

# STAR White Paper 2014

## Missouri Offender Reentry and Housing White Paper

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## Missouri Offender Reentry and Housing White Paper

Incarceration places individuals at an increased risk of housing instability and insecurity immediately upon their release from incarceration.<sup>1</sup> In FY13 Missouri Department of Corrections (“MDOC”) released nearly 19,000 individuals to communities across the state.<sup>2</sup> According to a 2012 study conducted by the University of Missouri-St. Louis, housing was one of the most frequently identified needs among clients of a re-entry program.<sup>3</sup> It could be argued that other re-entry challenges such as finding employment, maintaining sobriety or participating in prosocial activities would be extremely difficult without stable housing.

The Missouri Board of Probation and Parole requires those under supervision to maintain a residence that meets the approval of MDOC. Prior to release, an offender provides an address where she would like to reside after release to the Institutional Parole Officer. This address is communicated to the designated field officer in the home plan zip code to investigate for specific items such as 1) does the proposed address actually exist; 2) what type of support from family and/or significant others is offered at the proposed residence; 3) are other clients on supervision residing at the residence; 4) how successful was the client if they previously resided at the proposed home plan. Probation and parole officers have the authority to approve or disapprove of a home plan and conduct periodic home visits to verify that this plan remains viable. The statute on confidentiality restricts parole officers from sharing proposed home plans with third parties unless the client consents.<sup>4</sup>

If parolees do not provide an approved home plan, they are released to MDOC managed housing (see “Types of Housing” later in this paper). In FY13 22.3% of persons being released by MDOC did not have an approved release plan to a residence other than MDOC managed housing<sup>5</sup>.

Upon release from jail or prison, most persons attempting to reenter the community are competing for affordable housing with other low-income individuals and families facing housing insecurity. Approximately 18% of individuals released from incarceration in FY13 returned to neighborhoods in St. Louis City and St. Louis County.<sup>6</sup>

This paper will look at the barriers faced by individuals returning from incarceration and the options for housing programs available to them. It is intended for practitioners, policy makers, academics, service providers, and the general community.

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<sup>1</sup> Fontaine, J., & Biess, J. (2012). *Housing as a Platform for Formerly Incarcerated Persons*. Washington, D.C.: Urban Institute.

<sup>2</sup> Missouri Department of Corrections. (2014). Retrieved from Missouri Dept. of Corrections. <http://doc.mo.gov/Documents/publications/Offender%20Profile%20FY13.pdf>

<sup>3</sup> Bolton, A., Amidon, E., Duplantier, D., and Freitas, A. (2012). *A comparative analysis of reentry in St. Louis*. (Coordinated by Lee Slocum, PhD., University of Missouri – St. Louis). Presentation to St. Patrick Center

<sup>4</sup> L. Smith, personal communication, September 17, 2014

<sup>5</sup> Missouri Board of Probation & Parole. (2013). Retrieved from Missouri Dept. of Corrections. <http://doc.mo.gov/Documents/prob/AR%202013%20P&P.pdf>

<sup>6</sup> D. Owen, personal communication, September 8, 2014

## Housing Barriers

The need for housing after release is both immediate and long-term.<sup>7</sup> For those being released under supervision, the MDOC requirement to have a fixed address upon release causes many to provide a temporary address, which might not be suitable for long-term or permanent housing. For example, many return to their families with whom they have a strained relationship. The environment is not safe or productive for recovery, so they move to another temporary address. This can result in multiple addresses within the first year of release.<sup>8</sup> Those individuals who are released without supervision (usually because they have completed their sentences while incarcerated) face a greater burden because they cannot be held beyond their sentenced time length. If they have not arranged a place to stay upon release, they face sleeping on the streets.

Another challenge involves the different types of housing options that are needed to address the variations in returning individuals' abilities to reintegrate into the community. Understandably, not every individual released from jail or prison requires the same level of assistance. For example, one individual with little or no family support and a history of chronic homelessness will need supported housing assistance while another without complex barriers might just need assistance in locating affordable areas of housing. Finding placement to fit an individual's reentry needs can be challenging if there is not a choice to match the need.

