

Preventing & Reducing Inflow from Incarceration

August 2022 | Hannah Chimowitz, Adam Ruege

Executive Summary

This review describes the disproportionate risk and rates of homelessness among individuals exiting jail and prison in the U.S. and outlines the unique obstacles to housing for people who have been incarcerated. In sum, regulatory restrictions often impose temporary bans or permanent exclusion of people with criminal records from public housing, and local practices add to these restrictions, resulting in challenges for family reunification and barriers to affordable housing. These barriers, in combination with discrimination in the private rental market, contribute to stark rates of homelessness for formerly incarcerated people: they make between 23.1 to 47.8% of annual homeless shelter admissions, and are ten times more likely to experience homelessness than the general population.

It is important to note that inflow into homelessness from incarceration is just one junction of a larger crisis in which people cycle between homelessness and incarceration. This cycle deepens and reinforces racial injustice in the U.S. Due to systemic and structural racism in the housing, criminal legal, and other systems, people of color — especially Black people — are drastically overrepresented in the currently and formerly incarcerated population, as well as those experiencing homelessness in the U.S. Thus, developing and testing approaches to break this cycle would play a role in the vital work to promote racial equity within the homelessness sector.

Ongoing community efforts to prevent and reduce inflow into homelessness among those exiting incarceration share fundamental strategies, which are reviewed in depth. These include formal cross-sector collaboration, inreach efforts to assess homelessness risk and housing needs in jail or prison and housing planning before release, and data collection, sharing, and monitoring. After highlighting promising practices, program evaluation findings are presented to shed light on the success and shortcomings of extant initiatives.

Introduction and Purpose

Mass incarceration has necessarily generated mass reentry. Well over 600,000 individuals in the U.S. make the transition from state or federal prison to community living each year. An additional 9 million exit local jails annually.¹ These individuals are significantly more likely than the general public to have already experienced homelessness and experience homelessness after release.

While safe housing is always a stabilizing platform that can help individuals overcome challenges in other life domains, this is particularly true for those exiting jail or prison. Stable housing is a crucial foundation for formerly incarcerated individuals to be able to reunite with their families, access and receive necessary health care and treatment, and secure employment — factors that promote successful reentry and reduce recidivism risk.² In light of this, and growing awareness of the homelessness-incarceration cycle, policymakers in the U.S. have started to focus on housing as a critical component of reentry policy.³

Homelessness and criminal legal system involvement are deeply intertwined, and each experience is a risk factor for the other.⁴ This results in a revolving door through which people — largely people of color — cycle between incarceration and homelessness. This cycle is depicted in the figure below.

The current review focuses on **inflow from prisons and jails into homelessness**, captured in box #3 above. It is important to note that inflow from incarceration is just one junction of this complicated cycle. However, a more focused review allows for in-depth consideration of this specific piece of the problem. This review sets out to:

1. Synthesize evidence regarding inflow from incarceration into homelessness
2. Outline the unique housing challenges people experience after incarceration

¹[Incarceration & Reentry. Office of the Assistant Secretary for Planning and Evaluation](#), ASPE, 2015.

² Christy A. Visser and Shannon M.E. Courtney. One Year Out: Experiences of Prisoners Returning to Cleveland. Urban Institute, 2007; Richard Peterson. Re-arrests of Homeless Defendants in New York City. New York City Criminal Justice Agency, 2016; Amanda Geller and Marah Curtis. A Sort of Homecoming: Incarceration and the housing security of urban men. *Social Science Research* 40(4), 2011; Katharine Bradley et al. No Place Like Home: Housing and the ex-prisoner. *Community Resources for Justice*, 2001.

