



Justice Served: Fair Treatment for the Formerly Incarcerated

Recommendations to the New York City Supportive Housing Task Force

April 27, 2016

In November 2015, New York City Mayor Bill de Blasio set forth a bold new initiative in response to the City's unprecedented homeless problem. The Mayor proposed the creation of 15,000 supportive housing units (roughly 7,500 newly-constructed, congregate units and 7,500 scattered site units) over the next 15 years. This 15,000-unit plan is the largest commitment to supportive housing the City has seen to date and holds significant promise to improve the lives of thousands of New York's most vulnerable people. The New York City Supportive Housing Task Force, comprised of leading practitioners, experts, and advocates in the field including CSH, was established after the Mayor made his announcement to help the City implement the plan.

This document includes recommendations to the Task Force to support their efforts to provide supportive housing for New Yorkers with criminal justice histories. **At least 15% of new supportive housing resources created should be dedicated to individuals and families with criminal justice histories.** This population has been shortchanged in every supportive housing agreement to date despite their need for this intervention, and thus, very few supportive housing units in New York City have been targeted at this population. Over 77,000 people were released from New York City Department of Corrections jails in FY 2015.¹ Of all the issues facing returning prisoners, the need to secure housing is one of the most essential. The need for housing and support services is growing, as the proportion of incarcerated individuals diagnosed with mental illness has climbed dramatically over the last decade, currently making up about 40 percent of the population of Rikers Island.² Supportive housing is a proven solution for this population. In fact, a supportive housing pilot for justice-involved populations in NYC demonstrated reduced usage of jails, emergency rooms, and shelters. Each individual housed through the pilot generated \$15,000 in public savings, paying for over two thirds of the intervention costs.³

CSH convened representatives of fourteen experienced reentry housing and service providers, research and advocacy organizations to develop the following recommendations to inform the supportive housing for people with criminal justice histories created under this initiative. The recommendations include the target population, improving access and referral system, the program model and budget.

¹ NYC Mayor's Office of Operations, Preliminary Fiscal 2015 Mayor's Management Report.

² Winerip, Michael and Schwartz, Michael. April 10, 2015. For Mentally Ill Inmates at Rikers Island, a Cycle of Jail and Hospitals. The New York Times.

³ Aidala, Angela A. et. al. New York City FUSE II Evaluation Report, Columbia University Mailman School of Public Health, March 2014.

Target Population

The obstacles faced by people in need of housing who have criminal justice histories are similar to those faced by all special needs populations, including young adults, families, and single adults. Therefore, **each type of special needs housing created under this initiative should target at least 15% of the units to people with criminal justice histories.**⁴

The 15% overlay will include adult, family, and young adult units. All persons listed in the below targeting criteria should be otherwise eligible for supportive housing and meet the below criteria. Persons listed in the four categories below could be a single adult, young adult age 18-25, or family head of household.

Sub Population	Criminal Justice Involvement	Homelessness & Public System Use
1. Persons who are frequent users of City correctional facilities <u>and</u> shelter or other public services	Eligible individuals must be currently incarcerated and awaiting release <u>or</u> have been released to the community within the last 365 days <u>and</u> :	Eligible individuals must be currently homeless or at immediate risk of homelessness as defined as follows:
1. Persons who are frequent users of City correctional facilities <u>and</u> shelter or other public services	Has been incarcerated (detained on a pending case or sentenced to incarceration) multiple times ⁵ in the last five years in a City correctional facility	Having a documented history of repeated or high usage of shelters, street homelessness, and/or other services for the homeless ⁶ within the last five years <u>or</u> be identified as a high user of Medicaid-funded or other publicly-funded (i.e. for uninsured patients) detoxification, emergency room, ACT, intensive case management, and/or in-patient services in the last year.
2. Persons at high-risk of re-incarceration due to technical violations of Parole release conditions related to homelessness and/or chronic health challenges	Was most recently incarcerated (detained or sentenced) due to a technical violation of Parole release conditions related to homelessness or chronic health problems.	Currently homeless (residing in shelter or identified as street homeless by a NYC outreach team) <u>or</u> was homeless prior to incarceration <u>or</u> currently hospitalized as a result of disability/ chronic condition and at risk of homelessness upon discharge.
3. Persons at-risk of long-term homelessness due to their long-term incarcerations in State prison and lack of available housing and supports	Has been incarcerated 5 or more consecutive years	Currently homeless (residing in shelter or identified as street homeless by a NYC outreach team) <u>or</u> was homeless prior to incarceration <u>or</u> is at immediate risk of homelessness due to lack of housing upon discharge from prison.

