

Action Points

Four Steps to Expand Access to Housing for People in the Justice System with Behavioral Health Needs

State and local leaders are beginning to understand that providing affordable, permanent housing is fundamental to reducing justice involvement, particularly for people with behavioral health needs. However, affordable housing is scarce nationwide,¹ and people who have been involved in the justice system face a number of barriers to accessing available housing, including stigma and prohibitions based on criminal records. These challenges disproportionately impact Black and Latinx people, who already face higher rates of incarceration and homelessness than the population as a whole.²

In light of these challenges, this brief presents four steps state leaders should take to increase housing opportunities and improve justice and health outcomes for this population. The first two steps (Collaborate, Assess) provide a foundation to make effective need-based connections to housing and maximize the impact of subsequent investments. The next two steps (Connect, Expand) focus on connecting people with housing that meets their needs and making strategic longer-term investments in housing and services.



Step 1: Collaborate

People with behavioral health needs and people who experience homelessness come into contact with the justice system and other public agencies often. These people may frequently utilize resources, such as emergency housing, medical, and other public systems of care. Structured collaboration between the justice, housing/homeless assistance, and health/behavioral health systems is essential to maximize the limited resources of each, as well as to effectively connect people with housing that appropriately addresses their needs.

ACTION STEPS FOR STATE LEADERS

Ensure meaningful cross-sector representation in the key planning bodies for each of these systems.

- Establish leadership-level representation in and build working relationships across state-level bodies, such as reentry councils, interagency councils on homelessness, and behavioral health planning councils.
- Set guidelines and/or provide financial or other incentives to establish similar cross-representation in local-level bodies such as criminal justice advisory boards or [Stepping Up](#)³ Steering Committees.
- Provide guidelines and/or incentives for participation of people with lived experience in the justice system and people from historically marginalized communities in these state and local bodies to ensure their voices guide critical planning decisions.

1. Andrew Aurand et al., *The Gap: A Shortage of Affordable Rental Homes* (Washington, DC: National Low Income Housing Coalition, 2020), https://reports.nlihc.org/sites/default/files/gap/Gap-Report_2021.pdf.

2. Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People* (Northampton, MA: Prison Policy Institute, 2018), <https://www.prisonpolicy.org/reports/housing.html>.

3. Stepping Up is a national movement to provide counties with the tools they need to develop cross-systems, data-driven strategies that can lead to measurable reductions in the number of people with mental illnesses and co-occurring disorders in jails.

Formalize collaboration mechanisms to achieve shared goals.

- Specify roles and responsibilities through statute, memoranda of understanding (MOUs), or other written agreements. These agreements can establish shared public health and safety goals, such as reducing arrests of people experiencing homelessness. They can also build a foundation for prioritizing the target population as future housing resource decisions are made.
- Establish data-sharing agreements that facilitate matching to identify people who are frequent users of multiple public systems of care and target housing services and supports. State leaders can also provide or identify technical assistance resources at the local level to establish these agreements and assist with matching efforts. These agreements should specify which data will be shared, with which people/agencies, and under what circumstances.
- Develop cross-system definitions of racial equity that account for process and outcome measures (such as who is referred to housing vs. who receives housing placements) as well as historical experiences of trauma among the target population. Work toward agreement on how these definitions will be used to inform community partnerships, resource allocation decisions, policy development, data collection and analysis, and other key areas of work.⁴

Facilitate regular cross-system training to equip staff to meet housing and service needs.

- Conduct these trainings at both the state and local levels and include discharge planning and community supervision staff; key housing agencies, such as Continuums of Care (CoCs);⁵ diversion program staff; and health/behavioral health providers.
- Focus training content on building working relationships and establishing contacts across these systems as well as helping staff and leaders understand the available resources and constraints of each.

4. See The Blackprint Institute, "The Roadmap for Applying Racial Equity" (unpublished manuscript, March 20, 2021), Adobe PDF file.

5. A Continuum of Care (CoC) is a local planning entity that, among other activities, receives homeless assistance funding for housing and supportive services from HUD, prioritizes housing and services projects for funding, and coordinates intake and prioritization of people for housing and shelter placements.

6. Examples of these tools include the Justice Discharge Vulnerability Index Service Prioritization Decision Assistance Tool (JD-VI-SPDAT) and Correctional Offender Management Profiling for Alternative Sanctions (COMPAS).



Step 2: Assess

Early homelessness risk screening allows diversion staff and discharge planners in jails and prisons to focus on people with the highest risk to reduce their chances of exiting the justice system into homelessness. By conducting regular housing needs assessments, staff can connect people with housing that best meets their needs while maximizing limited resources. On a community or state level, these efforts also quantify the scope of housing need.

