

**BPI**  
*For a Just Society*



*March 2021*

# UNLOCKING REENTRY HOUSING

*Keys to Building Collaborative  
Tenant-Based Voucher Programs*



## About BPI

BPI is a public interest law and policy center that has been at the front lines of social justice in the Chicago region and Illinois for over 50 years. Known for its innovative and effective advocacy for racial and economic equity, today BPI is deeply engaged in advancing systemic change in police accountability, criminal justice reform, housing, community building, and early childhood learning. In the area of Justice Reform, BPI advocates for policies and practices that create and promote alternatives to, promote justice and accountability in, and seek equitable outcomes for individuals, families and communities disproportionately impacted by the criminal legal system. Specifically, BPI advocates for equitable strategies to limit contacts with law enforcement, reduce the size of the carceral system, increase alternatives to incarceration, promote greater transparency and accountability in carceral facilities, and develop supports during and reduce harms caused by confinement.

# UNLOCKING REENTRY HOUSING

## *Keys to Building Collaborative Tenant-Based Voucher Programs*

By Ashton Hoselton, Staff Counsel,  
BPI Polikoff-Gautreaux Fellow

### Acknowledgments

The author would like to thank several people, agencies, and organizations for their role in the Partnership for Housing Access and developing this report. First and foremost, none of this work would have been possible without our partners. Thank you to Richard Monocchio, Jackie Hodges, Monica Slavin, and numerous HACC staff; Judge Charles P. Burns, Colleen Swenson, and the entire RAP/WRAP Court team; Bradley Bullock, Angela Resto, Pam Ewing, and several TASC staff that committed immense time and resources to envisioning the Partnership for Housing Access, supporting participants throughout implementation, and providing integral feedback during evaluation.

The author extends her deepest gratitude to the returning residents who chose to participate in the pilot program and share their experiences. Without their courage and transparency, refining an effective program would have been impossible. Relatedly, to those who shared their expertise and insight into the reentry housing shortage in Illinois, the author is incredibly grateful.

This report benefitted greatly from the feedback of Paula Wolff, Garien Gatewood, and Korynna Lopez at Illinois Justice Project, Ahmadou Dramé at Metropolitan Planning Council, and Sodiqa Williams at Safer Foundation. Finally, the author wishes to express her sincere gratitude to her BPI colleagues, for their encouragement and guidance. A special thank you to Shareese Pryor for her tireless support and editing throughout drafting, to Kim Campbell and Cara Hendrickson for their review and comments, and to Alex Paulette for designing the report.

The Partnership for Housing Access and this report were made possible through the generous support of The Chicago Community Trust, John D. and Catherine T. MacArthur Foundation, Robert R. McCormick Foundation, Polk Bros. Foundation, and Woods Fund Chicago. BPI is deeply grateful for the commitment of these foundations to innovative efforts to strengthen communities in the Chicago region.

### Note on Language<sup>1</sup>

For this report, “returning resident” refers to anyone who has been detained in a carceral setting and is now released. Acknowledging that individuals should not be defined by their conviction history, the author intentionally refrains from using terms like “ex-offender,” “ex-convict,” or other derogatory labels that dehumanize formerly incarcerated people and cause stigma.

This report also uses the term “carceral system” instead of “criminal justice system” to describe the comprehensive network of government agencies and institutions that operate at a local, county, state, and federal level to enact punishment, because justice is subjective and not commonly associated with our current system.

<sup>1</sup> These decisions are informed by the stated preferences of people directly impacted by the carceral system. See Berkeley Underground Scholars, *Underground Scholars Language Guide: A Guide for Communicating about People Involved in the Carceral System* (Mar. 6, 2019), <https://undergroundscholars.berkeley.edu/blog/2019/3/6/language-guide-for-communicating-about-those-involved-in-the-carceral-system>; Eddie Ellis, *An Open Letter to Our Friends on the Question of Language by the Center for NuLeadership on Urban Solutions*, Center for NuLeadership on Human Justice & Healing (2003), <https://static1.squarespace.com/static/58eb0522e6f2e1dfce591dee/t/596e3ef9bf629a2270909252/1500397309561/Open+Letter+On+The+Question+of+Language.pdf>.



## *Table of Contents*

6	Introduction
7	Background
13	The Partnership for Housing Access
21	Recommendations
26	Conclusion
27	Endnotes

# INTRODUCTION

Access to safe, affordable housing is fundamental for reentry success. Returning residents that attain housing stability are more likely to achieve other obligations of reentry and experience lower rates of recidivism. Because affordable reentry housing can reduce the likelihood of subsequent carceral system involvement, expanding access to housing assistance for returning residents is critically important for the 28,000 people released from Illinois prisons annually<sup>1</sup> and the communities across the state that they call home. Furthermore, because of racial disparities in the carceral system that result in the overrepresentation of Black and Latinx people among returning residents,<sup>2</sup> efforts to increase access to reentry housing are particularly important for communities welcoming the highest numbers of returning residents, often communities of color.

Publicly subsidized housing is the main source of affordable housing and can play an important role in expanding access to reentry housing. While returning residents have been denied access to federal housing assistance in the past, recent changes in the United States Department of Housing and Urban Development policy and a growing body of research have supported exploration of new models for increasing access to this pool of affordable housing. One such model provides returning residents with tenant-based vouchers to aid their housing search.

The Partnership for Housing Access, an eighteen-month pilot program, was created to test such an approach in Cook County, Illinois. As part of this effort, clients of the Cook County Rehabilitative Alternative to Probation Court/ Women's Rehabilitative Alternative to Probation Court who lacked access to safe, affordable housing received tenant-based vouchers from the Housing Authority of Cook County and a web of support services provided by Treatment Alternatives for Safe Communities. The pilot sought to assist returning residents secure permanent housing, fill a critical void in current reentry support, and provide a potential platform for reentry success.

This report includes a discussion of the reentry housing shortage in Illinois, description of pilot design, review of implementation and evaluation, and exploration of pilot successes and limitations, to guide future replication of the tenant-based voucher model across the state. It outlines key strategies for implementing this approach in other jurisdictions and identifies systemic policy recommendations that will help to support returning residents obtain greater access to affordable housing. Illinois should broadly invest in proven methods, such as the Partnership for Housing Access model, to increase access to housing for returning residents.

# BACKGROUND

## Safe, Affordable Housing: A Key to Reentry Success

Successful community reintegration after a period of incarceration requires returning residents to navigate a complex web of systems to secure social services and employment, fulfill supervision requirements, and rebuild support networks all while adjusting to life outside of a carceral setting. Without access to safe, affordable housing, returning residents experience more difficulty trying to accomplish these competing obligations and face an increased risk of further contact with the carceral system.<sup>3</sup>

Housing provides a foundation during reentry that can lead to individual and societal benefits. Research shows that access to safe, affordable housing for returning residents can substantially increase the likelihood that they find and retain employment and health care coverage<sup>4</sup> while substantially reducing the likelihood that they recidivate.<sup>5</sup> Moreover, housing stability allows returning residents to strengthen community ties, rebuild relationships with loved ones, and access supportive services.<sup>6</sup> These benefits are particularly important for communities of color because they help to address the systemic racism and housing instability experienced by

Black and Latinx people, who also experience disproportionate rates of incarceration and homelessness upon release.<sup>7</sup>

## Barriers to Housing Access for Returning Residents

Despite evidence demonstrating the importance of access to safe, affordable reentry housing, returning residents face difficult and insurmountable barriers that limit their access to it. Three primary obstacles are permanent punishments, limited affordable housing stock, and the use of broad screening discretion by housing providers.

Upon release, returning residents may be subject to an extensive set of permanent punishments, i.e., laws that restrict a person's eligibility for housing, employment, and education due to their criminal history.<sup>8</sup> Considering federal and state laws, forty-nine different housing-related sanctions may apply to returning residents in Illinois.<sup>ii</sup> These permanent punishments limit where returning residents can live, what type of housing they can reside in, and which housing supports they can access.<sup>9</sup> Examples include public conviction registries and banishment laws that prevent people from living within 500 feet of a school,

<sup>ii</sup> There are nineteen federal and thirty Illinois laws with housing and residency consequences for residents returning to Illinois post-incarceration. See National Inventory of Collateral Consequences of Conviction, *Collateral Consequences Inventory*, <https://niccc.nationalre-entryresourcecenter.org/consequences> (last visited on Mar. 19, 2021).

park, day care, or other space that serves minors.<sup>10</sup>

Our decision as a society to enforce permanent punishments has significant consequences.

In Illinois, a staggering 3.3 million adults have been arrested or convicted of a crime since 1979 and, as a result, may face everyday restrictions that limit their ability to move past their conviction record.<sup>11</sup>

Research demonstrates that permanent punishments create significant barriers to successful reentry, increase recidivism, and are ineffective.<sup>12</sup> Despite the dubious benefits of permanent punishments, Illinois continues to enforce them, which has the effect of significantly limiting returning residents' access to housing and putting them at greater risk of further involvement with the carceral system at tremendous costs to the individual, their community, and the state.