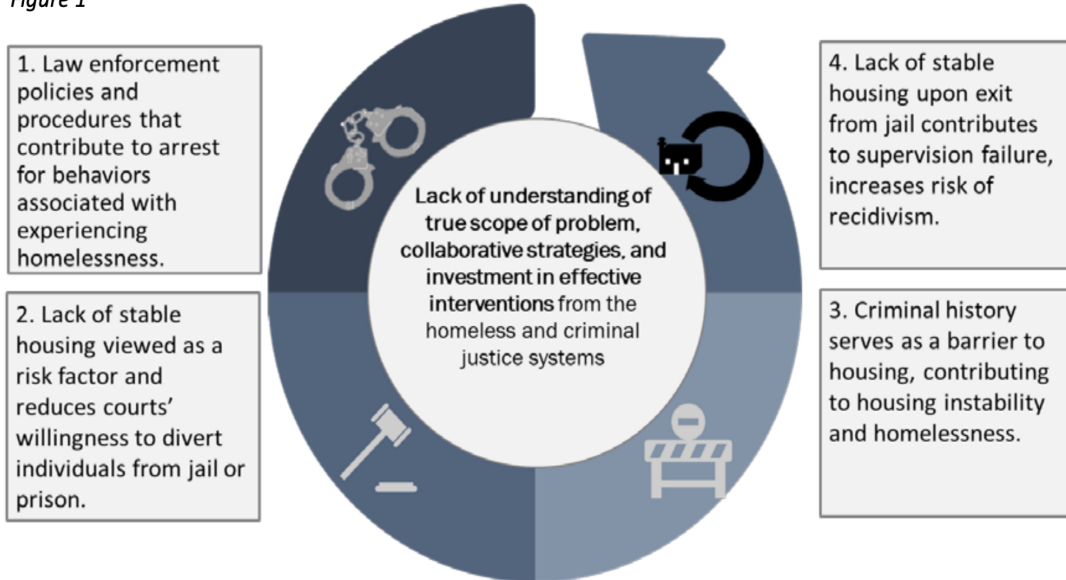
³ [HUD Memo](#) - June 10, 2022. [HUD Memo](#) - April 12, 2022.

⁴ No Access to Justice: Breaking the Cycle of Homelessness and Jail. Vera Institute Report, 2020; Nowhere to Go: Homelessness among formerly incarcerated people. Prison Policy Institute, 2018.

- Highlight promising practices and describe findings from evaluations of innovative programs that assist formerly incarcerated individuals access and secure safe and affordable housing

Figure 1: The Cyclical Relationship between Housing Instability and Criminal Legal System Involvement

Figure 1



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Presented by Liz Buck and Hallie Fader-Towe of the CSG Justice Center as part of the CCJBH Legislative Briefing, January 2019. Cited in the CCJBH's [Policy Brief](#) on Improving Housing Outcomes for the Justice-Involved with Behavioral Health Challenges, January 2020.

For purposes of this report, “incarceration” is defined as the experience of serving time

in prison or jail, although in certain contexts, the distinction is often made between incarceration in local jails (typically occurring for a year or less) and imprisonment in state penitentiaries and federal prisons (typically for sentences over a year).

⁵Presented by Liz Buck and Hallie Fader-Towe of the CSG Justice Center as part of the CCJBH Legislative Briefing, January 2019. Cited in the CCJBH's [Policy Brief](#) on Improving Housing Outcomes for the Justice-Involved with Behavioral Health Challenges, January 2020.

Risk of Homelessness after Incarceration

Analyses of homeless shelter stays find that people who have spent time in prisons or jails make up a considerable proportion of those experiencing homelessness in the U.S. In 1997, **23.1%** of those staying in New York City shelters had been incarcerated in a New York State prison (7.7%) or New York City jail (17%) within the prior two years.⁶ More recent estimates indicate that New York City residents paroled from state prison made up **1 in 5** of new NYC shelter admissions in 2017.⁷ In Connecticut, **nearly half** (47.5%) of the people in shelters between 2016 and 2019 had previously been incarcerated in jail or prison.⁸

On a national level, formerly incarcerated people (FIP) are **nearly ten times more likely** than the general public to be homeless.⁹ It is worth noting that all of these findings are based on data preceding the Covid-19 pandemic. As some jails and prisons responded to the pandemic by increasing releases, these statistics likely underestimate the number of FIP experiencing homelessness in the U.S.