⁴ This percentage is based on the estimated portion of the current shelter population with a criminal justice history. Sources indicate that 20-23% of individuals in the DHS shelter system have been incarcerated at some point in the two years prior to entering the shelter system (Burt et al. 1999; Eberle et al. 2001; Kushel et al. 2005; Schlay & Rossi 1992.) Levels of criminal justice involvement among homeless families are lower including one study which found 6.6% of homeless mothers had a criminal justice history (Bassuk, Buckner, Weinreb et al. Homelessness in female-headed families: childhood and adult risk and protective factors. Am J Public Health. 1997 February; 87(2): 241–248)

⁵ To be defined by Supportive Housing Task Force.

⁶ “Services for the homeless” includes shelters funded by NYC Department of Homeless Services, private shelters, and Three-Quarter Houses.

<p>4. Expectant or parenting adult (including reunifying) head of households and their families.⁷ [See definition in footnote]</p>	<p>Head of household has been incarcerated (detained on a pending case or sentenced to incarceration) multiple times in last five years <u>or</u> has been incarcerated for at least one year.</p>	<p>Currently homeless (residing in shelter or identified as street homeless by a NYC outreach team) <u>or</u> was homeless prior to incarceration <u>or</u> is at immediate risk of homelessness due to lack of housing upon discharge from prison.</p>
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Ensuring Access

Widespread housing discrimination prevents persons with criminal justice backgrounds from accessing housing of all types. In addition to the targeting criteria listed above, there are other applicants for supportive housing who will have criminal justice histories. As supportive housing often targets chronically homeless individuals with mental health or substance use disorders, this population may have criminal histories related to these criteria. Blanket exclusions based on justice involvement, previous violence or drug use should not be allowed under this production initiative. To ensure that the most vulnerable people receive supportive housing, we recommend:

1. Providers are trained on criminogenic risk interventions and utilize evidence-based techniques,
2. Provider contracts should incentivize providers who accept an applicant who meets the targeting criteria listed above,
3. An oversight procedure on any denials based on criminal justice history. If an applicant is eligible and denied based on their history, the denying agency must complete a brief report documenting the rationale and charges related to the denial, and
4. A comprehensive analysis of denials should be conducted by the City annually and adjustments to requirements be made if certain characteristics create a barrier to housing for a number of applicants.

As part of the target population is heads of households who are pregnant, parenting, or reunifying with children, tenants in supportive housing should also maintain their eligibility to move to other supportive housing programs due to change in family size.

Referral System

In order for the above populations to access supportive housing, we recommend developing or enhancing the ability for the below organizations to engage, screen, and refer clients. We recommend establishing a workgroup of the agencies and organizations listed below to develop an effective referral system for this population. The referral networks should be expanded to allow individuals who are homeless to apply for supportive housing placement prior to their release from prison or jail, diverting people from entering the homeless system post-release.

⁷ “Head of Household” is defined as a parenting adult who has at least one of the following criteria: 1) has custody of one or more children, 2) is expecting a child at time of release or gave birth while incarcerated, 3) has children in out of home placement and is working towards family reunification.