Moreover, these criminal history-based restrictions disproportionately harm communities of color. In Illinois, Black people represent 13.8% of the adult population, yet 28.9% of the adults with arrests or criminal convictions.<sup>13</sup> The racial disparity is even

starker for Black women, the fastest-growing prison population, who make up 14.5% of adult women in Illinois, but account for 34.3% of adult women arrested or convicted of a crime.<sup>14</sup> Current incarceration rates of

Latinx people in Illinois suggest that permanent punishments also have a disproportionate impact on Latinx communities,<sup>iii</sup> though insufficient data exists to estimate the number of Latinx adults living with criminal records in Illinois.<sup>iv</sup>

These racial disparities in arrest and incarceration rates persist upon release.<sup>15</sup> For every 10,000 Black returning residents, 240 will experience homelessness after release compared to 191 per 10,000 Latinx

returning residents, and 148 per 10,000 white returning residents.<sup>16</sup> Black and Latinx people are overrepresented among returning residents and more likely to be homeless upon release, putting them disproportionately at-risk to recidivate. Current policies that restrict housing access for returning residents contribute to and perpetuate race inequities<sup>17</sup> by further entrenching Black and Latinx returning residents in a cycle of homelessness and incarceration.<sup>18</sup>

*Permanent punishments, limited affordable housing stock, and the use of broad screening discretion by housing providers limit access to reentry housing.*

<sup>iii</sup> As of June 30, 2019, Latinx people represented 12.9% of the Illinois prison population. Illinois Department of Corrections, *Fiscal Year 2019 Annual Report* (2019), <https://www2.illinois.gov/idoc/reportsandstatistics/Documents/IDOC%20FY19%20Annual%20report.pdf>.

<sup>iv</sup> Data in this section comes from a study by Heartland Alliance that reviewed arrest and conviction data from the past forty years. This study omits Latinx-specific data because it was not collected until 2015 and, therefore, would significantly underrepresent estimates for this population during the forty-year period. Heartland Alliance, *Never Fully Free: The Scale and Impact of Permanent Punishments on People with Criminal Records in Illinois* (June 2020), <https://socialimpactresearchcenter.issuelab.org/resource/never-fully-free-the-scale-and-impact-of-permanent-punishments-on-people-with-criminal-records-in-illinois.html>.

In addition to permanent punishments, the short supply of affordable housing poses another significant barrier to returning residents. Limited opportunities to earn an income or save money while incarcerated coupled with employment barriers experienced upon release means returning residents often need the most severely limited type of housing, i.e., affordable housing for those earning 30% or less of the area median income.<sup>19</sup> In Illinois, only thirty-nine affordable and available rental homes exist for every 100 renter households in that income bracket.<sup>20</sup> The consequences of this inadequate stock are particularly drastic for returning residents who are competing for this small pool of housing with relatively few financial resources and a criminal record that may impact the treatment they receive during the application stage of the housing search.

For the returning residents who overcome the barriers imposed by permanent punishments and the shortage of available, affordable units, overly broad tenant screening criteria may nonetheless negatively impact their ability to secure housing. Housing providers implement screening procedures and establish criteria for evaluating applications that fail to engage in an individualized assessment of risk and often make it unduly difficult for returning residents to qualify for affordable units.<sup>21</sup> Tenant screening procedures often include criminal background checks, credit checks, verifications of rental history, and reviews of civil case records, like eviction or debt collection cases.<sup>22</sup> Because incarceration disrupts an individual's income and ability to pay rent and other bills, returning residents are often reentering with little or no credit, a lack of recent rental history, and/or civil cases related to unpaid debts. Housing providers often screen applicants out on these bases.<sup>23</sup> Despite scant evidence to suggest that the use of such broad discretion

helps effectively assess or manage risks,<sup>24</sup> housing providers routinely uniformly deny returning residents rather than holistically and individually assess their desirability as a tenant.<sup>25</sup>

Taken together, these three barriers significantly limit returning residents' prospects of finding affordable units. Expanding access to reentry housing and, thus, increasing the corresponding benefits requires systemic interventions and individual actions to address these barriers. Changes made to improve access to publicly subsidized housing for returning residents demonstrate some progress, but further exploration of models for expanding access and implementation of additional protections for returning residents against housing discrimination are needed to substantially increase access to safe, affordable reentry housing.

## Opportunities to Connect Returning Residents with Publicly Subsidized Housing

Publicly subsidized housing, which includes project-based vouchers, public housing, and tenant-based vouchers, is the primary mechanism by which low-income households access affordable housing, but returning residents have historically had restricted access to it. Recent changes at the federal level provide opportunities for greater access to affordable housing for returning residents. The United States Department of Housing and Urban Development ("HUD") funds and oversees publicly subsidized housing across the country. HUD has given local public housing authorities ("PHAs") wide latitude to administer these programs in the past, but recently has played a more active role in encouraging public

and private housing providers that receive federal funds to use their discretion to support returning residents.

In 2011, then-HUD Secretary Shaun Donovan sent a letter (“Secretary Letter”) to every PHA, encouraging them to accept returning residents within the limitations articulated in HUD regulations.<sup>26</sup> Under federal law, individuals found to have manufactured or produced methamphetamine on the premises of federally assisted housing and individuals convicted of sex offenses that require lifetime registration under a state registration program are subject to lifetime bans that prevent them from residing in publicly subsidized housing.<sup>27</sup> Beyond these bans, PHAs have broad authority to set policies to accept and assist returning residents.<sup>28</sup> The Secretary Letter identified specific strategies for PHAs to use their discretion to support returning residents, including eliminating unnecessarily broad bans and expanding consideration of mitigation circumstances. This letter prompted some PHAs to amend their tenant screening procedures, but had limited effect because it did not address private housing providers or guide PHAs on how to appropriately apply their discretion consistent with federal discrimination laws.

Five years later, HUD released guidance (“HUD Guidance”) for all public and private housing providers subject to the Fair Housing Act that discussed the interplay between fair housing law and the use of criminal history in real-estate transactions.<sup>29</sup> The guidance asserted that, “policies that exclude persons based on criminal history must be tailored to serve the housing provider’s substantial, legitimate, nondiscriminatory interest and take into consideration such factors as the type of the crime and the length of the time since

conviction” because “arbitrary and overbroad criminal history-related bans are likely to lack a legally sufficient justification” and “are likely to have a disproportionate impact on minority home seekers.”<sup>30</sup> In line with prior efforts to encourage PHAs and following the HUD Guidance, HUD released a publication (“HUD Publication”) to highlight how certain PHAs were “making second chances real” for returning residents and to introduce two specific ways PHAs could expand reentry housing, by identifying dedicated housing and allowing family reunification.<sup>31</sup>

## Program Models

As a result of shifting guidance, PHAs began to experiment with models that allowed them to use HUD funding to support reentry housing.<sup>32</sup> In addition to the dedicated housing and family reunification models highlighted in the HUD Publication, the tenant-based voucher model arose as a third option to expand publicly subsidized housing to returning residents. These three models take advantage of the different subsidized housing options that PHAs offer: project-based vouchers, public housing, and tenant-based vouchers. Each model has specific benefits and challenges, which suit different subsets of the returning resident population.

The dedicated housing model involves allocating specific public housing units or project-based vouchers to returning residents, often allowing PHAs to provide them with direct access to supportive housing. This mechanism for expanding access to affordable units is particularly valuable for returning residents with special reentry needs, such as those who desire mental health treatment or other supportive services. The Burlington Housing

Authority (“BHA”) in Vermont has successfully implemented this approach since 2005 and has demonstrated success.<sup>33</sup> For its program, BHA partners with the Burlington Probation and Parole Office and the Vermont Department of Corrections to identify potential tenants for BHA owned and managed transitional housing.<sup>34</sup> In addition to housing, the tenants receive life skills training, access to medical and mental health providers, and other necessary case management services.<sup>35</sup> The potential to recruit returning residents with the greatest need prior to reentry and ensure housing is available upon their release are great benefits of this model, but funding for housing of this sort is severely strained. As a result, very few buildings or projects offer these units.

The family reunification model allows returning residents to live with family members who already reside in publicly subsidized housing. This approach tends to require fewer resources because it adds returning residents to already occupied units rather than requiring the identification of vacant units. The New York City Housing Authority (“NYCHA”) began to explore this model in November 2013 by granting returning residents temporary permission to join an existing household for up to two years; if a participant successfully completed the program, they could apply to be formally added to the lease.<sup>36</sup> NYCHA’s pilot successfully reunified returning residents with family members<sup>37</sup> and continues to do so as a permanent NYCHA program.<sup>38</sup> Because this model is only available to returning residents who have a family member that is both (1) living in publicly subsidized housing and (2) willing and able to accommodate them, it serves a limited set of the reentry population.