ACTION STEPS FOR STATE LEADERS

Design and implement screening and assessment tools.

- Create a brief set of questions to screen for history of homelessness and potential housing instability to assess for homelessness risk at release from prison/jail or exit from diversion programs.
- Expand this pre-discharge assessment to include housing and supportive service needs as resources permit.
- Select and implement an existing, generally accepted tool⁶ and/or draw on existing examples from homeless assistance providers or other jurisdictions.
- Evaluate any tools developed or chosen for any racial and ethnic biases, engaging research partners and community organizations as needed.

Provide resources and expertise to integrate these assessments into existing workflows and scale their use statewide.

- Determine natural points in the state prison discharge planning process and key responsible staff to integrate these assessments. Require their implementation as is feasible.
- Identify local jail leaders who are interested in implementing similar processes (and/or mandate locally if politically feasible) and provide technical assistance as needed.

- Document successes and lessons learned to serve as “proof of concept” for future expansion into additional jails. Disseminate these lessons through state and federal partners, such as sheriffs’ associations and the [National Institute of Corrections](#).
- Identify staffing resources to scale up implementation in additional jails, particularly where there are existing diversion programs, whether through direct funding or in-reach via staffing arrangements with outside social service agencies.
- Conduct regular follow-up assessments, as resources permit, with people released from prison onto parole supervision. Provide probation departments and diversion programs with resources and technical assistance for these assessments, as needed.

Report publicly on homelessness risk and housing needs among the prison and jail populations.

- Develop state-level data collection and reporting infrastructure to support these efforts. Share this infrastructure with local jail leaders as resources and privacy requirements allow, including provision of technical assistance. Provide additional incentives for jail reporting, such as state financial assistance, as feasible.
- Analyze homelessness risk and housing needs data by race and ethnicity to understand facility and community-level disparities in these risks and needs. Use the results to inform discharge planning practices as well as resource advocacy strategies.



Step 3: Connect

Systematic connections between the justice, housing, and behavioral health systems (established in Step 1: Collaborate) help ensure that people do not exit incarceration into homelessness. These connections also ensure access to permanent housing assistance and the supportive services to succeed in that housing. Housing and supportive services can also be effective prevention tools that ensure that people at risk of justice involvement have the supports they need to stay out of the system in the first place. Additionally, they allow for the formation of referral relationships while reducing potential policy barriers between diversion and discharge planning staff and local housing providers.

ACTION STEPS FOR STATE LEADERS

Facilitate the establishment of outreach efforts.

- Promote outreach efforts among law enforcement, health/behavioral health providers, and community-based outreach staff to proactively respond to homelessness, de-escalate crisis situations or minor crimes that could lead to justice involvement, and directly connect people with shelter, housing, and supportive service resources.
- Provide technical assistance and financial support to local police departments to establish Homeless Outreach Teams (HOTs) that focus on the above activities with an “enforcement last” perspective (potentially using a co-responder model) and/or support to social service agencies to implement non-law-enforcement responses.

Sarasota, Florida: Moving from Homelessness to Housing⁷

Sarasota was once known as the “Meanest City in America” for people experiencing homelessness due to its enforcement-centered approach. However, outreach efforts that leveraged strong relationships between law enforcement and community agency partners have now become a national model. Police leaders began this work by obtaining the support of the city manager, who now funds two part-time HOTs composed of an officer and a civilian case manager. HOT staff also spent significant time working with the CoC and other housing providers to develop mutual buy-in to set aside resources for people diverted from the justice system, as well as to prioritize those resources for people most in need. For example, the HOT has an ongoing partnership with the Salvation Army that guarantees up to seven nights of shelter and food for individuals that their personnel encounter. Case managers also provide connections to other housing resources, including referrals to CoC programming and vouchers provided by the Sarasota Housing Authority. These efforts played a central role in reducing Sarasota’s homeless population by over 50 percent in only 3 years (2016–2019).⁸

Embed entry points to CoC Coordinated Entry (CE) systems within key justice system touch points such as jails, prisons, courts, diversion, and parole/probation programs.⁹

- Require staff responsible for discharge planning and/or housing placements to build working relationships with CE lead agencies, as resources permit, to evaluate the feasibility of and resources needed for either direct data input mechanisms or a system of referrals to other intake agencies.
- Provide technical assistance and financial resources to accomplish these goals when needed, particularly to local jail leadership via support staffing or “in-reach” as discussed in Step 2.

Facilitate conversations among housing agency leaders to prioritize the target population and reduce policy barriers.