It is also important to acknowledge that FIP are not a homogenous population. Variability in homelessness risk and experience across incarceration history, gender, and race are provided below:

- FIP who have been **incarcerated more than once** are 13x more likely to be homeless than the general public.
- FIP who have been **out of prison for two years or less** are over twice as likely to be homeless as those who have been living in the community for four years or longer.
- Formerly incarcerated **women** are more likely to be homeless than formerly incarcerated men (i.e., 264 per 10,000 women vs. 195 per 10,000 men)
- Among FIP experiencing homelessness, **men are less likely to be sheltered** than women (i.e., 90 per 10,000 men vs. 156 per 10,000 women)
- Formerly incarcerated **Black men experience unsheltered homelessness** at a rate greater than formerly incarcerated Hispanic or White men (124 per 10,000 Black men vs. 82 per 10,000 Hispanic men & 81 per 10,000 White men)

⁶Stephen Metraux and Dennis P. Culhane. [Recent Incarceration History Among a Sheltered Homeless Population](#). Crime & Delinquency, 52(3), 2006.

⁷Dale Chappell. [New York's Prison-to-Shelter Pipeline is Poor Option for Parolees](#). Published in Prison Legal News, November 2018.

⁸[New data: The revolving door between homeless shelters and prisons in Connecticut](#). Prison Policy Institute 2021

⁹[Nowhere to Go: Homelessness among formerly incarcerated people](#). Prison Policy Institute 2018.

- Formerly incarcerated **Black women experience sheltered homelessness** at a rate 4x that of White men and 2x that of Black men (203 vs. 56 and 108 per 10,000, respectively)
 - **Incarceration during adolescence or from age 18-23** predicts a younger age of initial homelessness (i.e., 9.8 years or 5.1 years earlier, respectively)¹⁰
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Unique Housing Challenges

Barriers to Public Housing

A number of legal and regulatory barriers restrict FIP's access to public housing and federally-assisted housing, though many of these restrictions apply to individuals with a wider range of criminal legal system involvement.

- The Cranston-Gonzalez National Affordable Housing Act of 1990: places a mandatory 3-year ban on the readmission of tenants evicted for drug-related criminal activity.
- 42 U.S. Code §13663 permanently excludes people with convictions that require lifetime sex offender registration in any state from any public housing
- 42 U.S. Code §1437n permanently excludes people who have been convicted of methamphetamine production on the premises of any type of federal government-assisted housing
- 23 state-level statutory and regulatory codes restrict access to public housing for people with criminal records¹¹

Congress also grants public housing authorities and federally-assisted housing owners the authority to deny admission to applicants with criminal histories. Though Congress specifies this authority holds if the applicant (or any member of their family) had engaged in criminal activity within a "reasonable time" preceding application, there is no guidance regarding what length of time qualifies as reasonable. This results in denials based on overly long lookback periods in criminal record screenings. In addition, as the federal definitions of chronic and general homelessness exclude people who have been incarcerated for over 90 days, FIP are often ineligible or not prioritized for public housing assistance.

With broad discretion, public housing authorities (PHAs) and project owners often supplement federal policies with additional screening criteria and eviction policies. Criminal

¹⁰Robyynn Cox et al. Does the timing of incarceration impact the timing and duration of homelessness? Evidence from "The Transitions to Housing" study. Justice Quarterly 38(6), 2021.

¹¹ [National Inventory of Collateral Consequences of Conviction.](#)

background lookback periods are often 7-10 years, and some stretch as far back as 20 years.¹² Thus, many FIP must wait seven years or longer after their convictions before becoming eligible for public housing. Although housing providers differ in terms of which events trigger denial (i.e., arrest, conviction type), these often include relatively minor offenses and/or mere arrests.