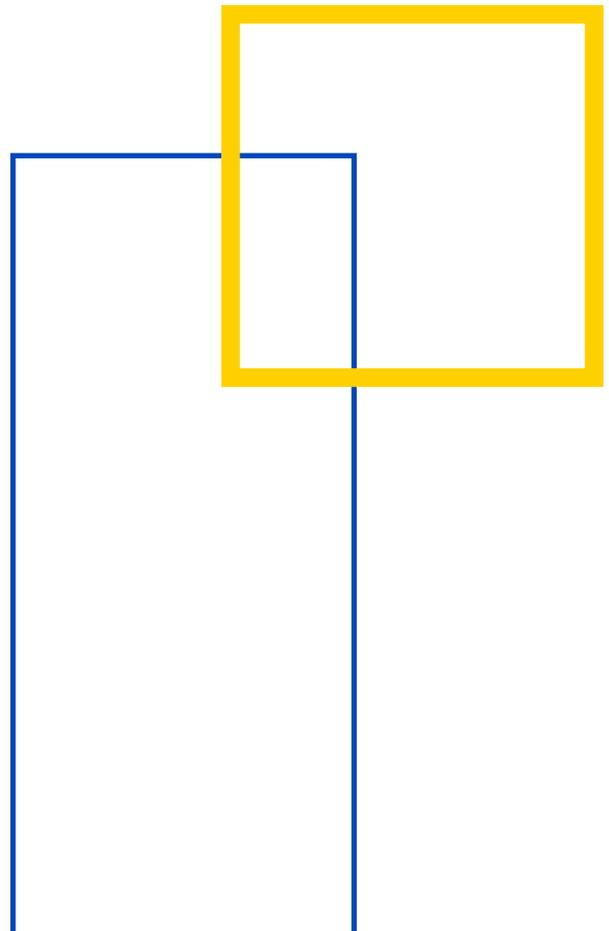
For returning residents in search of independent housing, the tenant-based voucher model stands as an important option. This approach uses the Housing Choice Voucher (“HCV”) Program to provide returning residents with tenant-based vouchers that help them pay the cost of private rental housing. The value of this model is that it allows returning residents to exercise meaningful choice in their housing search through access to the private rental market, where a greater variety of units are available. However, because units are not pre-identified and the housing search can be burdensome, this approach can be more resource-intensive and require greater service coordination.

Taken together, these three models help address the various housing needs of returning residents, but PHAs in Illinois have yet to take full advantage of the opportunities these models offer. The few that have adopted programs to serve returning residents have implemented either a family reunification or dedicated housing approach. For example, the Chicago Coalition for the Homeless worked with the Chicago Housing Authority and the Housing Authority of Cook County (“HACC”) to create modified family reunification models.<sup>39</sup> These pilots allowed returning residents to move in with a family member living in publicly subsidized housing or join the PHA’s waiting list and resulted in lasting internal policy changes related to screening of criminal records, including reduced lookback periods and increased opportunities for applicants to present mitigating circumstances.<sup>40</sup>

Additionally, the Housing Authority of Champaign County is currently exploring the dedicated housing model. This PHA is partnering with the Illinois Department of Corrections and the Illinois Housing

Development Authority to provide transitional housing units to returning residents.<sup>41</sup> While implementation of these two models is important for expanding reentry housing access, it is crucial that Illinois also provide access to reentry housing through the tenant-based voucher model given the range of needs of returning residents and the limited number of publicly owned units.

The tenant-based voucher model presents a valuable opportunity to expand access to housing for returning residents in Illinois because of its availability, its adaptability to local needs, and its incentivized use. The HCV program is the largest federal low-income housing assistance program,<sup>42</sup> funding more than 80,000 vouchers for low-income households in Illinois and administered by seventy PHAs across the state.<sup>43</sup> Each of these PHAs has the ability to establish preferences for selecting applicants from its waiting list that reflect local needs and prioritize voucher allocation accordingly.<sup>44</sup> Local preferences for returning residents can move those individuals ahead of others on the waitlist who do not qualify for any preference. There is an incentive for PHAs to establish preferences because Congress annually determines a PHA's HCV funding based on the number of vouchers in use the prior year.<sup>45</sup> PHAs that achieve high voucher utilization rates through implementation of proven approaches will benefit in the long run by consistently receiving renewal funds for existing vouchers and being competitive in future distributions of new vouchers.<sup>46</sup> Given a strained state budget and a shortage of affordable units, it is important for Illinois to develop programs employing a tenant-based voucher approach to efficiently leverage federal resources and effectively expand access to housing for returning residents.



# THE PARTNERSHIP FOR HOUSING ACCESS

## Methodology

The Partnership for Housing Access (“Partnership”) was an eighteen-month pilot program that sought to foster cross-sector collaboration among housing providers, carceral system stakeholders, and reentry advocates to implement the tenant-based voucher model in Cook County, Illinois, and create an additional pathway to safe, affordable housing for returning residents. The Partnership required three important phases: (1) identifying diverse, innovative partners to collectively lead design and implementation; (2) developing shared goals to serve as the foundation for program development; and (3) establishing mechanisms to evaluate the program’s success and identify strategies to improve future implementation. Bringing together housing and carceral system stakeholders along with reentry service providers set the stage for the creation of a unique pilot tailored to serve the particularized needs of Cook County returning residents and evaluate the potential efficacy of adopting the tenant-based voucher model more widely across Illinois.

### *Design: Partners*

Diverse partners are critical to the success of programs employing a tenant-based voucher approach because varied expertise and experience allow for the creative problem-solving necessary to design a program tailored to the specific needs of the jurisdiction and overcome challenges that arise during implementation. By engaging partners with

different strengths and perspectives, a program is better equipped to identify and address participant needs in a way that effectively and efficiently supports them through the process. Programs like the Partnership should involve: (1) a public housing authority (“PHA”), to provide the vouchers that participants can use to secure housing; (2) a carceral system stakeholder, to identify returning residents in need of permanent housing; (3) a reentry service provider, to create holistic solutions to reentry housing challenges; and (4) a project coordinator, to facilitate effective communication and collaboration between key stakeholders.

To develop the tenant-based voucher model in Cook County, BPI identified dynamic stakeholders willing to explore collaborative strategies and expend their resources to support returning residents. These stakeholders eventually became the partners that made the Partnership for Housing Access possible: the Housing Authority of Cook County (“HACC”), the Cook County Rehabilitative Alternative to Probation Court/Women’s Rehabilitative Alternative to Probation Court (“RAP/WRAP Court”), and Treatment Alternatives for Safe Communities (“TASC”) (collectively “Partners”).

HACC’s size and innovative efforts to serve returning residents made them an ideal PHA to collaborate with. As the second largest PHA in Illinois,<sup>47</sup> HACC administers over 13,000 vouchers each year and owns nearly 2,000 units

throughout suburban Cook County, making its reach extensive.<sup>48</sup> Additionally, it has a history of embracing opportunities to serve returning residents. HACC participated in its first reentry pilot in 2013 and has since made numerous policy changes to encourage returning residents to apply for HACC assistance.<sup>49</sup> In fact, HACC was one of the first PHAs in the nation and the first in Illinois to amend its Admissions and Continued Occupancy Policy<sup>v</sup> to increase access to housing for returning residents and their families.<sup>50</sup> Current HACC policy encourages all returning residents who qualify for housing assistance to apply and submit relevant mitigating information before a final decision is made.<sup>vi</sup> Under the strong leadership of Richard Monocchio, Executive Director, HACC has consistently made clear its commitment to exploring new opportunities to expand access to affordable units for returning residents. In line with this commitment, Executive Director Monocchio set aside twenty-five vouchers from HACC's HCV program for the Partnership.<sup>51</sup>

The RAP/WRAP Court was an optimal carceral system partner for this Cook County pilot because of the number of clients it serves, its collaborative and supportive process, and its clients' established need for greater access to reentry housing. The RAP/WRAP Court is an alternative sentencing approach for individuals arrested for a felony drug

possession while serving a probation sentence for a non-violent conviction that allows them to voluntarily participate in a treatment-based probation program in lieu of incarceration.<sup>52</sup> With approximately 225 clients supervised each year, the RAP/WRAP Court is one of the largest drug courts in Illinois.<sup>53</sup> The RAP/WRAP Court employs a collaborative, team-based approach, comprised of actors inside and outside of the carceral system, including representatives from probation, corrections, and treatment agencies. The RAP/WRAP Court team ("Team") works together to divert clients from prolonged incarceration to treatment and to support their path to recovery in their community. This court has significantly reduced recidivism rates,<sup>54</sup> but many of its clients face housing instability putting them at increased risk of further carceral system involvement.<sup>vii</sup> The Partnership was designed to address this need and the Team, led by Honorable Charles P. Burns, enthusiastically committed to identifying clients for the Partnership and supporting them in their participation throughout probation. Importantly, Judge Burns played an active role throughout the development and implementation of the pilot, engaging in meetings and helping to solve problems as they arose. The pilot greatly benefited from his support and committed leadership.

---

<sup>v</sup> The Admissions and Continued Occupancy Policy ("ACOP") contains all HACC policies that support the objectives outlined in HACC's Agency Plan, including HACC's tenant selection procedure. Housing Authority of Cook County, *Public Housing Program Admissions and Continued Occupancy Policy (ACOP)* (Jan. 7, 2016), <https://thehacc.org/wp-content/uploads/2016/09/ACOP-2015.pdf>.

