

Reentry Housing Work Group Recommendations to Criminal Justice Reform Council

Facilitators: Doug Ammar (GJP), Elizabeth Appley (Housing Georgia, Central Outreach and Advocacy Center), Paul Bolster (GSHA)

Participants: Ron Pounds (DCA), Michael Kraft (DCS), Harris Childers (DCS), Mark Morris (DCOR), Doug Scott (DBHDD), Elizabeth Danley (United Way), Talley Wells (Atl Legal Aid), Mariel Sively (GSHA), Susan Reif (Georgia Legal Services), Debra Nesbit (ACCG), Robyn Garrett (GACSB), OJ Booker (Athens CSB), Susan Goico (Atl Legal Aid), Brenda Smeeton (GJP), Josiah Conrad (GACSB)

The Reentry Housing Work Group came together from a wide range of relevant perspectives, both public and private, in order to address the critical need for housing to support successful reentry for returning citizens that will enable them to be successfully restored to their communities, reduce recidivism, promote public safety, and conserve limited public resources.

HOUSING MARKET ACCESS

Barrier: Persons with arrest and/or records of incarceration face adversity leasing apartments.

Recommendations:

1. Promote statewide education directed at consumers, landlords, and public housing agencies to insure compliance with the Housing and Urban Development Office of General Counsel Guidance issued to providers of housing on April 4, 2016. The Guidance states that “where a policy or practice that restricts access to housing on the basis of criminal history has a disparate impact on individuals of a particular race, national origin, or other protected class, such policy or practice is unlawful under the Fair Housing Act if it is not necessary to serve a substantial, legitimate, nondiscriminatory interest of the housing provider, or if such interest could be served by another practice that has less discriminatory effect.” The guidance makes clear that blanket bans on rental to persons based on a prior arrest or incarceration are prohibited as unlawful race discrimination under the Fair Housing Act and any policy on rental to formerly incarcerated persons must be narrowly tailored to meet the particularized interests of the lessor.
 - Urge the Atlanta Apartment Owners and Managers Association and similar organizations across the state to develop and promote model rules for the use of their members in implementing the Guidance and conduct education sessions for their members that will assist them in complying with the Housing and Urban Development (HUD) Guidance regarding the Fair Housing Act..
 - Urge the Georgia Department of Community Affairs to develop and promote model rules for compliance with the HUD Guidance for the use of all Public Housing Authorities, organizations that receive Low Income Housing Tax Credits for the development of affordable housing in Georgia, and all other housing entities subject

to the guidelines within DCA's jurisdiction. Urge DCA to engage in efforts to educate public and private landlords and report on the implementation of such rules to insure compliance.

2. Expand to the Department of Community Supervision (DOS) authority to issue a "Program and Treatment Completion Certificate" to persons in good standing under its supervision. In 2014, this authority was granted to the Department of Corrections (DOC) under OCGA §42-2-5.2 and §50-1-54. The certificates "symbolize the offender's achievements toward successful reentry into society" (OCGA §42-2-5.2(c)) and create a rebuttable "presumption of due care in hiring ... leasing to ... or otherwise engaging in activity with the individual to whom the ... Certificate was issued" (OCGA §50-1-54 (b)). Thanks to the implementation of this program, the Department of Corrections has issued some 5,000 certificates to date. The extension of this authority to DCS will extend the benefits to landlords, employers and others for persons released from prison prior to the implementation of the DOC program and currently under the supervision of DCS.
3. Provide an income tax credit for private landlords similar to the credit granted to employers by [HB 828](#) that became law in 2016. HB 828 allows employers who hire qualified parolees for permanent full time jobs within 12 months of parole a tax credit of \$2,500. The credit should be available for each returning citizen under the Georgia Prison Reentry Initiative that is successfully housed in one of the landlord's properties for a year or more.

LONG TERM HOUSING SUPPORTS

Barrier: Returning citizens with disabilities are very unlikely to obtain employment or income benefits sufficient to enable them to obtain market rate housing.

Recommendations:

4. Create a long term rent subsidy program for returning citizens with permanent physical, developmental, intellectual or brain trauma disabilities to complement the current program for persons with mental illness. Use the experience of the Georgia Housing Voucher Program (GHVP) that serves people with severe and persistent mental illness (SPMI) (including returning citizens) to develop a pilot program for a housing voucher for 200 returning citizens with a physical developmental or intellectual disability or brain injury who will need long term housing support. Define the population as those who are likely to qualify for a disability under the federal Social Security Act, who have had three or more incarcerations, who the Department of Corrections has identified as past their projected date of parole and for whom the Department is unable to identify appropriate long term housing and who otherwise would be eligible for release or probation. Use the DBHDD administrative structure of the Georgia Housing Voucher Program and their Community Service Boards and state sponsored ADA partners to implement.
 - Identify a source of funding, accessing private and federal resources wherever possible. Based on the GHVP program cost of \$600 per month, the cost of a pilot program is estimated to be \$1.44 million per year.