Because FIP frequently intend to live with their families upon release,¹³ if their family members live in public housing, FIP are faced with the hard choice between undesirable options: ask their families to move (which is often infeasible), move in with their family and put them at risk of eviction, seek alternative housing (i.e., halfway house, shelter), or live on the street.

Barriers to Private Housing

Considering the high rates of joblessness (over 60%) and limited financial means among FIP,¹⁴ many are unable to afford renting in the private housing market. Even for those who have the means, however, landlord stigma, as well as crime-free ordinances or nuisance laws, can reduce private housing opportunities. Research illustrates stark rates of stigma and discrimination among landlords against people with criminal histories, and landlords often report excluding FIP due to anticipated concern and fear from other renters.¹⁵

Crime-free rental housing ordinances, also called nuisance laws, pressure landlords to control crime on property in around 2,000 cities across the U.S.¹⁶ These ordinances often require landlords to complete crime-free training, have tenants sign a crime-free lease addendum, and run background checks as a condition of landlord licensure. These trainings — sometimes conducted by city police departments — instruct landlords on criminal screening and convey information about the risks of renting property to people with a criminal history.

¹²Marie Claire Tran-Leung. When Discretion Means Denial: A National Perspective on Criminal Records Barriers to Federally Subsidized Housing. Sargent Shriver National Center on Poverty Law, 2015.

¹³Christy Visher, Nancy La Vigne, and Jill Farrell. Illinois Prisoners' Reflections on Returning Home. Urban Institute, 2009.

¹⁴[Out of prison & out of work: Unemployment among formerly incarcerated people](#). Prison Policy Institute, 2018.

¹⁵Evans & Porter. Criminal history and landlord rental decisions: a New York quasi-experimental study. *Journal of Experimental Criminology*, 2015; Lynn Clark. Landlord attitudes toward renting to released offenders. *Federal Probation*, 2007.

¹⁶[The Cost of Being "Crime Free": Legal and Practical Consequences of Crime Free Rental Housing and Nuisance Property Ordinances](#). Shriver National Center on Poverty Law, 2013.

Elements of Effective Strategies to Reducing Inflow from Incarceration

Given the unique housing challenges FIP experience, the strategies for reducing and preventing homelessness require thinking outside the box. The incarceration to homelessness pipeline is a multi-faceted problem, and there is likely no one-size-fits-all solution to ensure safe, affordable housing for people exiting incarceration. Just as FIP have unique experiences, needs, and preferences for how those are delivered, communities have a wide array of policies, goals, and resources. Nevertheless, common threads emerge among many of the approaches that communities in the U.S. have implemented to improve housing stability for FIP. In addition to the following approaches, it's important to meaningfully engage and involve people with lived expertise (i.e., who have experienced incarceration) throughout the decision-making process in order to understand the needs of the people these programs want to serve, the barriers they face, the supports they need and how they would like to receive them.

Formal collaboration between the criminal legal system and housing and homelessness service providers

Efforts to combat inflow from incarceration largely rest on building partnerships — and then, formal collaborations — between the housing and homelessness response system and criminal legal system. Initial engagement could include establishing cross-sector representation in key planning bodies, such as CoCs, criminal justice advisory boards, and reentry councils. Once the conversations get started, a learning phase can take place. This might involve cross-system training to establish understanding of respective systems (each of which are complicated) and shared language, as well as regular meetings to build working relationships and establish contacts and have important discussions to identify shared goals, as well as respective resources and constraints.

Formalizing collaboration could involve **documenting clearly defined roles in meeting shared goals** within MOUs or other written agreements. Community partners should also formalize **data-sharing** protocols with written agreements that define the parameters of shared data use. As part of this process, local criminal legal and homelessness service system partners should map out available data sources, types, and processes and discuss any desired changes and sharing needs. This process is vital to facilitating data matching

and taking stock of the size of the shared population and frequency of contacts with both systems.