In addition systemic changes make it difficult to find housing after release. Federal law requires criminal background checks to be done on all adult household members applying to live in public housing. Further, Federal Law *requires* public housing agencies (PHAs) and providers of Section 8 and other federally assisted housing to deny housing to two categories of applicants with past criminal records<sup>9</sup>:

- (1) any household with a member who has been convicted of *methamphetamine production on the premises of federally funded housing*., and
- (2) any household with a member who is subject to a *lifetime* registration requirement under a state sex offender registration program.

PHA's are *permitted by law to deny housing* admission to the following three categories of applicants:

- (1) Those evicted from public, federally assisted, or Section 8 housing because of drug-related criminal activity of a household member (denied up to three years from date of eviction);
- (2) Any household with a member who is abusing alcohol or using another drug; and,
- (3) Individuals who have engaged in any drug-related or violent criminal activity or any other criminal activity that would adversely affect the peaceful enjoyment of the premises if the criminal activity occurred at a "reasonable" time before the person seeks admission. "Reasonable" is defined by the PHA.

Missouri law restricts individuals who have plead guilty or have been convicted of certain sexual offenses from living within 1,000 feet of a school with grades not higher than the 12<sup>th</sup> grade or a child care facility (unless they established residency before a school or child care facility was built).<sup>10</sup> Missouri law also requires sex offenders to register with the local police department where they reside. As a result some sex offenders must be held within a community correctional facility until a suitable home plan is found, or they establish several temporary residences over time depending on the safety and support of each home environment.

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<sup>7</sup> Fontaine, J., & Biess, J. (2012). *Housing as a Platform for Formerly Incarcerated Persons*. Washington, D.C.: Urban Institute.

<sup>8</sup> Lutheran Foundation of St. Louis. (2013). *Housing Programs for Ex-offenders*. Retrieved from <http://www.lutheranfoundation.org/content/Ex-offenderBestPractices.php>

<sup>9</sup> Legal Action Network. (2004). *Safe at home: a reference guide for public housing officials on the federal housing laws regarding admission and eviction standards for people with criminal records*. New York: Retrieved from [www.hirenetwork.org](http://www.hirenetwork.org)

<sup>10</sup> Sexual Offenses, Chapter 566, section 566.140, Mo. Revised Statutes. (2013).

## Types of Housing

Several types of housing are available for ex-offenders reentering the community who lack a viable home plan. Some of these options are client specific while others are available for all populations. The most available or appropriate housing option for individuals may differ depending on which reentry point (i.e. diversion, jail, or prison) an individual enters the community, the nature of the offense (felony v. misdemeanor), the individual's mental health or physical disabilities (including substance abuse addiction), employment and rental histories.<sup>11</sup>

- Community Correctional Facilities/Halfway Houses. Available to released offenders and offer transition between the fully secure, structured, monitored environment of incarceration and the community. Correctional departments typically contract with halfway houses, and placement is made by the supervising officer.<sup>12</sup>
  - Must be under supervision for felony offense
  - Must be able to maintain employment unless there is a pre-determined disability
  - May focus on behavior change, including addressing substance abuse
- Emergency Shelters. Solution for individuals and families experiencing homelessness or immediate eviction. Those wanting shelter must contact Housing Resource Center (see *Important Resources* later in this paper). It is an unstable option and not available to incarcerated individuals who need to set a fixed home address to be released. Other criteria are:
  - Beds are first come, first serve
  - Usually a wait list to get in
  - Some are gender specific
  - Strict time guidelines as to when a person can be on site
  - Can have maximum stay guidelines<sup>13</sup>
- Federally subsidized housing. Subsidized housing is designed to help low-income individuals afford housing through public housing units or in the private market through housing vouchers such as Section 8 or Shelter Plus Care. Special criteria must be met, including:
  - Annual income must not exceed limitations set by HUD. Income limits are available at [www.huduser.com](http://www.huduser.com)
  - Persons evicted from any public or Section 8 housing due to drug related issues are ineligible for three years from the date of eviction
  - Must meet documentation requirements of citizenship
  - Sex offenders are ineligible to receive HUD housing
  - Often long waitlist
  - History of felony offenses can disqualify individual/family from receiving services<sup>14</sup>
- Supportive Housing. Supportive housing can be transitional or permanent and is geared towards those with specific issues such as mental health disabilities or substance abuse addiction. Housing also includes supportive services.
  - Appropriate for individual needing high level of supportive services
  - Individual has little or no work history<sup>15</sup>