<sup>vi</sup> HACC's ACOP states that, "If there are potentially negative items relating to an applicant's criminal background that might no longer apply, applicants will have an opportunity to present information regarding these items at the eligibility interviews. The documentation provided must clarify prior circumstances, demonstrate changes to circumstances and show positive changes have been made to increase education, employment, and/or volunteerism.... Upon consideration of such documents and factors discussed in Section 3-III.E., HACC may, on a case-by-case basis, decide not to deny assistance." *Id.*

<sup>vii</sup> More than 50% of RAP/WRAP Court clients lack stable housing upon release from treatment. Nicholas Mathiowdis, *The Housing Authority of Cook County Commits to Providing Affordable Housing to Support the Reentry Community*, Housing Authority of Cook County (Sep. 23, 2019), <https://thehacc.org/2019/09/23/the-housing-authority-of-cook-county-commits-to-providing-affordable-housing-to-support-the-re-entry-community/>.

Because the Team's contact with clients is limited to the client's period of probation and many clients complete the program before securing safe, affordable housing, the Partnership employed a reentry service provider to serve participants post-RAP/WRAP Court involvement. TASC presented as an ideal partner for this role because of its history of providing relevant direct services and policy advocacy, as well as its extensive knowledge of the RAP/WRAP Court.

For over forty years, TASC has committed to building a healthier, safer, and more just society by connecting people living with substance use or mental health issues to the treatment and services they need to get and stay healthy and collaborating with healthcare, human services, and carceral system stakeholders to design comprehensive, local plans for addiction treatment and recovery, criminal justice diversion, and community reentry.<sup>56</sup> TASC actively works to reduce the number of people in the carceral system and, through a related initiative, has been designated, licensed, and funded by the State to provide assessment, treatment placement, monitoring, and other services as an alternative to incarceration.<sup>57</sup> This work includes providing services to the RAP/WRAP Court where a TASC Case Manager is a core member of the Team, assigned to assess, diagnose, and refer individuals to participate in the RAP/WRAP Court.<sup>58</sup> In support of the Partnership, TASC expanded its RAP/WRAP Court services and provided case management for one-year post-move to help Partnership participants navigate the transition from a highly structured, supervised environment to independent living outside of the carceral system.

To assist with overall coordination of the pilot, the Partnership included BPI as a fourth

partner. BPI is a law and policy center in Chicago that has built substantial subject matter expertise in reentry housing, public/affordable housing, and alternatives to incarceration in the Chicago region and Illinois. Serving as a project convener, manager, and facilitator, BPI led program design creation, helped to develop common goals and objectives, maintained consistent communication channels among Partners, and convened and facilitated Partner meetings. BPI also developed forms and materials to support participant selection, outline anticipated outcomes and measures, and guide data collection. As challenges arose during implementation, BPI led problem-solving discussions and assisted Partners in identifying solutions. One of BPI's key responsibilities was to evaluate this program. To this end, BPI gathered data provided by Partners and documented the process, including successes and challenges experienced during design and implementation, to evaluate the program's effectiveness and offer recommendations for how to successfully replicate this model.

The collaboration and combined effort of these dynamic partners were vital to the Partnership's success. Over eighteen months, the Partners met to share their respective knowledge and perspectives on housing and reentry, identify important procedural questions related to implementing a tenant-based voucher approach in Cook County, and design this innovative program. Key conversation topics covered during the design phase included: determining when and how to engage potential participants; anticipating housing challenges participants may encounter; understanding the capacity of Partners to support participants; and developing specific goals and evaluation measures.

### *Implementation: Partnership Goals*

Identification of shared goals is important to cultivate partner buy-in and encourage them to consistently allocate the time and resources necessary to ensure program and participant success. Without clearly understood goals and roles, partners are unable to support participants effectively. The Partners had demonstrated a commitment to supporting returning residents prior to the Partnership and this commitment shaped the shared short- and long-term goals that emerged. Immediate goals included streamlining reentry support to eligible RAP/WRAP Court participants and removing some of the barriers to safe, affordable housing that these returning residents face. Additionally, the Partners sought to develop an infrastructure that could be used as a framework to expand the tenant-based voucher model in Illinois. The long-term goals included reducing recidivism, improving life outcomes for returning residents, and increasing collaboration across entities to develop additional innovative solutions to the reentry housing shortage.

By discussing individual goals and agreeing on Partnership goals, Partners began to build open lines of communication, necessary for effective coordination, and identify what successful implementation would require.

### *Evaluation: Metrics of Success*

Effective evaluation is vitally important for measuring the impact of specific interventions. To ensure accurate, timely data is available, collaborative programs should develop mechanisms for information sharing and systematic data collection. In the absence of these procedures, it is impossible to determine the extent to which immediate goals are being met during implementation or meaningfully

inform future replication of similar approaches. Throughout the Partnership, Partners collected data to understand the participants' experience in the program and outcomes associated with participation. The categories of information collected included: housing status, employment status, service utilization, income, recovery status, and further carceral system involvement. TASC collected data from participants during monthly check-ins and shared this information with other Partners at monthly meetings. The Partners maintained this data in shared spreadsheets. Using this information, Partners evaluated participant reentry and recovery progress and adjusted the program's design. For example, information about participants' incomes helped Partners to understand the need for additional financial resources, like security deposit assistance to facilitate the housing search, and to measure how housing stability affected a participant's income over time post-move. Participant data coupled with interviews of Partners and participants at the end of the eighteen-month pilot inform the findings and recommendations in this report.

## **Participant Experience**

The Partnership targeted for participation RAP/WRAP Court clients who needed permanent housing, were willing to engage with recovery support, were in good standing with the RAP/WRAP Court, were employed, employable, or pursuing education, and had no history of property damage or major instances of violence. The RAP/WRAP Court's probation program consists of four phases with specific treatment goals associated with each phase that clients must meet to successfully graduate.<sup>59</sup> Typically phases one and two consist of jail-

based and/or inpatient treatment followed by community treatment during phases three and four.

After completion of phase two, RAP/WRAP Court probation officers identified clients that lacked access to safe, affordable housing to discuss with them the opportunity to participate in the Partnership. Probation officers then referred all interested and eligible clients for Team evaluation. If the Team concurred in the recommendation and Judge Burns signed off, that RAP/WRAP Court client was approved to participate in the Partnership. Following this approval, their probation officer assisted them through the voucher application process.

Federal guidelines for determining HCV eligibility require applicants to submit extensive documentation to prove various criteria and complete an involved application process.<sup>viii</sup> Despite research showing the importance of ensuring that returning residents have identification documents upon release, many reenter without a valid form of identification.<sup>ix</sup> Partnership participants were no exception and frequently had to begin the HCV application process with lengthy procedures to replace critical documentation. Probation officers maintained weekly contact with participants as they applied for a voucher, which enabled them to help

identify challenges participants experienced at the beginning of their involvement with the Partnership. Partners supported probation officers by providing presentations on the HACC screening and application procedures, as well as developing roadmaps to outline probation's role in the Partnership and instruct probation officers on how to properly identify and refer potential Partnership participants to HACC. Though helpful for some participants, probation's involvement at this stage caused some participants to not be as forthcoming with information about challenges, fearing that it may affect their supervision status.

Once an application was completed, probation officers submitted the information to HACC for final voucher approval. Approved applicants, like all voucher recipients, were required to attend an informational briefing that outlined the HCV program, a voucher holder's obligations under the program, tips on searching for housing with a voucher, and information on federal, state, and local laws prohibiting housing discrimination. This information was a vital introduction for participants, but insufficient to fully prepare them for the challenges of utilizing a voucher to secure housing.

Partnership participants experienced challenges common to all voucher holders, like having difficulty navigating payment standards

<sup>viii</sup> The typical process requires submission of a birth certificate, social security card, and state ID to prove citizenship, as well as six consecutive check stubs or payroll history to prove income level. HACC made every effort to accept alternative documentation where possible, but some requirements were absolute. See United States Department of Housing and Urban Development, *Housing Choice Voucher Program Guidebook: Eligibility Determination and Denial of Assistance* (Nov. 2019), [https://www.hud.gov/sites/dfiles/PIH/documents/HCV\\_Guidebook\\_Eligibility\\_Determination\\_and\\_Denial\\_of\\_Assistance.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Guidebook_Eligibility_Determination_and_Denial_of_Assistance.pdf).