Engagement and Screening

- Specialty Courts (community courts, drug treatment courts)
- District Attorney Offices
- Public Defense Organizations
- Reentry Service Provider Organizations

Referral Sources

- NYC Department of Correction (including Rikers Island discharge planning)
- NYC Department of Probation
- NYC Health + Hospitals
- NYC Administration for Children’s Services (including Juvenile Justice)
- NYS Department of Corrections and Community Supervision
- NYC Human Resources Administration/Homeless Services
- Federal Probation
- Court-based Alternatives to Incarceration (ATI), Alternatives to Detention (ATD), Supervised Release providers

Program Model

As described above, this population will have a variety of different needs, as it includes young adults, families, and single adults. We do not recommend creating a separate “justice involved” population, but instead that 15% of each type of special needs housing in the agreement is targeted to serve people in this target population group.

Both scattered site and congregate housing models work well for this population. Providers agree that having options for clients who have varied levels of service needs, institutional involvement, independent living experience, and different ages and household type is important to place each person into the most appropriate setting.

Supportive housing for justice involved populations needs comprehensive services including:

- Behavioral health treatment and services
- Treatment for substance use and mental health disorders
- Socialization programming
- Independent living skills
- Vocational training and rehabilitation services
- Financial literacy
- Parenting and mediation services

Support services must also include forensic services, including legal support and assistance navigating the court system. Staff should be able to assist with coordinating with parole and probation, managing open court cases, outstanding debts, and other legal services. Providers serving families must assist with coordinating with the child welfare system and supporting family reunification including parenting and mediation services. Providers serving young adults ages 18-25 should adopt an age-appropriate program model and have experience serving this age group.

Service staff should include reentry specialists, forensic specialists, peer support from people with lived experience, and Credentialed Alcoholism and Substance Abuse Counselors (CASAC). Providers should ensure all staff are trained on criminogenic risk interventions and reflect those needs in each tenant’s service plan. Staff should also be trained in trauma-informed care and Housing First.

The City should ensure cross-agency communication to ensure that providers work closely with NYC Department of Corrections, probation and parole, and courts. Providers should be notified if their clients are rearrested or incarcerated in order to provide appropriate supportive services and retain housing after release.

Program success can be measured on the following metrics:

- Reduction in recidivism, parole and technical violations
- Increased tenant employment and income from all sources
- Increased tenant engagement in services
- Program housing stability rates
- Tenant family reunification
- Tenant engagement with the community
- Reduction in use of crisis services among tenants

By serving this population in the next supportive housing agreement, the City can expect reductions in recidivism, parole violations, shelter use, and use of crisis services among supportive housing tenants.⁸

Budget

The budget should be structured similarly to other supportive housing capital, operating, and service budgets. The services budget in the earlier section should be fully funded to support the activities listed above. Similar to the NY/NY III different annual funding levels based on the service needs of each population group, we recommend a budget of at least \$25,000 per unit per year for providers serving tenants who meet the targeting criteria listed above.⁹ Additionally, the City should consider funds to incentivize providers who accept tenants who meet the targeting criteria as mentioned above.

Submitted on behalf of:

The Bridge
Bronx Defenders
Brooklyn Community Housing and Services
CASES
Community Service Society
CSH
Fortune Society
Greenhope Services for Women
Hour Children

Housing + Solutions
The Katal Center for Health, Equity, & Justice
Legal Action Center
MFY Legal Services
Neighbors Together
Osborne Association
Prisoner Reentry Institute of John Jay College
Providence House

⁸ Aidala, Angela; McAllister, William; Yomogida, Maiko; Shubert, Virginia. 2013. "Reducing Homelessness, Incarceration and Costs through Supportive Housing – The New York City FUSE Evaluation". Columbia University Mailman School of Public Health.

⁹ The City of New York Department of Health and Mental Hygiene, Request for Proposals, New York/New York III Congregate Supportive Housing for Homeless Individuals and Families. February 16, 2007.