COMMUNITY EXAMPLE

In partnership with Resources for Human Development and Alliance Health, the Durham County Housing Authority, Durham Local Reentry Council, and Durham Criminal Justice Resource Center collaborated to develop the Coming Home program to assist people experiencing homelessness with behavioral or mental health issues and criminal legal system involvement find their own living space and sign own lease for permanent long-term housing.

Inreach efforts

Conducting screening, assessment, and housing planning in jails and prisons can play a significant role in reducing inflow from incarceration. Whichever screening and assessment instruments and methods are used, the process needs to be straightforward in order to be easily incorporated into correctional staff's workflow before reentry or diversion. Existing tools, such as the National Reentry Resource Center's screening questionnaire, can be implemented, or jurisdictions may create their own brief set of questions or draw on examples from local homeless assistance providers.¹⁷

Reentry coordinators, discharge planners, and other corrections system partners can collaborate with CoCs and community housing partners to establish a referral process. If resources permit, jails or prisons can be established as coordinated entry access points in the community, and service providers should be included in inreach efforts. Tracking referral outcomes can also enable communities to identify and bridge gaps in facilitating handoffs. For instance, the Connection to Care program in Long Beach, CA recognized that clients lacked direct modes of transportation upon release. Based on this, the program hired a transportation coordinator to arrange taxis to transport clients to services and procured funds for individualized transportation at release.¹⁸

¹⁷[Assessing Housing Needs and Risks: A Screening Questionnaire](#), April 2022.

¹⁸ Connection to Care in a Municipal Jail Setting: An Innovation Fund Case Study from Long Beach, California. Urban Institute, May 2021

COMMUNITY EXAMPLE

Sonoma County, CA hires and supports in-jail staff to conduct housing needs assessment and screening prior to arraignment and connect individuals to housing with supportive services.

Data collection and monitoring

In addition to sharing data across systems, jurisdictions should actively collect and monitor data capturing peoples' housing and other service needs, how these are being assessed, and who's being connected to resources. This invaluable data can be utilized to advocate for investments in affordable housing developments to increase supply and facilitate policy conversations around prioritizing FIP for existing housing. Moreover, this data should be collected in a manner that allows for disaggregation by race, ethnicity, and gender. This way, data can 1) demonstrate the demographic breakdown among people in jail or prison as compared to the larger community, 2) inform program staffing, and 3) be monitored to identify and address any disparities in assessment, referrals, and housing outcomes.

COMMUNITY EXAMPLE

Salt Lake County launched a [public-facing Jail Dashboard](#) in 2019 that tracks the number of people experiencing homelessness at time of booking, and collects by-name information to screen for eligibility for emergency housing vouchers and other appropriate housing programs.¹⁹

Evaluations of Innovative Programs

The Family Reentry Pilot Program in New York City²⁰

This program — the current status of which remains unclear — was a collaborative effort by the New York City Housing Authority (NYCHA), Vera Institute of Justice, Corporation for

¹⁹[How One County Screens and Connects People in Jail to Housing](#). CSGJC 2022.

²⁰ An Evaluation of the New York City Housing Authority's Family Reentry Pilot Program: Final Report to the U.S. Department of Housing and Urban Development. Vera Institute of Justice, September 2017.

Supportive Housing, NYC Department of Homeless Services, NY State Department of Corrections and Community Services, NYC Department of Correction, and 13 reentry service providers. Launched in 2013, the pilot is designed to be a two-year program that aims to reunite FIP with their families who live in NYCHA housing and connect them to reentry services. After successful completion of the program, participants have the opportunity to join their family's public housing lease.

The Vera Institute of Justice's evaluation of the program found that as of May 2017, 108 people were currently enrolled in the program, 20 of which had completed the two-year requirement and 42 of which applied while incarcerated. At this time, many participants had found employment (47), and only a handful had been convicted of a new charge while in the program.

