD are limited in number and exclude individuals with one of these two felony convictions:

1. If someone has a lifetime listing on the sex offender registry.
2. If someone sold meth anywhere near public housing facilities.

If a recipient of Section 8 housing assistance or someone in their family commits one of these felonies while already residing in Section 8 Housing, their voucher will be revoked forever. That person will never be eligible for Section 8 again.

Accessing Public Housing Options as a Formerly Incarcerated Person

Local Housing Authorities often have more stringent guidelines for who can receive public housing assistance. In Riverside County, far more formerly incarcerated people are denied housing assistance than is required by federal law.

From to the Riverside County Housing Authority:

"Families that have a member or members who have engaged in violent criminal activity or drug related criminal activity are, in most cases, not eligible for housing assistance. Families with members that are required to register as sexual offenders are not eligible for public housing or the Housing Choice Voucher Program."



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Accessing Private Housing Options as a Formerly Incarcerated Person

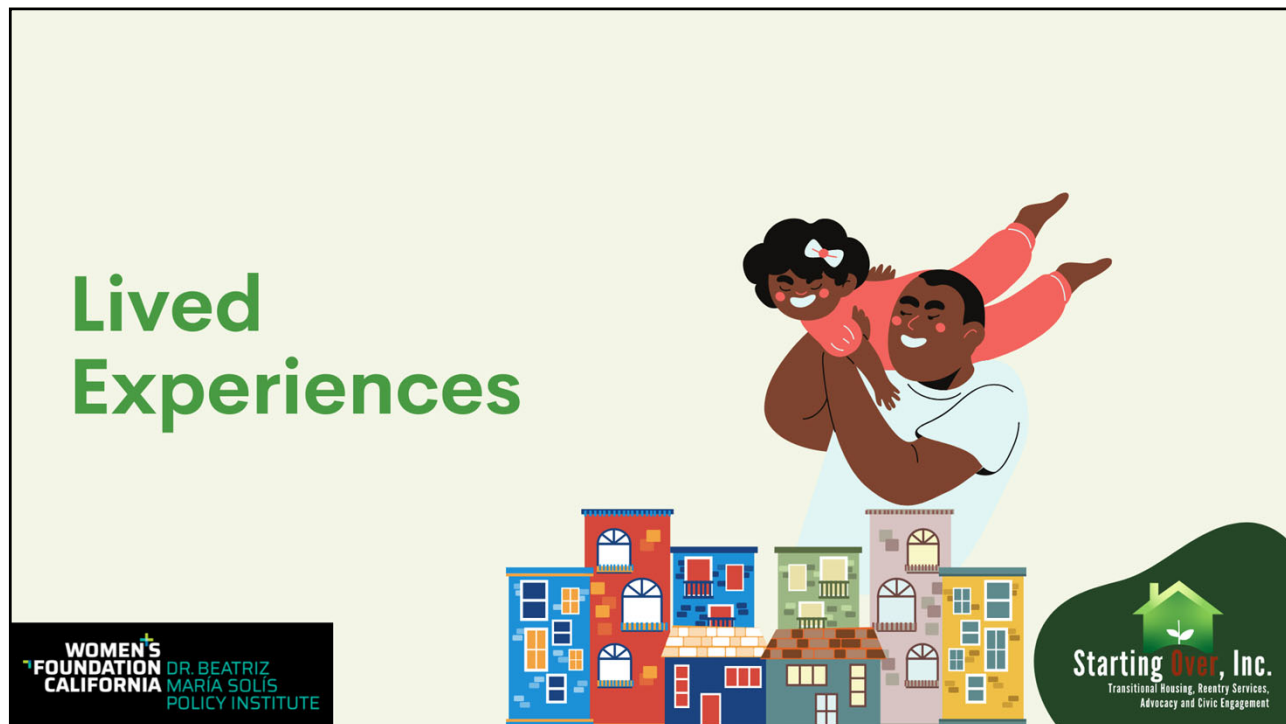
In most parts of California, including Riverside, it is legal to deny a housing application on the basis of the applicant's criminal conviction.

This form of housing discrimination is further encouraged by the Crime Free Multi Housing Program, a police department-run training that aims to empower landlords to evict or exclude tenants who have arrest or conviction records.

Eleven distinct Riverside ordinances currently require property owners to participate in the Crime Free Multi Housing program.



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We need to get reentry right.

Reentry needs to include access to permanent housing and other supportive services to foster **independence** and **self-reliance** after incarceration.