<sup>ix</sup> State law requires the Illinois Department of Corrections ("IDOC") to provide returning residents with an identification card at the time of release, but Partnership participants were not eligible for this benefit as they were returning to the community from jail or inpatient treatment rather than from an IDOC facility subject to this mandate. See Illinois State Commission on Criminal Justice Sentencing Reform, *Final Report: Part I* (Dec. 2015), <http://www.icjia.org/cjreform2015/pdf/CJSR%20Final%20Report%20Part%20I%201-4-2016.pdf> (notes that implementation of the law has been problematic and often prevented returning residents from receiving the benefits).

that vary by zip code<sup>x</sup> and/or facing source of income discrimination. They encountered additional hurdles as returning residents, which made their search for qualifying units significantly more difficult. Participants struggled to identify units using online tools due to a lack of basic technology and/or digital literacy and encountered landlords who were reluctant to rent to applicants based on their criminal history.<sup>xi</sup> Even when participants found landlords willing to rent to them, they consistently reported being asked to pay expensive, nonrefundable application fees or increased security deposits. In multiple circumstances, HACC played a key role in participant success by advising them of specific neighborhoods, buildings, or landlords that had worked with HACC in the past. However, our PHA partner had limited capacity to provide this assistance and few established connections to willing landlords.<sup>xii</sup> As issues arose and challenges mounted, TASC committed additional resources to support participants during the housing search. TASC helped participants learn how to use online real estate marketplaces, identify affordable units within specific zip codes, and otherwise remain encouraged during what could be a lengthy housing search.

For participants that successfully secured housing, TASC offered one year of participant-tailored post-move support in the form of recovery, family, and community support services. Participants sought assistance with obtaining furniture, applying for public benefits, and identifying referrals to supportive services in their new community. Though participants consistently requested services immediately post-move, these requests gradually decreased as participants adjusted to independent living and became confident that services were no longer necessary.

## Outcomes

During the eighteen-month pilot, eight returning residents successfully secured safe, affordable housing. Participants spent an average of 188 days in the program prior to move in, seventy days from referral to voucher issuance and 118 days in the housing search. Early results were promising.<sup>60</sup> Six RAP/WRAP Court clients were identified at the beginning of the Partnership as eligible participants; two of those participants were housed during the first six months. Additional referrals were made throughout implementation, as new RAP/WRAP Court clients expressed interest. Referrals gradually slowed as interested clients had been

<sup>x</sup> HACC began using Small Area Fair Market Rents in 2013 to, “increase voucher holders’ access to resource-rich neighborhoods, promote fair housing, and strengthen an existing mobility counseling program.” Local Housing Solutions, *Increased Voucher Payment Standards in High-Cost Areas*, <https://www.localhousingsolutions.org/act/housing-policy-library/increased-voucher-payment-standards-in-high-cost-areas-overview/increased-voucher-payment-standards-in-high-cost-areas/> (last visited on Mar. 19, 2021). Across 135 zip codes, HACC has twenty-four different payment standards which determine the maximum monthly assistance payment for a family in the voucher program and, in turn, whether a given unit is within the renter’s reach or not. See Housing Authority of Cook County, *2020 Payment Standards* (Jun. 1, 2020), <https://thehacc.org/wp-content/uploads/2020/03/2020-Payment-Standard-6-01-2020.pdf>.

<sup>xi</sup> Despite Cook County prohibiting source of income discrimination, testing continues to show widespread discrimination against tenants based on voucher status. Chicago Lawyers’ Committee for Civil Rights, *Equitable Community Development and Housing*, <https://www.clccrul.org/equitable-comm-dev-housing> (last visited on Mar. 19, 2021).

<sup>xii</sup> Three Partnership participants obtained housing owned by the same landlord.

identified and new potential participants had yet to progress far enough through the RAP/WRAP Court to be considered for referral.

Over the course of the Partnership, twenty RAP/WRAP Court clients received tenant-based vouchers. However, twelve did not secure housing with their voucher. Four returned their voucher to pursue other housing options; four had their vouchers revoked because of additional carceral system involvement; and four were deemed ineligible after failing to fulfill voucher obligations, like attend HACC's informational briefing. Notably, delayed placement due to procedural challenges experienced while completing a voucher application and/or navigating a housing search on the private rental market negatively impacted several participants' program and reentry success.

Partners made every effort to swiftly identify challenges and implement additional supports to remedy them, such as locating financial assistance for housing search costs. However, some challenges proved insurmountable in any timely manner. Less than six months after the first Partnership participant was successfully housed, public health officials declared the coronavirus disease 2019 ("coronavirus") a global health emergency. Social distancing measures, particularly those related to the state's "stay-at-home" order implemented to

combat the coronavirus profoundly decreased enrollment and lengthened the participant selection and housing search processes. Because social distancing resulted in a shift to mostly online interactions that proved difficult for the many returning residents who lack digital literacy, participants experienced additional delays at every stage of the process.

*Participants who found housing maintained employment, did not recidivate, and experienced increased self-confidence.*

Two participants faced the daunting task of searching for housing amid the coronavirus pandemic and, as a result, experienced a much lengthier housing search. On average, it took them 375 days to secure safe, affordable housing, 127 days from referral to voucher issuance and 248 days in the housing

search. This is double the amount of time it took participants before the pandemic. Participants reported significant difficulties and increased wait times when requesting official documentation necessary to complete the voucher application. While participants had some familiarity navigating social security offices and departments of motor vehicles in-person, they found it immensely difficult to navigate agency websites and online portals. Relatedly, during the housing search, participants often lacked the technology and/or skills necessary to conduct a housing search using online real estate marketplaces and virtual tours.

Beyond the individual impact, social distancing measures also affected the pilot project as a whole, by severely limiting Partnership enrollment. State and county court closures resulted in drug tests not being administered throughout most of 2020, making it difficult for RAP/WRAP Court clients to proceed through the phases of probation and impossible for new clients to be admitted.<sup>xiii</sup> The limited pool of RAP/WRAP Court clients also limited the number of potential Partnership participants. Despite a limited sample size, the Partnership experienced successes that demonstrate the potential of adopting the tenant-based voucher model across Illinois.

Eight individuals, who otherwise lacked access to permanent housing, moved into affordable units through the Partnership. Participant data illustrates that participants who secured housing also maintained employment, did not recidivate, and experienced increased self-sufficiency and self-confidence. TASC maintained monthly contact with participants post-move until a participant was confident that they no longer needed structured services. During these monthly check-ins, participants relayed what housing meant for them. They explained that it was much more than a roof over their head. Finding and becoming established in their new home helped them to feel accomplished, gain a sense of security, and experience new opportunities to rebuild relationships with loved ones. Success stories include parents reuniting with their children and

individuals establishing healthy relationships and growing families. Nearly all participants who secured permanent housing remained in their home at the end of the pilot program.<sup>xiv</sup>

## Ongoing Implementation

In addition to supporting eight returning residents, the Partnership established an important relationship between HACC and the RAP/WRAP Court that has helped to break down silos in the housing and carceral systems. HACC, with additional knowledge about the services provided by the RAP/WRAP Court and the successful outcomes associated with access to reentry housing, is prepared to continue to provide vouchers to eligible RAP/WRAP Court clients. Furthermore, the RAP/WRAP Court now has familiarity with and access to an established and refined model to provide safe, affordable housing to clients that can serve as a firm foundation for successful reentry. With an infrastructure tested and tailored during the Partnership, HACC and the RAP/WRAP Court continue to work together to provide more coordinated, holistic supports to help even more RAP/WRAP Court clients achieve reentry success. Their ongoing commitment and extraordinary efforts to develop effective programs that support returning residents in Cook County are exceptional models of the important role that governmental stakeholders can and should play.

---

<sup>xiii</sup> An individual must test positive for drug use to be considered eligible for participation in the RAP/WRAP Court.

<sup>xiv</sup> Of the eight participants who secured housing during the Partnership, seven remained in permanent housing at the end of the Partnership. One of the successfully housed participants unfortunately passed away. The overall positive result suggests that the Partnership helped returning residents to access safe, affordable, and stable housing.

# RECOMMENDATIONS

Evaluation of the Partnership provides important lessons that inform the programmatic and systemic recommendations identified in this section. While reflecting on the Partnership, Partners and participants agreed that the supports provided by the program were critical to helping returning residents find housing, but pointed out challenges that limited participant success. Their observations of what contributed to or hindered the Partnership's success provide crucial considerations for future entities interested in implementing a tenant-based voucher approach.

## Programmatic Recommendations

Future entities interested in implementing a tenant-based voucher model to serve returning residents can benefit from incorporating

five key strategies: (1) engage local returning residents during program design; (2) develop clear partner roles; (3) establish explicit boundaries to ensure program participation does not impact carceral system involvement; (4) initiate reentry planning pre-release; and (5) educate and incentivize landlords on the private rental market. By considering these factors when implementing local efforts, future programs may avoid some of the challenges experienced by the Partnership and further effectively expand access to reentry housing through the tenant-based voucher approach.

### *1. Engage local residents during program design.*

When designing a program to serve returning residents, it is beneficial to involve them in the process and center their perspectives because their experience with reentry makes

### *5 key strategies for implementing a tenant-based voucher reentry program*

1. **Engage** local returning residents during program design
2. **Develop** clear partner roles
3. **Establish** explicit boundaries to ensure program participation does not impact carceral system involvement
4. **Initiate** reentry planning pre-release
5. **Educate** and **incentivize** landlords on the private rental market

them best situated to identify problems and solutions. Returning residents that have themselves reintegrated into community living after a period of incarceration have a wealth of knowledge specific to the challenges that are likely to affect returning residents participating in a local program. The Partnership design process benefitted from the Partners' extensive experience supporting returning residents. However, the Partnership even more effectively helped participants overcome some of their housing search challenges by responding to feedback raised by participants during implementation. Participants are primary stakeholders and their absence during the design phase meant that critical challenges, like increased security deposits and a lack of digital literacy, challenges frequently experienced by returning residents, were belatedly identified and addressed because they were not obvious to Partners without lived experience. Entities interested in developing similar programs should include returning residents at the beginning stages to help ensure it is well-informed by people with direct experience and, in turn, more responsive to needs and supports participants may require to succeed in securing safe, affordable housing.

