



## CRIMINAL JUSTICE ADVOCATES ARE HOUSING ADVOCATES

**To end the U.S. mass incarceration crisis and the ongoing criminalization of low-income communities, access to stable and affordable housing is an absolute necessity.**

- Every year, over 600,000 people return to their communities from prison and face myriad challenges — primarily, profound housing insecurity ([Prison Policy Initiative](#), 2018). Decarceration, and efforts to address the mass criminalization of low-income and Black and brown communities, have the potential to worsen this crisis if the structural inequalities that leave people without housing go unaddressed. This means that we must invest more resources in basic necessities that ensure stability for individuals, families, and their communities. Affordable and safe housing is one of these necessities. It is critical for creating a society wherein people who have been directly affected by the criminal legal system can thrive.
- HUD’s guidance to housing authorities aims to reduce the use of criminal history in housing decisions. Without these measures, people with criminal records are five times more likely to face housing rejection, further limiting their access to stable housing ([NHLHP](#), 2022).
- While ensuring people have the means to access long-term, stable, well-resourced housing is an absolute necessity for all people, it is particularly important for people with criminal records and their families given the barriers these records create ([NLIHC](#), 2024). The neighborhoods that people return home to after prison are often the same neighborhoods that have been subject to generational divestment, over-policing, and the trauma that results from a lack of public goods and services - including safe, affordable housing ([Newkirk](#), 2018).
- Research shows that there is a shortage of available affordable housing; a criminal record only compounds this problem by further limiting the few available options that do exist ([NLIHC](#), 2024). As research has also shown, rates of homelessness for formerly incarcerated people far exceed the rates observed across the general population ([Prison Policy Initiative](#), 2018).

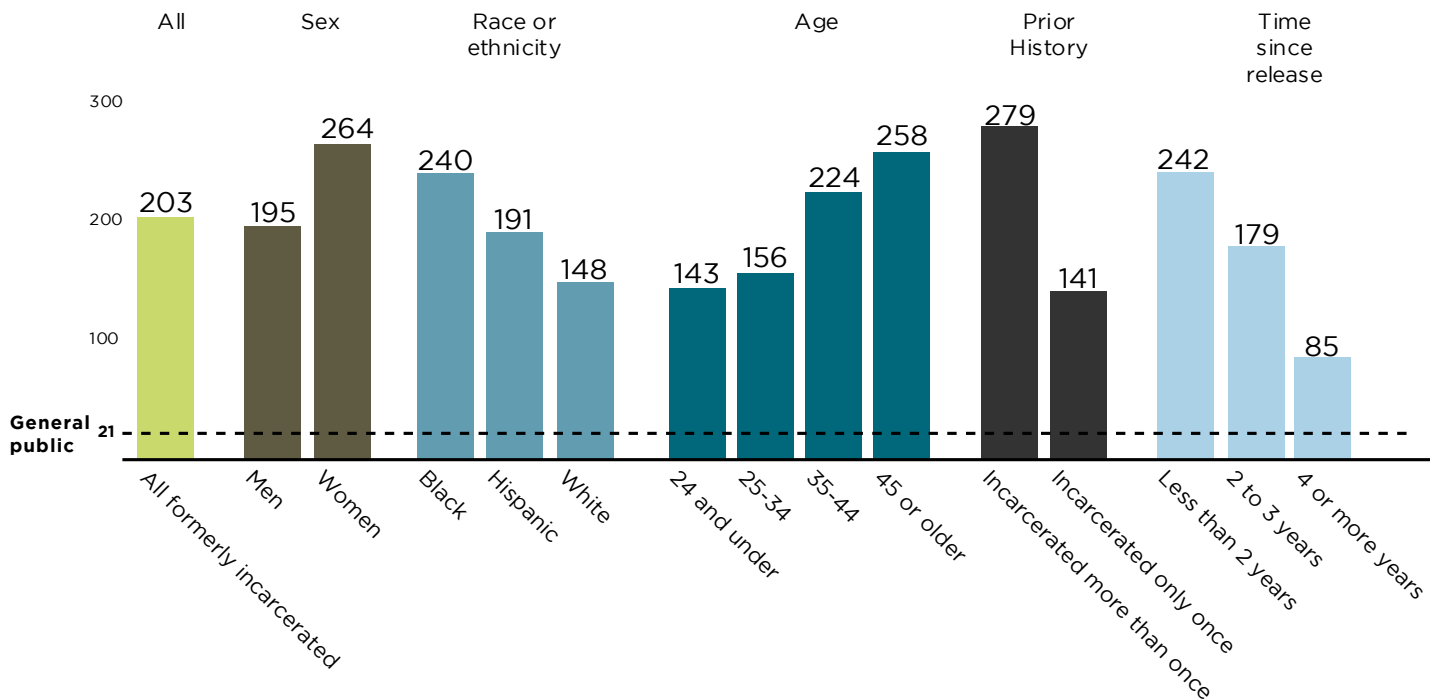
Studies have shown that formerly incarcerated individuals experience **HIGH RATES** of homelessness **AND** in some urban areas an estimated **30% to 50%** of people on parole have no place to call home.