- *Note: Outcome data from the Ohio FUSE program in Hennepin County, Minnesota, the State of Connecticut, Mecklenburg County, North Carolina show a high rate of housing stability. The average length of support in the FUSE program is only two years.*
 - *Note: During 2015 DOC released 276 persons with an IQ below 70 and 200 persons with a Level 3 Mental Health. The reentry outcome of these persons should be studied carefully.*
5. Expand the Forensic Supervised Housing program administered by DBHDD. The program currently has 40 units of housing for persons who are unable to stand trial or have been found guilty but are not sentenced to prison terms by reason of their mental illness. The housing model gives a judge the opportunity to place a person in a structured residential setting in the community in a way that protects public safety and conserves limited tax dollars.
- *Note: The outcome data for the Forensic Supervised Housing program should be reviewed as a housing option for persons classified as Level 4 Mental Health who are extremely difficult to place in the community. There is currently no identified housing placement in the community for a person with a level 4 assessment other than in a full institutional setting.*

TRANSITION SUPPORT SERVICES

Barrier: The most difficult reentry task is the transition from incarceration to community based systems of support. At the moment of release from the Department of Corrections to the Department of Community Supervision, the responsibility for supporting the returning citizen shifts from one state administrative structure to another and community based organizations must take responsibility for the support. The handoff to the community is the most difficult task for a Criminal Justice Reform program. The expanding reach of the State's Community Coordinator program is dependent upon expanding the availability of community providers. But the transition from prison to community needs additional support in order to secure success.

Recommendations:

6. Expand the in-reach program at the Department of Community Supervision to each of the state prisons to work closely with the DOC counselors during the six months prior to release. The In-Reach staff is charged with making a firm connection to available community supports.
7. Expand the Forensic Peer Mentor program developed by DBHDD beyond the current three prisons and eight day reporting centers to include the eight prisons with the highest percentage of persons with Level 3 or 4 Mental Illness and all 15 of the day reporting centers.

SHORT TERM HOUSING

Barrier: The lack of short term housing options often prevents a person from accessing community based systems of support and results in longer term incarceration in jail or prison or

increased homelessness. The Georgia Reentry Partnership Housing (RPH) program has enabled prisoners who lack an appropriate residential plan to obtain the short term housing that enables parole or probation. The expansion of Accountability Courts has provided an alternative to incarceration which has lowered the need and cost of jails and prisons. Community based short term housing has played an important role in the success of these alternatives but the housing options need to be further expanded.

Recommendations:

8. Housing support for Accountability Courts. Create a grant program for housing providers working with Accountability Courts to provide housing for persons who would otherwise not be able to participate in the services of an Accountability Court. Appropriate additional funds to the Housing Trust Fund for the Homeless administered by the Department of Community Affairs so faith based and other providers can participate in the grant program. Begin the program with a pilot of 20 grants of \$50,000 each and secure data on the outcome of the pilot program.
9. Expand the Reentry Partnership Housing (RPH) program by recruiting new providers in the parts of the state that currently do not have participants and where the demand for such housing is greater than the available providers. Increase the provider support payments per participant which have not changed over the 10 year life of the program and add to the length of stay under the current program.

DISCHARGE PLANNING IMPROVEMENTS

Barrier: While there is growing community support for returning citizens, the time and obstacles to connect persons to the supports is a significant barrier.

Recommendations: Increase the availability of supports that can be incorporated in the discharge plan as people leave jail and prison.

10. Suspend Medicaid enrollment upon incarceration rather than terminate it. This will give quicker access to Medicaid upon release and provide returning citizen with a disability needed access to the behavioral health services and the medications they will need in the community.
11. Institute pre-release strategies partnering DDS, DPH and GDC/Sheriffs to insure that an official state identification card (or state driver's license) is provided to all returning citizens on the day of release from jail or prison. Returning citizens cannot access housing, employment, or benefits until they have an official state ID, a process that is expensive and time consuming, and serves as a significant barrier to successful reentry.

Note: Initial data shows that 44% of persons within a year of release from state prison have all the needed documentation at the Department of Driver Safety to provide an ID upon release. The Department of Corrections is beginning to provide these IDs at its expense. (At present, the 2,000 persons released from Transitional Centers leave with an ID in hand.) Continuing efforts are necessary to facilitate the issuance of ID for the

remaining population which involves access to birth certificates, proof of citizenship, social security cards, photographs that meet DDS requirements, etc. Additionally, cooperation is needed between city and county jail administrators, DDS, and DPH to develop a system to insure that persons leaving jails have state issued ID in hand.

12. Identify persons with disabilities who were receiving or who are likely to be eligible for the SSI or SSDI benefits of Social Security and begin the restoration or application process during incarceration to facilitate prompt receipt of benefits upon release.
13. Give the Department of Community Supervision responsibility to expand its Prison Reentry Initiative model for local community based reentry collaboratives that bring together sheriffs, police departments, Public Defenders, Community Service Boards, non-profit and faith based community service providers, legal services, Department of Corrections, and the Department of Behavioral Health and Developmental Disabilities in every county to facilitate reentry for all persons leaving prison or jail. Look to the GRIP program in Gwinnett, Newton, and Rockdale, the Nick Program in DeKalb, and the Macon Reentry Coalition as programs that can assist in development of a model that builds on their work. Use the Family Connections Partnership paradigm of a public-private partnership with state level expertise and continuing responsibility to support the creation of local collaboratives statewide.