## ***2. Develop clear partner roles.***

A tenant-based voucher program for returning residents requires multiple partners working in collaboration to effectively support participants through the voucher application and housing search processes. Given the specific expertise and limited capacity of individual partners, it is important that programs clearly define which partners are responsible for supporting participants with various anticipated challenges. For example, many Partnership participants needed assistance applying for their social security card to submit with their voucher application or requested tutorials on using

online real estate marketplaces, like Zillow and Trulia. Because it was not predetermined with specificity which Partners would be responsible for which tasks, participants and Partners lacked a clear understanding of what resources were available and who could provide what.

Monthly Partner meetings became increasingly important for sharing participant challenges, discussing available resources, and problem-solving collaboratively to address unanticipated difficulties. Entities interested in combining expertise and resources to develop similar programs should explicitly outline the role of each partner and create structures for ongoing communication and collaboration to support timely, coordinated delivery of available assistance. Methods for accomplishing clearly delineated roles include asset mapping and developing memorandums of understanding; future programs would benefit from implementing these mechanisms because partners will better understand where to direct specific questions and be more prepared to uniformly relay clear information to participants.

## ***3. Establish explicit boundaries to ensure that program participation does not impact carceral system involvement.***

For programs engaging returning residents that are still under some form of supervision (e.g., probation, mandatory supervised release, parole, etc.), there is value in designing a program that allows participants to engage freely and without fear that their success (or lack thereof) in securing housing could affect their carceral system involvement. Returning residents may be reluctant to enroll or reveal challenges in the voucher application or housing search processes once enrolled if they have concerns that the challenges they experience could negatively affect their

supervision status. Because participants enrolled in the Partnership during their RAP/WRAP Court probation sentence and the Partnership became a topic of conversation at probation check-ins, participants struggled to be fully transparent about challenges and, in at least one case, discontinued participation because it felt like an additional obligation of probation. If participants do not feel comfortable to reveal the barriers they encounter, partners administering the tenant-based voucher model will not be able to help them overcome those obstacles. Therefore, it is important that programs address this concern directly.

Partners agreed that an individual's participation in the Partnership would not impact their status in the RAP/WRAP Court, but efforts to clearly communicate those commitments to participants did not effectively dispel fear. Future programs replicating the tenant-based voucher model should design clear boundaries between program participation and participants' carceral system involvement and communicate those boundaries to participants at the outset. Strategies for signaling and maintaining these boundaries include: identifying a partner outside of the carceral system to monitor participant progress in the housing search, developing confidentiality agreements that clearly outline what, when, and to whom certain disclosures about the participants can be made, and informing participants of what and why information is being collected and/or shared.

#### ***4. Initiate reentry planning pre-release.***

It is critical for returning residents to plan for a housing search before the need for housing arises. Without advance preparation, returning residents may find themselves homeless and at high risk of recidivism. Participants struggled because they were not referred to the Partnership before completing inpatient treatment and, therefore, often were already dealing with housing instability when they began their voucher application process. Additionally, delays occurred in securing housing because participants lacked the documentation necessary for the HCV application process and the digital literacy necessary to complete the housing search.

Entities interested in implementing similar programs should consider how to prepare returning residents for the housing search process prior to their release. This can be accomplished by: educating returning residents about voucher application requirements, including the information and documentation they should gather; identifying resources to help them obtain necessary documentation; informing them of their rights in the housing search; and equipping them with the digital literacy needed to conduct an online housing search on the private rental market.

#### ***5. Educate and incentivize landlords on the private rental market.***

The success of programs employing a tenant-based voucher model depends on the participation of private-market landlords. Partnership participants consistently reported encountering landlords and listings that stated that applicants with vouchers or criminal records would not be considered. For the participants that found landlords willing to accept their application, far too many could not meet the landlord's tenant screening criteria or

afford the higher security deposit set because of the applicant's history.<sup>xv</sup> To address these problems, the Partners devised strategies to educate landlords on their legal obligations and the benefits of renting to participants supported by the Partnership, including contacting landlords directly, issuing letters of support and certificates of good standing to participants in the housing search, and creating fact sheets on Cook County legal protections for individuals with tenant-based vouchers for participants and landlords.

Local entities interested in allocating tenant-based vouchers to returning residents would benefit from implementing educational efforts and establishing incentives to increase landlord participation. Educational efforts should raise awareness of the numerous benefits of renting to a voucher holder (e.g., timely and dependable payments from the PHA and the opportunity for annual reasonable rent increases)<sup>61</sup> and the negligible safety risks of renting to returning residents.<sup>62</sup> Increased educational awareness coupled with incentives to encourage landlords to rent to returning residents, like risk mitigation funds, may significantly increase landlord participation, which, in turn, increases the likelihood of success for similar programs.<sup>xvi</sup>

## Systemic Recommendations

Local efforts play an important role in assisting returning residents with access to safe, affordable housing, but systemic barriers remain that limit the effectiveness of these efforts. State and federal reforms can remove these barriers and increase opportunities for expanding access to reentry housing.

### *Expand statewide protections against housing discrimination based on conviction record and source of income.*

The Illinois Human Rights Act currently prohibits housing discrimination based on arrests or improperly released criminal records (e.g., those that have been expunged/sealed or juvenile records), but continues to allow broad discretion related to use of conviction records and source of income.<sup>63</sup> State and/or local laws can be amended in three primary ways to address barriers to housing for returning residents: (1) prohibit PHAs from denying an applicant based solely on their conviction record, except to comply with federal law;<sup>xvii</sup> (2) prohibit discrimination in real estate transactions based on conviction records<sup>xviii</sup> and source of income,<sup>xix</sup> and (3) remove permanent punishments related to housing.<sup>xx</sup> These

<sup>xv</sup> Reserving funds for returning residents to use in their housing search can address this problem. See e.g., Vermont Department of Corrections, *FY 2020 Budget Presentation*, <https://doc.vermont.gov/sites/correct/files/documents/reports/doc-fy20-budget-presentation.pdf> (last visited on Mar. 17, 2021) (includes report on use of release money fund "for assistance with residential prerequisites such as security deposits").

<sup>xvi</sup> Risk mitigation funds offer added protections for landlords by guaranteeing reimbursement if the landlord incurs specific damages because of the tenant. See United States Interagency Council on Homelessness, *Engaging & Supporting Landlords through Risk Mitigation Funds: Community Profiles* (Apr. 2016) [https://www.usich.gov/resources/uploads/asset\\_library/Risk\\_mitigation\\_funds\\_quick\\_guide.pdf](https://www.usich.gov/resources/uploads/asset_library/Risk_mitigation_funds_quick_guide.pdf) (demonstrates that established funds in major cities across the country have rarely, if ever been used, but proven to be a significant factor in providing peace of mind to landlords and increasing landlord participation).

<sup>xvii</sup> Effective March 23, 2021, Illinois law prohibits PHAs from denying an applicant for housing based on convictions occurring more than 180 days prior to application submission. Ill. Pub. Act 101-0659. Because state protections must conform with HUD regulations, state law must provide for exceptions for those returning residents subject to a lifetime ban until HUD regulations are amended.

amendments narrow the discretion of housing providers by prohibiting bans of whole classes of individuals while allowing them to maintain discretion over case-by-base rental decisions. By limiting how public and private housing providers consider housing applicants and abolishing laws that limit the housing options of returning residents, Illinois can significantly improve its reentry housing shortage and meaningfully support the success of local programs like the Partnership.

### *Increase access to vouchers for returning residents nationwide.*

Current tenant-based voucher supply is severely insufficient and, for certain returning residents, wholly inaccessible. Long, and often closed, PHA waiting lists prevent many low-income households from obtaining vouchers<sup>xxi</sup> and lifetime bans bar individuals with certain convictions from receiving vouchers at all.<sup>64</sup> HACC's allocation of twenty-five tenant-based vouchers made the Partnership possible, but far more vouchers will be necessary to truly expand returning residents' housing access.

Furthermore, even with available vouchers, the Partnership could not serve RAP/WRAP Court clients with certain conviction histories because of HUD restrictions. The 2011 Secretary Letter and 2016 HUD Publication demonstrate HUD's continued interest in encouraging PHAs to use their discretion and resources to support returning residents. Given HUD's control over voucher supply and eligibility, it is important that HUD take action to increase access to vouchers for returning residents nationwide. To this end, HUD should fund "special-purpose" vouchers designated for returning residents and remove lifetime bans on all vouchers. Through new vouchers that are available to returning residents and amended rules that allow PHAs fuller discretion to determine program eligibility, HUD can substantially improve local entities' capacity to meet the housing needs of returning residents and allow PHAs to participate in programs like the Partnership.