Source: Reentry and Housing Coalition

- According to a 2017 study from the US Interagency Council, roughly 48,000 people entering shelters every year recently left prisons or jail incarceration (US Interagency Council, 2017). This disparity is particularly pronounced for Black and brown people, which further exacerbates the already disparate impact that the criminal legal system has on Black and brown communities ([NIH, 2022](#)).
- Research shows that people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public. But people incarcerated more than once have rates 13 times higher than the general public ([Prison Policy Initiative, 2023](#)).
- The causality between justice involvement and housing inaccessibility is the result of legal and extralegal barriers that prevent people coming home from obtaining access to safe homes. As the [Prison Policy Institute](#) explains: “Being homeless makes formerly incarcerated people more likely to be arrested and incarcerated again, thanks to policies that criminalize homelessness.”

## Homelessness rates among formerly incarcerated people

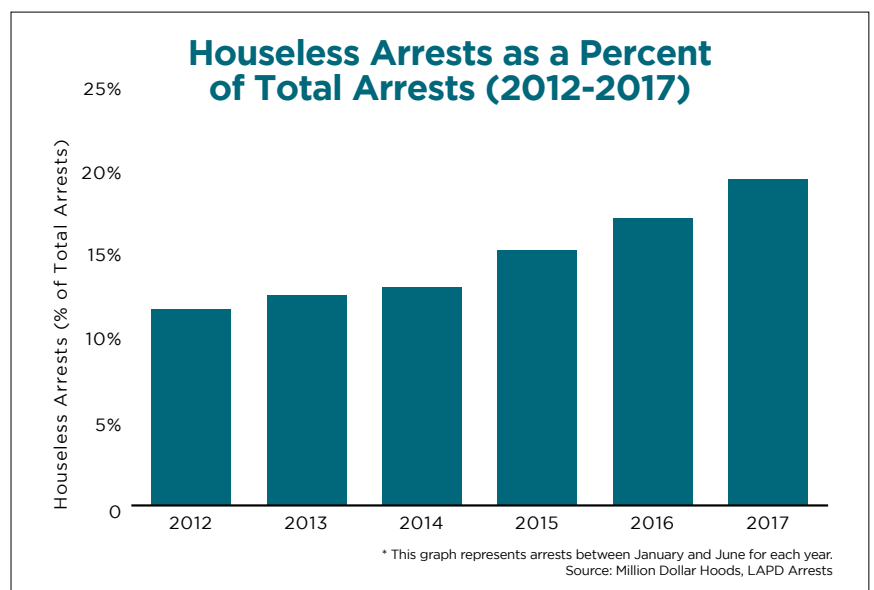
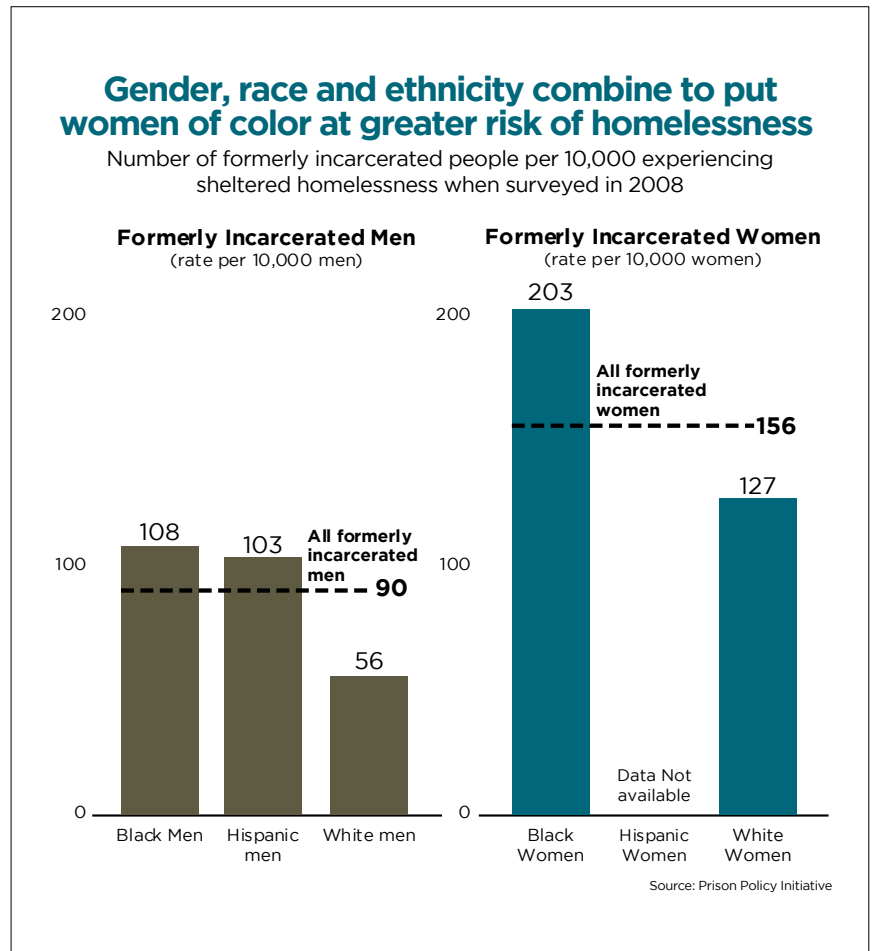
Number of homeless per 10,000 formerly incarcerated people in each category, compared to the general public in 2008 (the most recent year data for formerly incarcerated people are available)