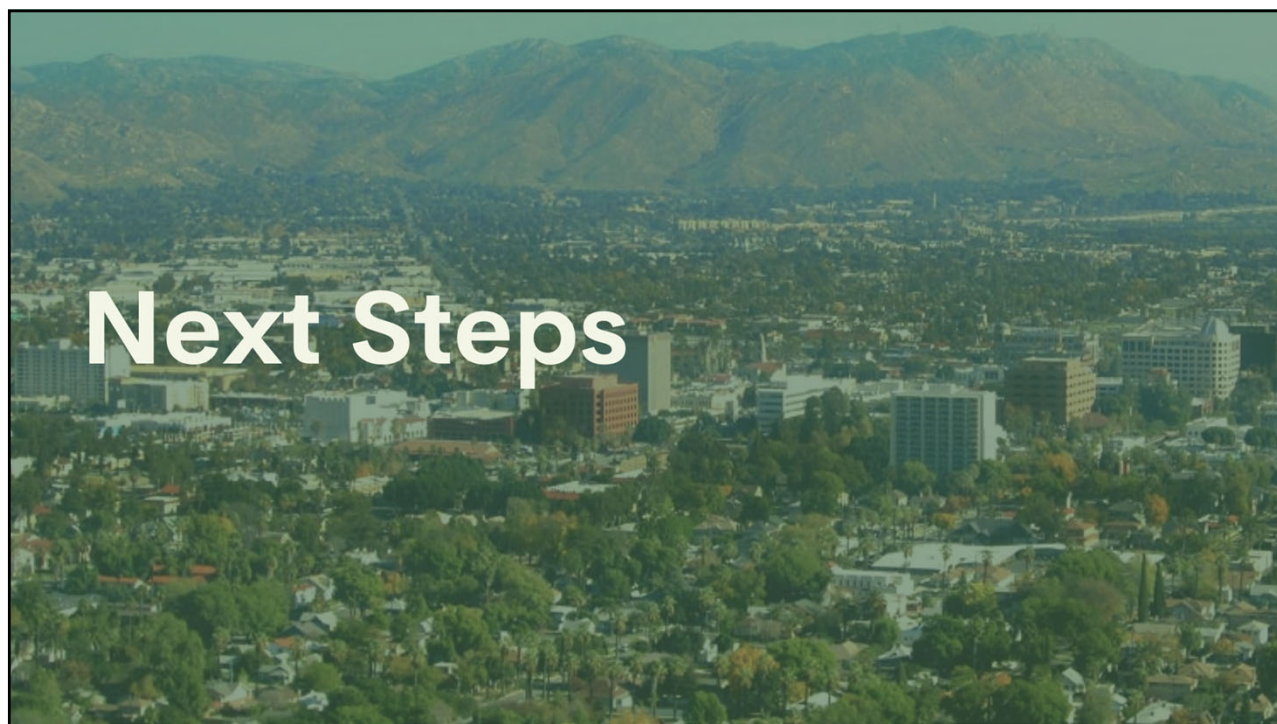
Public health and public safety begin with housing. Being unhoused and unsheltered drastically increases the likelihood of rearrest and incarceration, perpetuating a cycle of poverty, crime, and suffering.

98% of people in jails and prisons are coming back home, most often back to the county they lived in prior to release.

Are we ready to support them?



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What's Next?

- **Joint effort with the Human Relations Commission and the Housing and Homeless Subcommittee to create legislation to ban the practice of refusing housing to people based on their criminal backgrounds**
- Reevaluate city ordinances requiring participation in the Crime Free Multi-Housing program (currently underway)
- Solicit input from formerly incarcerated people & community-based organizations in the creation and implementation of the 5 year plan to address homelessness
- Collect city-wide data regarding the prevalence of housing insecurity among formerly incarcerated Riverside residents

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Fair Chance Housing Ordinance

- **Prohibits housing providers from asking about and using criminal history and checks in rental housing advertising, applications, or decision-making**
- Explicitly covers all housing units including Private, Section 8 or other Federal Housing Authority, and affordable housing units
- Explicitly exempts:
 - Single-family homes, duplexes, triplexes, and Accessory Dwelling Units where the owner occupies one of the units or bedrooms as a principal residence
 - Tenants who seek to add a co-tenant or a roommate
- If required by federal or state law, HUD funded units may conduct limited background checks.



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Enforcement

- File a complaint with the City of Riverside. Close family members may file a complaint on behalf of their formerly incarcerated family member(s), even if they do not reside in the unit that their family member lives in or is seeking to move into. Close family members include a spouse, domestic partners, parents, children, siblings, grandparents, grandchildren.
- Housing providers can be fined at least \$1,000 and up to \$10,000 for each violation
- Additional civil penalties of up to \$5,000 per violation committed against a person who is disabled within the meaning of California Government Code section 12926 et seq., or is aged sixty-five (65) or over.



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Impact

In a preliminary survey of a random sample of 41 formerly incarcerated people in the Bay Area to help inform the formal evaluation study, our partners found that:

- 61% of respondents **had heard about** the new Fair Chance Housing Laws in Berkeley and Oakland, and 49% of respondents **knew what the laws do.**
- **33% of respondents were able to find housing as a result of the passage of the FCH laws, either through renting their own housing or through moving in with a family member or friends.**
- 17% of respondents **felt more confident in their housing search process** and ability to find housing in the future due to the FCH laws
- According to survey respondents, other major barriers to housing included having enough money to pay rent, credit score requirements, and paying a security deposit.

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Questions

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