- Focus discussions in state-level interagency councils on homelessness between justice and behavioral health stakeholders on fostering alignment of shared goals and target populations (such as people with significant behavioral health needs). This can lead to concrete policy changes, such as guidance and resources for local CoCs on prioritizing the target population.

- Work with local CoCs to analyze CE housing placements for the target population by race and ethnicity to identify patterns that perpetuate systemic disadvantages. Support CoC leadership in addressing policy and practice barriers that lead to these patterns.
- Conduct targeted outreach and education for public housing authorities (PHA) and other housing provider executives on the alignment between their broader housing goals and reducing or mitigating certain discretionary criminal background screening criteria not required by funding agencies. This includes disqualifications for low-level offenses or those occurring many years in the past.

Promote participation of jails, prisons, and diversion providers in the state’s Health Information Exchange to allow for continuity of care with health providers (such as Federally Qualified Health Centers) in the community.

- Provide guidance on participation to these entities, as well as technical assistance to counties, on how to stipulate participation within third-party medical provider contracts and how states can leverage Medicaid and other funding sources to support this work.

7. Joe Polzak and Kevin Stiff, “Government Response to Homelessness Crisis” (PowerPoint Presentation, Police-Mental Health Collaborations and Homelessness: Using Data to Drive Outcomes, CSG Justice Center Virtual Community of Practice, October 27, 2020); “Homeless Outreach Team,” Sarasota Police Department, accessed June 11, 2021, <https://www.sarasotapd.org/about-us/homeless-outreach-team>.

8. Ibid.

9. HUD requires that all CoCs maintain a Coordinated Entry System, a unified system of intake and prioritization that governs access to all housing and supportive service resources under the CoC’s jurisdiction.



Step 4: Expand

Nationally, there are only 36 affordable housing units available for every 100 households with extremely low income.¹⁰ Further, people who have been in the justice system face a number of barriers to accessing this housing, including stigma, discrimination, and competition for limited resources with other vulnerable populations.¹¹ Given these challenges, increasing housing options, including housing development and rental assistance, is the only long-term means of breaking the cycle of homelessness, hospitalization, and justice involvement. As noted in Step 3, these projects may be specifically geared toward the target population or may serve overlapping population groups more broadly. However, new housing funding is likely to remain perpetually limited, which means that state leaders should leverage as many resources as possible for these efforts while considering the varying levels of housing and supportive service need among the target population.

ACTION STEPS FOR STATE LEADERS

Utilize data collected and reported under Step 2 (Assess) to advocate for increased housing investments and prioritization of the target population among legislators and other state leaders.

Leverage no-cost and low-cost resources to increase feasibility and scale of development projects.

- Designate projects serving people in the justice system as a priority for surplus land if the state has made it available for housing development.
- Talk with local PHAs and housing finance agency leaders to explore setting aside project-based rental assistance to provide an ongoing source of subsidy for this population and further increase development feasibility.

- Engage in the cross-sector, joint planning conversations emphasized in Step 1 to create the foundation to prioritize the target population and act quickly as new housing resources become available, such as [American Rescue Plan Act](#) funding.

Seek non-traditional funding sources to supplement housing funding.

- Provide direct, flexible funding from the justice system, such as U.S. Department of Justice Byrne Justice Assistance Grants.¹²
- Reinvest public cost savings from sources such as Medicaid or reduced correctional populations into housing development, including creative tools such as gap financing to cover development budget shortfalls or matching funds.

Leverage private funding to augment limited public resources.

- Explore the possibility of a flexible subsidy pool¹³ in which private investors seed public funds to create a pool of housing funding, typically matched with supportive service dollars and/or in-kind resources.
- Pursue public-private partnership models, such as Pay for Success, where investors provide a loan to fund housing and supportive service expenses, and government partners repay the loan if their goals are met, such as housing retention and recidivism reduction.

Analyze racial equity implications of proposed housing development.

- Ensure that communities most impacted by incarceration and homelessness benefit from these efforts. For example, if state and local partners decide to serve a wider demographic beyond the target population, they should put systems in place to ensure access, such as target referral networks and outreach partnerships with community-based organizations. They should also track new housing placements to verify that these systems are not perpetuating inequity.

10. Aurand et al., *The Gap*; extremely low income is defined as earning at or below 30 percent of median household income in a given geographical area.

11. Danya E. Keene, Amy B. Smoyer, and Kim M. Blankenship, "Stigma, housing and identity after prison," *The Sociological Review* 66, no. 4: 799–815 (2018), <https://doi.org/10.1177/0038026118777447>; Stephen Metraux, Caterina G., Roman, and Richard Cho, "Incarceration and Homelessness" (paper presented at Toward Understanding Homelessness: 2007 National Symposium of Homelessness Research, 2007), <https://aspe.hhs.gov/system/files/pdf/174201/report.pdf#page=337>.