Source: Prison Policy Initiative

## Criminal legal system involvement creates major barriers to housing access.

- Criminal records are accompanied by stigma, as the record itself, not the underlying conduct it reflects, triggers stereotypes and discrimination (NIH, 2022). People with criminal records are less likely to be considered for tenancy than people without records, and people enrolled in the voucher program experience the compounded effect of both criminal record stigma as well as stigma against HCV recipients (Evans, et al., 2019).
- Landlords or theoretically fair public agencies use criminal records to prevent people from accessing public housing or support that makes housing affordable (Clark, 2007). Landlords also routinely leverage convictions - or even just arrests or police activity, in general - to initiate eviction proceedings (Housing and Reentry, 2013). Even when those evictions are unsuccessful, the process of defending against an eviction can devour time and resources from a person and inflict irreparable trauma on a family (Desmond & Kimbro, 2015).
- Some landlords have created, and actively promote “crime free zones” that make communities less safe and result in the wholesale exclusion of families that include a family member impacted by the justice system (Crime Free Association) (Kadner, 2015).



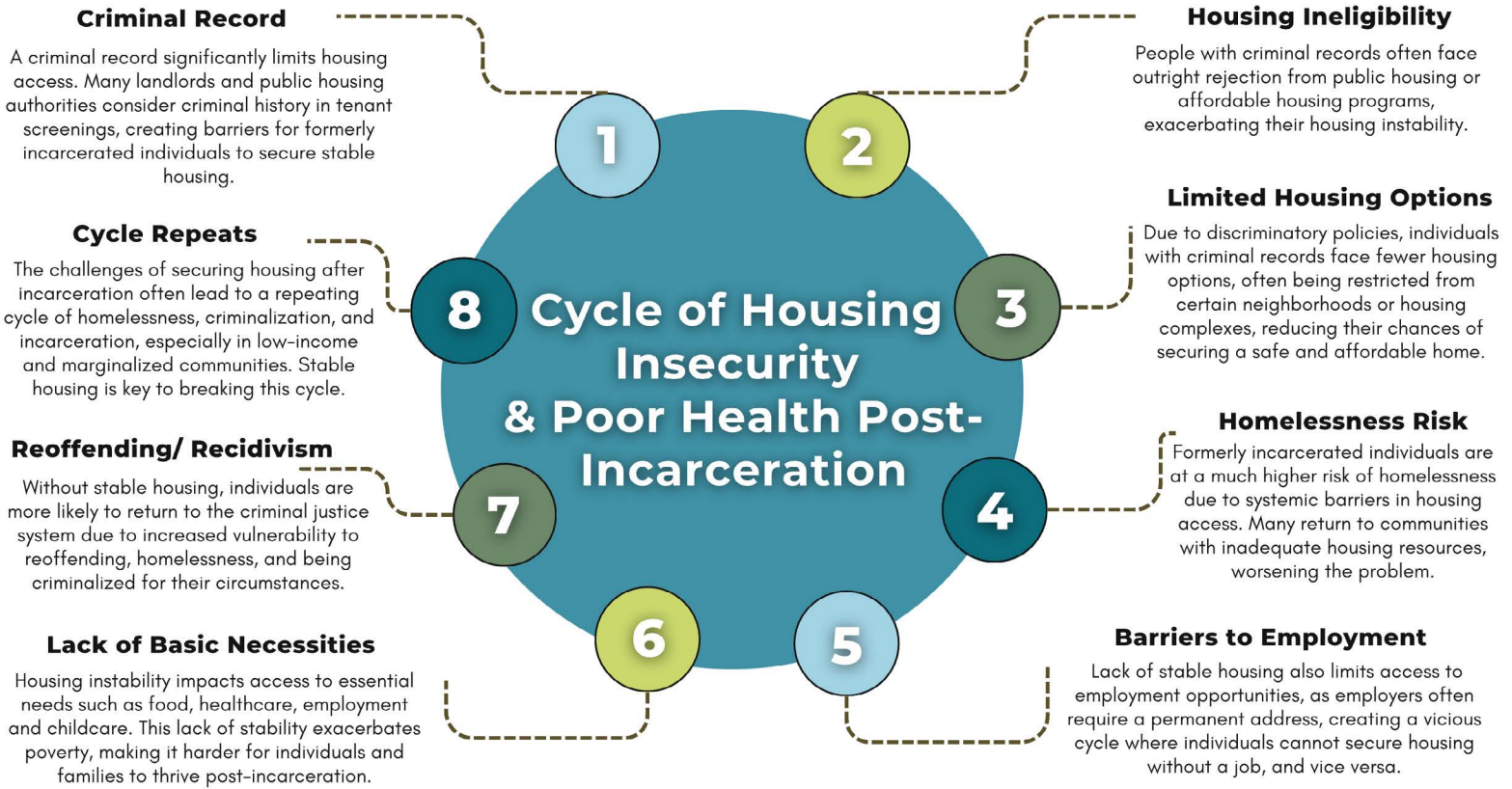
- In many jurisdictions, supervision - probation or parole - that occurs in lieu of or after incarceration includes a requirement that people avoid contact with or proximity to other justice involved people ([Doherty, 2016](#)). So, even if a person with a record is able to access housing in a particular area (often with family), that housing becomes off-limits as an individual may risk revocation due to other people with a criminal record living in the vicinity. This scenario is exacerbated by the disproportionate and concentrated impact the criminal legal system has on Black and brown communities.