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<sup>11</sup> Lutheran Foundation of St. Louis. (2013). *Housing Programs for Ex-offenders*. Retrieved from <http://www.lutheranfoundation.org/content/Ex-offenderBestPractices.php>.

<sup>12</sup> Missouri Department of Corrections, Board of Probation and Parole. (Revised July, 2014). “*Supervision Strategies and Treatment Alternatives*” Retrieved from <http://doc.mo.gov/Documents/prob/SupervisionStrategies.pdf>

<sup>13</sup> St. Louis City Government, Human Services. (2014). *Types of Homeless Services*, Retrieved from <https://www.stlouis-mo.gov/government/departments/human-services/homeless-services/types-of-services.cfm>

<sup>14</sup> U.S. Department of Housing and Urban Development. *Housing Choice Voucher Program Guidebook*. Chapter 5: Eligibility and Denial of Assistance. Retrieved from [http://portal.hud.gov/hudportal/documents/huddoc?id=DOC\\_11749.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_11749.pdf)

- **Transitional Housing.** Transitional housing provides up to 24 months of residency for individuals experiencing homelessness. Housing is supportive and can be combined with services to help individuals develop stability. Other criteria:
  - Must be homeless and, in most cases, meet HUD eligibility guidelines
  - May transition to permanent housing with supportive services in place
  - May be gender specific
  - May be targeted to specific populations (i.e. individuals dealing with substance abuse, etc.)<sup>16</sup>

## **Local Action to Combat Homelessness**

In May 2009 the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act was signed into law. The law amended the McKinney-Vento Homeless Assistance Act with substantial changes, including redefining homelessness. The law also focuses on establishing Continuums of Care. A Continuum of Care (CoC) is a community’s plan to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximum self-sufficiency. It includes action steps to end homelessness and prevent a return to homelessness.<sup>17</sup>

The St. Louis Continuum of Care for Ending Homelessness is a collaboration of more than 60 organizations that meet regularly to find ways to prevent or end homelessness in the St. Louis area. Individually, each organization is a provider of services to the homeless population.<sup>18</sup> St. Louis County has a separate continuum, but both groups collaborate to find ways to end homelessness in the St. Louis area. The City and County each act as the administrator of HUD funding and distribute grant funds to organizations that have been accepted through a grant application process.

## **Conclusion**

Housing programs are a critical factor to successful reentry for formerly incarcerated individuals. Both private and public housing services and market rate housing are needed to assist ex-offenders in securing affordable and stable housing from which they can begin to build steps to overcome other reentry barriers such as lack of employment, addiction, and medical and mental health issues. This paper can serve as a bridge to better understand the housing options available and assist in coordinated discharge and reentry efforts between correctional facilities and community providers.

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<sup>15</sup> Drug and Alcohol Rehab Headquarters. (2011). *Missouri Drug Rehab*, Retrieved from <http://www.drug-rehab-headquarters.com/missouri/>

<sup>16</sup> St. Louis City Government, Human Services. *Types of Homeless Services*, Retrieved from <https://www.stlouis-mo.gov/government/departments/human-services/homeless-services/types-of-services.cfm>

<sup>17</sup> U.S. Department of Housing and Urban Development. *Homeless Emergency Assistance and Rapid Transition to Housing Act*. Retrieved from <https://www.hudexchange.info/homelessness-assistance/heardh-act/>

<sup>18</sup> St. Louis City Government. *St. Louis City Continuum of Care*. Retrieved from <https://www.stlouis-mo.gov/government/departments/human-services/homeless-services/continuum-of-care/>