The Denver Social Impact Bond Initiative²¹

The Denver Social Impact Bond Initiative is a supportive housing program for people with 8+ arrests over 3 years who have been documented at three or more arrests as being without a permanent address. This target population is identified and referred to the program using Denver Police Department data, and supportive housing is provided through a combination of HUD housing choice vouchers, CoC scattered-site subsidies, and Colorado state housing vouchers. The initiative launched in 2016 and was funded using a combination of financing from private investors—through a social impact bond—and public dollars leveraged through Medicaid and housing assistance programs.

The Urban Institute conducted a five-year evaluation of the program, implementing a randomized controlled trial: 363 participants were randomly assigned to the program, and 361 individuals were assigned to receive services as usual. Urban found that 77% of participants remained in stable housing after 3 years in the program. Compared to the control group, program participants experienced considerable reductions in shelter stays (40%↓), arrests (40%↓), police interactions (34%↓), and total days in jail (27%↓). In sum, the program demonstrated significant success.

The Pima County Housing First Initiative²²

The Pima County Housing First Initiative serves individuals in Pima County, Arizona who are experiencing homelessness with prior criminal legal system involvement and behavioral health issues. A two-year pilot started in 2019 to provide rapid placement in transitional housing, permanent supportive housing (with Tucson PHA-provided housing choice vouchers), and wraparound services for the target population. Most participants were

²¹ Breaking the Homelessness–Jail Cycle with Housing First: Results from the Denver Supportive Housing Social Impact Bond Initiative. Urban Institute, 2021.

²² Pima County Housing First Initiative: Final Evaluation Report Fall 2021. Santa Monica, CA: RAND Corporation, 2021.

referred to the program by either the Adult Probation Department in Pima County or by the Pima County Public Defender's Office. Old Pueblo Community Services, a community-based housing provider, provided an advocate at discharge and oversaw assessment, enrollment, and case management services.

The RAND Corporation evaluated the two-year pilot program. By June 2021, 314 participants had enrolled in the program, 185 of which had moved into housing. This was partly attributed to the average time periods from referral to intake (44 days), from intake to housing voucher receipt (36 days), and then from voucher receipt to move-in (51 days). Of the participants who had obtained housing, however, 82% had retained it for one year. Among the 186 participants who had been enrolled in the program for 12 months or longer, criminal legal-related service utilization decreased by over 50% compared to pre-enrollment rates, and health care costs declined by 45%.

Returning Home Ohio²³

This program is a collaborative effort between the Ohio Department of Rehabilitation & Correction and the Corporation for Supportive Housing that was launched in 2007. Returning Home Ohio provides coordinated pre-release planning and supportive housing to individuals with a disability (broadly defined) who are homeless at the time of arrest or at risk of homelessness upon release. Thirteen correctional institutions in the state, as well as nine supportive housing providers based in five Ohio communities, initially participated in the program implementation. The program was funded largely by the Ohio Department of Rehabilitation and Correction. The Urban Institute's evaluation of the program from 2007 to 2010 indicated that program participants were 40% less likely to be rearrested and 61% less likely to be reincarcerated versus a comparison group of eligible people released from prison who did not receive services.

Conclusions

Extant evidence demonstrates that people who have spent time in prisons or jails make up a considerable proportion of those experiencing homelessness in the U.S. For local and large-scale homelessness prevention efforts that aim to stop inflow in its tracks, targeting resources to support people exiting incarceration would likely be an effective and efficient strategy.

²³Supportive Housing for Returning Prisoners: Outcomes and Impacts of the Returning Home-Ohio Pilot Project. The Urban Institute, 2012.

Many successful models of community efforts boil down to the same elements: cross-sector engagement, learning, and collaboration; data collection, sharing, and monitoring; assessing and planning to meet housing needs in jail or prison; and maximizing respective system resources to coordinate services and track outcomes.

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