---

<sup>xviii</sup> Local municipalities within Illinois stand as models for establishing these protections. Urbana, Illinois adopted a Human Rights Ordinance in 2000 that establishes "conviction record" as a protected class. See Urbana, Ill., Code of Ordinances § 12-37. Other jurisdictions have narrowed discretion in other ways. Cook County adopted the "Just Housing Amendment" in 2019 that shortens lookback periods and mandates individualized assessments of applicants' criminal records. See Cook County, Ill., Code of Ordinances § 42-38.

<sup>xix</sup> Identical bills in the Illinois House and Senate propose to prohibit source of income discrimination. HB 2775, 102nd Ill. General Assembly; SB 2492, 102nd Ill. General Assembly.

<sup>xx</sup> Illinois residency restrictions and registration requirements are particularly concerning because they operate to banish specific classes of returning residents from most housing and thwart successful reentry despite research proving such restrictions provide no public safety benefit and may even hurt public safety. See Human Rights Watch, *No Easy Answers: Sex Offender Laws in the US* (Sep. 2007), <https://www.hrw.org/reports/2007/us0907/us0907web.pdf>.

<sup>xxi</sup> One out of four low-income households are unable to obtain vouchers because of funding limitations; those who do are often on waiting lists for years before actually receiving a voucher. See Alicia Mazzara, *Housing Vouchers Work: Huge Demand, Insufficient Funding for Housing Vouchers Means Long Waits*, Center on Budget and Policy Priorities (Apr. 19, 2017), <https://www.cbpp.org/blog/housing-vouchers-work-huge-demand-insufficient-funding-for-housing-vouchers-means-long-waits>.

# CONCLUSION

To address the harms our carceral system causes to many individuals and communities, we must ensure that we develop programs and adopt systems that support access to safe, affordable housing for returning residents. By doing so, we help individuals establish a firm foundation upon which they can build their lives post-incarceration, decrease the risk of further carceral system involvement and, thus, reduce the costs associated with the carceral system. Housing and carceral system stakeholders have critical insight into the shortage and importance of affordable reentry housing and are well-positioned to work collaboratively to develop solutions that support returning residents.

The Partnership provides a model for multi-system stakeholders to work together to provide tenant-based vouchers that assist returning residents in need of affordable housing. This report, informed by evaluation of the pilot program, illuminates the potential of the tenant-based voucher model in Illinois, provides a roadmap for development of

additional programs, and identifies policy reforms that would remove systemic barriers to reentry housing. Illinois must continue to invest in programs that model collaborative, multi-system solutions, like the Partnership, and sustain recent progress made in removing obstacles to housing access. This model helps to effectively address the reentry housing shortage in a way that efficiently allocates resources away from the carceral system toward communities. By more widely implementing the tenant-based voucher model and adopting systemic reforms, Illinois can become a national leader in providing the reentry supports that its returning residents so urgently need.

# ENDNOTES

<sup>1</sup> Illinois Justice Project & Metropolitan Planning Council, *Re-Entry Housing Issues in Illinois: The Current Situation, Challenges, and Possible Solutions* (July 2019), [https://www.metroplanning.org/uploads/cms/documents/re-entry\\_housing\\_issues\\_report\\_final.pdf](https://www.metroplanning.org/uploads/cms/documents/re-entry_housing_issues_report_final.pdf).

<sup>2</sup> See Valerie Schneider, *The Prison to Homelessness Pipeline: Criminal Records Checks, Race, and Disparate Impact*, 93 Ind. L. Rev. 2 (2018); Wendy Sawyer, *Visualizing the Disparities in Mass Incarceration*, Prison Pol’y Initiative (July 27, 2020), <https://www.prisonpolicy.org/blog/2020/07/27/disparities/>.

<sup>3</sup> Madeline Bailey, Erica Crew, and Madz Reeve, *No Access to Justice: Breaking the Cycle of Homelessness and Jail*, Safety + Jus. Challenge (Aug. 12, 2020), <https://www.safetyandjusticechallenge.org/resource/no-access-to-justice-breaking-the-cycle-of-homelessness-and-jail/>.

<sup>4</sup> Melissa Ford Shah, Callie Black & Barbara Felver, *Achieving Successful Community Re-Entry upon Release from Prison: Housing and Medical Assistance as Keys to Reduced Recidivism and Improved Employment Outcomes*, Wash. St. Department of Soc. and Health Services (July 2013), <https://www.dshs.wa.gov/sites/default/files/rda/reports/research-11-193.pdf>.

<sup>5</sup> Faith E. Lutze, Jeffrey W. Rosky & Zachary K. Hamilton, *Homelessness and Reentry: A Multisite Outcome Evaluation of Washington State’s Reentry Housing Program for High Risk Offenders*, 41 Crim. Just. and Behav. 4 (Apr. 1, 2014).

<sup>6</sup> Roosevelt University Policy Research Collaborative & BPI, *No Place to Call Home: Navigating Reentry Housing in Chicago* (2019), <https://www.bpichicago.org/wp-content/uploads/2018/09/No-Place-To-Call-Home.pdf> (identifies housing as a “crucial component” of successful re-entry).

<sup>7</sup> See Sawyer, *supra* note 2.

<sup>8</sup> Heartland Alliance, *Never Fully Free: The Scale and Impact of Permanent Punishments on People with Criminal Records in Illinois* (June 2020), <https://socialimpactresearchcenter.issuelab.org/resource/never-fully-free-the-scale-and-impact-of-permanent-punishments-on-people-with-criminal-records-in-illinois.html> (introduces the term rather than using “collateral consequences” which fails to account for the never-ending impact of these laws).

<sup>9</sup> *Id.*

<sup>10</sup> Letter from Chicago 400 Alliance, et al., to Governor J.B. Pritzker, Lieutenant Governor Juliana Stratton, Senator Elgie R. Sims, & Representative Justin Slaughter (Jul. 22, 2021), [http://](http://chicago400.net/content/1-campaign/residency-restrictions-impact-letter-chicago-400-alliance-partners-updated-7-22-20-p.pdf)

[chicago400.net/content/1-campaign/residency-restrictions-impact-letter-chicago-400-alliance-partners-updated-7-22-20-p.pdf](http://chicago400.net/content/1-campaign/residency-restrictions-impact-letter-chicago-400-alliance-partners-updated-7-22-20-p.pdf).

<sup>11</sup> Heartland Alliance, *supra* note 8.

<sup>12</sup> See John Malcolm & John-Michael Seibler, *Collateral Consequences: Protecting Public Safety or Encouraging Recidivism?*, Heritage Found. (Mar. 7, 2017), <https://www.heritage.org/crime-and-justice/report/collateral-consequences-protecting-public-safety-or-encouraging-recidivism>; Stephen Slivinski, *Turning Shackles Into Bootstraps: Why Occupational Licensing Reform Is the Missing Piece of Criminal Justice Reform*, Center for the Study of Econ. Liberty at Ariz. St. U. (Nov. 7, 2016), <https://csel.asu.edu/sites/default/files/2019-09/csel-policy-report-2016-01-turning-shackles-into-bootstraps.pdf>.

<sup>13</sup> Heartland Alliance, *supra* note 8.

<sup>14</sup> *Id.*

<sup>15</sup> Sawyer, *supra* note 2.

<sup>16</sup> Lucious Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Prison Pol’y Initiative (Aug. 2018), <https://www.prisonpolicy.org/reports/housing.html>.

<sup>17</sup> Heartland Alliance, *supra* note 8.

<sup>18</sup> See Schneider, *supra* note 2.

<sup>19</sup> National Low Income Housing Coalition, *The Gap: A Shortage of Affordable Homes* (Mar. 2021), [https://reports.nlihc.org/sites/default/files/gap/Gap-Report\\_2021.pdf](https://reports.nlihc.org/sites/default/files/gap/Gap-Report_2021.pdf).

<sup>20</sup> *Id.*

<sup>21</sup> Legal Action Center, *National Blueprint for Reentry: Equal Opportunity Housing for People with Criminal Histories* (Jul. 2014), <https://www.lac.org/assets/files/Recommendations-to-promote-the-successful-re-entry-of-individuals-with-criminal-records-through-housing.pdf>.

<sup>22</sup> Tex Pasley, Henry Oostrom-Shah, & Eric Sirota, *Screened Out: How Tenant Screening Reports Deprive Tenants of Equal Access to Housing*, Shriver Center on Policy Law (Jan. 2021), <https://www.povertylaw.org/wp-content/uploads/2021/01/tenant-screening-final-report.pdf>.

<sup>23</sup> See Amy Rynell & Samantha Tuttle, *Win-Win: Equipping Housing Providers to Open Doors to Housing for People with Criminal Records*, Heartland Alliance (July 12, 2019), <https://nationalinitiatives.issuelab.org/resource/win-win-equipping-housing-providers-to-open-doors-to-housing-for-people-with-criminal-records.html>.