## Important Resources

### Direct Assistance

- Center for Women in Transition, (314) 771-5207, [www.cwitstl.org](http://www.cwitstl.org).  
The Center assists women in the criminal justice system in making a successful transition to their families and communities through practicing and promoting restorative justice.
- Criminal Justice Ministry, (314) 652-8062, <http://cjmstlouis.org>.  
Criminal Justice Ministry improves the safety and well-being of individuals affected by crime and the criminal justice system, their families and their communities in the Greater St. Louis area through person-to-person assistance rooted in Jesus Christ's message of love, reconciliation and hope.
- Employment Connection, (314) 333-5627, [www.employmentstl.org](http://www.employmentstl.org).  
Employment Connection assists individuals with limited opportunities to self-sufficiency, including the homeless, ex-offenders, U.S. veterans, high school dropouts, women on welfare, and at-risk youth.
- Humanitri, (314) 772-7720, [www.humanitri.org](http://www.humanitri.org).  
Humanitri seeks to move families and individuals from crisis and uncertainty to stability and self-sufficiency.
- Mission Gate Prison Ministry, (636) 391-8560, [www.missiongateministry.org](http://www.missiongateministry.org).  
Mission Gate administers programs that feed, clothe, shelter and spiritually counsel Christians and others in need, with the emphasis on assisting the homeless, inmates of correctional institutions, and the families of inmates of correctional institutions.
- North County Community Development Corporation, (314) 833-3514, [www.northcountycdc.org](http://www.northcountycdc.org). NCCD Corporation is committed to helping at-risk individuals and families become self sufficient and independent by providing essential supportive and educational services necessary to become productive citizens of St. Louis County.
- Project Cope, (314) 389-4804, <http://projectcopestl.org/>.  
Project COPE provides transitional housing, case management services, programming, and mentoring to men and women returning from incarceration.
- St. Patrick Center, (314) 802-0700, [www.stpatrickcenter.org](http://www.stpatrickcenter.org).  
St. Patrick Center provides housing, employment and health opportunities for people who are homeless or at risk of becoming homeless.

### Documents & Resources

- A Landlord's Guide to Managing Rental Property from the City of St. Louis, <https://www.stlouis-mo.gov/government/departments/public-safety/neighborhood-stabilization-office/documents/inforent.cfm>
- Catholic Charities Housing Resource Center, 314-802-5444  
<http://www.ccstl.org/federation/catholic-charities-community-services/housing-resource-center>

- Lutheran Foundation of St. Louis, Housing Programs for Ex-Offenders  
<http://www.lutheranfoundation.org/content/Ex-offenderBestPractices.php>
- Metropolitan St. Louis Equal Housing Opportunity Council Fact Sheet;  
<http://ehocstl.org/landlord-tenant-resources/>
- Missouri Department of Housing and Urban Development (HUD) Office  
<http://portal.hud.gov/hudportal/HUD?src=/states/missouri>
- Missouri's Landlord-Tenant Law from the Attorney General's Office  
<http://ago.mo.gov/publications/landlordtenant.pdf>
- Social Serve: lists affordable rentals in St. Louis City, St. Louis County and St. Charles County. This database is searchable by zip code, rent range, size, and type of building.  
[http://www.socialserve.com/tenant/index.html?state\\_id=1021](http://www.socialserve.com/tenant/index.html?state_id=1021)
- St. Louis City Continuum of Care  
<https://www.stlouis-mo.gov/government/departments/human-services/homeless-services/continuum-of-care/>
- St. Louis County Continuum of Care  
<http://www.stlouisco.com/HealthandWellness/HumanServices/CountyHomelessPrograms>
- U.S. Dept of Housing and Urban Development, Housing Choice Vouchers Fact Sheet.  
[http://portal.hud.gov/hudportal/HUD?src=/topics/housing\\_choice\\_voucher\\_program\\_section\\_8](http://portal.hud.gov/hudportal/HUD?src=/topics/housing_choice_voucher_program_section_8)