## Lack of stable housing negatively affects health, education, and employment outcomes.

- Housing instability not only limits access to basic needs but is also linked to significant physical and mental health risks. Formerly incarcerated individuals are more likely to suffer from chronic illnesses and mental health disorders, further exacerbating their challenges post incarceration ([NIH, 2022](#)). Stable housing is a key social determinant of health, especially for those reentering society after incarceration. Without it, individuals face barriers to accessing healthcare, worsening health outcomes, and increasing healthcare costs ([NIH, 2022](#)).



- Children of formerly incarcerated individuals are disproportionately affected by housing instability, leading to worsened mental health and educational outcomes ([Urban Institute, 2022](#)). [Sykes and Pettit, \(2014\)](#) estimated that 62% of black children whose parents have not completed high school will experience the imprisonment of a parent by age 17.
- Homelessness is criminalized in numerous jurisdictions, as people experiencing homelessness are disproportionately at risk of arrest, and as policing is sometimes the primary resource a jurisdiction deploys to address homelessness ([Dupuy, Allen & Hernández, 2017](#)) ([Vera Institute, 2021](#)). Additionally, housing instability creates barriers to other necessities, including employment, making basic human needs - food, healthcare, child care - largely out of reach for many families. Simultaneously, lack of employment makes access to housing even harder.



Each of the barriers that are triggered or heightened due to housing insecurity is a factor that can further contribute to involvement with the criminal legal system. To effectively address the cycle of housing insecurity and poor health, there is a need for integrated health and housing policies that provide stable housing alongside access to healthcare services for formerly incarcerated individuals (NIH, 2022).

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