<sup>24</sup> *Id.*

<sup>25</sup> See Human Rights Watch, *No Second Chance: People with Criminal Records Denied Access to Public Housing* (2004), <https://www.hrw.org/reports/2004/usa1104/usa1104.pdf>.

<sup>26</sup> Letter from Shaun Donovan, Sec'y, U.S. Dep't. of Housing and Urb. Dev., to Pub. Housing Authority Executive Directors (June 17, 2011), [https://www.usich.gov/resources/uploads/asset\\_library/Rentry\\_letter\\_from\\_Donovan\\_to\\_PHAs\\_6-17-11.pdf](https://www.usich.gov/resources/uploads/asset_library/Rentry_letter_from_Donovan_to_PHAs_6-17-11.pdf).

<sup>27</sup> 24 C.F.R. § 960.204; 24 C.F.R. § 982.553.

<sup>28</sup> Donovan, *supra* note 26.

<sup>29</sup> United States Department of Housing and Urban Development, *Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions* (Apr. 4, 2016), [https://www.hud.gov/sites/documents/HUD\\_OGCGUIDAPPFHASTANDCR.PDF](https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF).

<sup>30</sup> *Id.*

<sup>31</sup> United States Department of Housing and Urban Development, *It Starts with Housing: Public Housing Agencies Are Making Second Chances Real* (June 2016), [https://www.hud.gov/sites/documents/HUD\\_IT\\_STARTS\\_WITH\\_HOUSING.PDF](https://www.hud.gov/sites/documents/HUD_IT_STARTS_WITH_HOUSING.PDF).

<sup>32</sup> John Bae, Kate Finley, Margaret diZerega, & Sharon Kim, *Opening Doors: How to Develop Reentry Programs Using Examples from Public Housing Authorities*, Vera Institute of Justice (Sept. 2017) <https://www.vera.org/downloads/publications/Opening-Doors-Full-Report.pdf>.

<sup>33</sup> *Id.*

<sup>34</sup> United States Department of Housing and Urban Development, *supra* note 31.

<sup>35</sup> *Id.*

<sup>36</sup> John Bae, Margaret diZerega, Jacob Kang-Brown, Ryan Shanahan, & Ram Subramaniam, *Coming Home: An Evaluation of the New York City Housing Authority's Family Reentry Pilot Program*, Vera Institute of Justice (Nov. 2016) [https://www.vera.org/downloads/publications/NYCHA\\_report-032917.pdf](https://www.vera.org/downloads/publications/NYCHA_report-032917.pdf).

<sup>37</sup> Lionel Smith, John Bae, Margaret diZerega, Ryan Shanahan, Jacob Kang-Brown, & Ram Subramaniam, *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, PD&R Research Partnerships* (Sept. 2017) <https://www.huduser.gov/portal/sites/default/files/pdf/NYCHAevaluation-Sept-2017-updated.pdf>.

<sup>38</sup> New York City Housing Authority, *Permanent Exclusion – Frequently Asked Questions*, <https://www1.nyc.gov/site/nycha/residents/permanent-exclusion-faq.page> (last visited on Mar. 17, 2021).

<sup>39</sup> Madeleine Hamlin, *Chicago's Carceral Geographic: Public Housing and Prisoner Reentry in the City* (Jan. 2017) <https://surface.syr.edu/cgi/viewcontent.cgi?article=1130&context=thesis>.

<sup>40</sup> *Id.*

<sup>41</sup> Housing Authority of Champaign County, *The Housing Authority of Champaign County to Receive Re-Entry Rental Housing Support Demonstration Program Grant* (July 20, 2020), <https://hacc.net/hacc-to-receive-re-entry-rental-housing-support-demonstration-program-grant/>.

<sup>42</sup> Center on Budget and Policy Priorities, *Introduction to the Housing Choice Voucher Program* (May 15, 2009), <https://www.cbpp.org/research/introduction-to-the-housing-voucher-program>.

<sup>43</sup> Housing Action Illinois & Social Impact Research Center, *Not Even a Place in Line: Housing Choice Voucher Capacity and Waiting Lists in Illinois* (Nov. 2015), <https://www.naceda.org/assets/Housing%20Voucher%20Capacity%20in%20Illinois.pdf>.

<sup>44</sup> United States Department of Housing and Urban Development, *Housing Choice Vouchers Fact Sheet*, [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/hcv/about/fact\\_sheet](https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/about/fact_sheet) (last visited on Mar. 17, 2021).

<sup>45</sup> See Center on Budget and Policy Priorities, *supra* note 42.

<sup>46</sup> *Id.*

<sup>47</sup> Monique Bond, *The Housing Authority of Cook County Releases 2016 Accomplishments*, *Housing Authority of Cook County* (Mar. 24, 2017), <https://thehacc.org/2017/02/24/housing-authority-cook-county-releases-2016-accomplishments/>.

<sup>48</sup> Bae, *supra* note 32.

<sup>49</sup> See Hamlin, *supra* note 39.

<sup>50</sup> Monique Bond, *The Housing Authority of Cook County Releases 2015 Accomplishments*, *Housing Authority of Cook County* (Jan. 25, 2016), <https://thehacc.org/2016/01/25/housing-authority-cook-county-releases-2015-accomplishments/>.

<sup>51</sup> Nicholas Mathiowdis, *The Housing Authority of Cook County Commits to Providing Affordable Housing to Support the Reentry Community*, *Housing Authority of Cook County* (Sep. 23, 2019), <https://thehacc.org/2019/09/23/the-housing-authority-of-cook-county-commits-to-providing-affordable-housing-to-support-the-re-entry-community/>.

<sup>52</sup> Circuit Court of Cook County, *Cook County Drug Court Treatment Program*, <http://www.cookcountycourt.org/ABOUT-THE-COURT/County-Department/Criminal-Division/Problem-Solving-Courts/Drug-Court-Treatment-Program> (last visited on Mar. 17, 2021).

<sup>53</sup> Mathiowdis, *supra* note 51.

<sup>54</sup> Circuit Court of Cook County, *supra* note 52 (lists program statistics including that, “recidivism rates for 3 years post completion of the program have decreased by 84%”).

<sup>55</sup> Treatment Alternatives for Safe Communities, *Fact Sheet* (May 2018), <https://www.tasc.org/TascBlog/images/documents/TASC-FactSheet.pdf>.

<sup>56</sup> Treatment Alternatives for Safe Communities, *Center for Health and Justice*, [https://www.centerforhealthandjustice.org/chjweb/home\\_chj.aspx](https://www.centerforhealthandjustice.org/chjweb/home_chj.aspx) (last visited on Mar. 17, 2021).

<sup>57</sup> Treatment Alternatives for Safe Communities, *Designated Program*, [https://www.tasc.org/tascweb/tertiary\\_page.aspx?ID=37&title=Designated-Program](https://www.tasc.org/tascweb/tertiary_page.aspx?ID=37&title=Designated-Program) (last visited on Mar. 17, 2021).

<sup>58</sup> Circuit Court of Cook County, *Rehabilitation Alternative Probation (RAP) Program Brochure* (June 20, 2014), <http://www.cookcountycourt.org/Portals/0/Criminal%20Division/Specialty%20Courts/RAPBrochure%2006202014.pdf?ver=mDIRaDmlze1dmKkeuqAvOg%3d%3d>.

<sup>59</sup> *Id.*

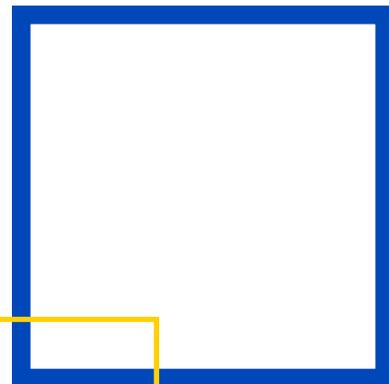
<sup>60</sup> See Richard J. Monocchio & Charles P. Burns, *Commentary: From jail to an apartment – not the streets. Secure housing is key for those pulling their lives back together*, Chi. Trib. (Sep. 30, 2019), <https://www.chicagotribune.com/opinion/commentary/ct-opinion-affordable-public-housing-20190930-5szuqtrb7zgx5ab53adfb2owjm-story.html> (highlights Mr. Johnny Washington, the first RAP Court client to secure housing through the Partnership).

<sup>61</sup> United States Department of Housing and Urban Development, *Housing Choice Voucher (HCV) Myth-Busting and Benefits Fact Sheet*, [https://www.hud.gov/sites/dfiles/PIH/documents/HCV\\_Benefits-MythBusting\\_FactSheet10-5.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Benefits-MythBusting_FactSheet10-5.pdf) (last visited on Mar. 17, 2021).

<sup>62</sup> Heartland Alliance, *supra* note 8 (highlights that “there is little evidence supporting the assumption that housing restrictions protect the well-being of other residents”).

<sup>63</sup> See 775 ILCS 5/3-102.

<sup>64</sup> 24 C.F.R. § 960.204; 24 C.F.R. § 982.553.



**BPI**

*For a Just Society*