12. "Edward Byrne Memorial Justice Assistance Grant (JAG) Program," United States Department of Justice Bureau of Justice Assistance, accessed June 2021, <https://bja.ojp.gov/program/jag/overview>.

13. Abt Associates, *Flexible Housing Subsidy Pool Brief Evaluation of the Conrad N. Hilton Foundation Chronic Homelessness Initiative* (Cambridge, MA: Abt Associates, 2017), https://www.hiltonfoundation.org/wp-content/uploads/2019/10/Flexible_Housing_Subsidy_Pool_Brief_Final.3.31.17-3.pdf; Homelessness Policy Research Institute, *Flexible Housing Subsidy Programs* (Los Angeles: Homelessness Policy Research Institute, 2018), <https://socialinnovation.usc.edu/wp-content/uploads/2018/10/Flexible-Housing-Subsidy-Literature-Review-with-Cover-10.5.18.pdf>. Additional flexible housing subsidy pools are now in varying stages of implementation in other California communities, and have also been successfully implemented in several other cities nationwide.

- Include people with lived experience in the justice system in development teams to meaningfully inform housing and supportive service design and participate in community and leadership-level planning conversations.
- Consult established toolkits and guidelines from organizations working on these issues, including the Government Alliance on Racial Equity (GARE) and PolicyLink.¹⁴

Colorado: Blending Resources to Expand Housing Options¹⁵

As part of wider efforts to make homelessness rare and brief, Colorado has created a continuum of options to meet the housing needs of people with justice system involvement. Beginning with initial support from a Second Chance Act grant from the U.S. Department of Justice's Bureau of Justice Assistance, the state has gradually expanded housing opportunities over the past decade, drawing on several funding sources, including Substance Abuse and Mental Health Services Administration (SAMHSA) funding, state general funds, and marijuana tax revenue. A key tool in this effort is the Homeless Solutions Program – State Housing Voucher (HSP-SHV) Program, a state-funded program that reduces barriers to housing through means such as modified screening criteria and security deposit policies. For people with less acute housing and service needs, in partnership with Volunteers of America the state also developed the Colorado Rapid Rehousing and Re-Entry Program (COR3), which provides temporary housing assistance with supportive services. People can access both programs through multiple referral sources, which vary by program and include regional CE systems and state parole and youth services agencies.

To increase supply, Colorado is also creating a pipeline of housing with supportive services for people experiencing homelessness, including those with behavioral health needs and justice involvement. A key component of this effort is joint underwriting between the Colorado Department of Local Affairs' Division of Housing and the Colorado Housing Finance Agency (CHFA), which helps ensure the long-term financial feasibility of new developments by coordinating allocation of capital, operating, and service funding. The Division of Housing and CHFA also work with Beaux Simone Consulting to offer the Pathways Home Supportive Housing Toolkit, a series of technical assistance and peer learning sessions that coach community teams through all aspects of the supportive housing development and management process. The Toolkit has led to the creation of thousands of units of supportive housing, including six new developments tailored to meet the needs of people exiting the justice system.

Across all these efforts, the state is working closely with local CE systems to use consistent housing assessments and administrative data to match individuals with housing solutions that provide the right level of care and afford the greatest potential for long-term success. This focus on real-time, person-specific data allows Colorado to maximize limited housing resources while also rapidly testing and implementing strategies to reduce the number of people experiencing homelessness.

14. See Julie Nelson and Lisa Brooks, *Racial Equity Toolkit: An Opportunity to Operationalize Equity* (Pittsburgh: Racial Equity Alliance, 2015), https://www.racialequityalliance.org/wp-content/uploads/2015/10/GARE-Racial_Equity_Toolkit.pdf; Kalima Rose and Teddy Ky-Nam Miller, *Healthy Communities of Opportunity: An Equity Blueprint to Address America's Housing Challenges* (Oakland: PolicyLink, 2016).

15. Zac Schaffner and Karla Colonnies, "Ending Homelessness for Individuals with Justice System Involvement," (PowerPoint Presentation, "How State-Led Housing Initiatives Can Break the Cycle of Criminal Justice Involvement," CSG Justice Center Webinar, September 23, 2020); Zac Schaffner, "Developing Supportive Housing Opportunities for Individuals and Families with Justice System Involvement," (PowerPoint Presentation, "Creating Housing Opportunities for People with Complex Needs Leaving the Justice System Session 2: Housing Funding and Partnership Building Strategies for People with Justice Involvement," CSG Justice Center Community of Practice, August 12, 2021); Zac Schaffner, email message to author, August 18, 2021.