

Testimony of Alison Wilkey, Esq., Policy Director at The Prisoner Reentry Institute at John Jay College of Criminal Justice at the hearing on Oversight: Three-Quarters Housing of the New York City Council's Committee on Housing and Buildings and Committee on General Welfare -- October 6, 2016

Good afternoon, Councilmembers. My name is Alison Wilkey and I am the policy director at the Prisoner Reentry Institute (PRI) at John Jay College of Criminal Justice. The mission of PRI is to spur innovation and improve practice in the field of reentry by advancing knowledge; translating research into effective policy and service delivery; and fostering effective partnerships between criminal justice and non-criminal justice disciplines.

PRI has a multi-faceted, multi-year focus on housing for the growing number of people with criminal records. PRI's work recognizes the link between homelessness and incarceration and the impact that both have on family preservation, health and well-being, and on re-offending. Working in partnership with community organizations, PRI's reentry housing work has focused on reducing barriers to obtaining and maintaining stable, quality housing experienced by people who have had contact with the criminal justice system.

Everyone deserves a safe, stable place to live that supports access to opportunity. Too often, individuals with criminal records face closed doors as they try to secure housing. Lack of stable housing is both a cause of involvement in the criminal justice system, and a consequence of it. Discrimination, scarcity, affordability, and policy limitations put stable housing out of reach for many people with criminal records.

The proliferation of Three-Quarter Houses is a symptom of the failure of other housing systems and supports. These failures push formerly incarcerated people into unsafe, unstable, and illegal housing options. As detailed in PRI's 2013 report, *Three-Quarter Houses: A View from the Inside*,¹ government agencies and contractors often refer formerly incarcerated individuals to three-quarter houses because there are no other options. The barriers to housing impact a range of people: men, women, families, those released from prison, those who are detained and incarcerated at Rikers Island. PRI is engaged in research on women in the New York City justice system and in FY2015, 756 women reported being homeless at the time of admission to Rikers Island.²

We applaud the City Council members for holding this hearing and sponsoring the bills to address these issues. The City Council is a leader in criminal justice system reform and creating access to opportunity for all New Yorkers. These bills are another example of this leadership,

¹ *Three Quarter Houses: The View from the Inside*. Prisoner Reentry Institute at John Jay College of Criminal Justice. October 2013.

² Id.

and moving them forward represents another step toward ensuring access to stable housing and promoting successful reentry.

We also appreciate the efforts of the Mayor and the Human Resources Administration for creation an emergency task force to address conditions at three-quarter houses, and the task force's work to move those in unsafe conditions into subsidized, permanent housing. These bills are a logical extension of the laudable accomplishments thus far.

Intros 1164, 1166, 1167, and 1168 address the existing issues with Three-Quarter Houses in unique in and important ways. These bills:

- empower individuals by educating them about their rights when they receive a shelter allowance,
- educate the public by requiring ongoing data reporting about Three-Quarter Houses,
- remove the practical barriers to accessing existing services by allowing alternative documentation for emergency relocation services; and
- bar unscrupulous landlords from taking advantage of formerly-incarcerated individuals who have no other housing options, by coercing them to participate in treatment.

While addressing the issues in Three-Quarter Houses, we must also continue work to erase the multitude of barriers that preclude people with criminal histories from accessing other housing options. Public, supportive, affordable, and market housing systems are not adequately meeting housing needs of individuals with criminal records; these failures funnel people into Three-Quarters Houses. Together with the New York City Housing Authority's (NYCHA), we must continue reform of the public housing authorities' practice of permanent exclusion and bring the existing its reentry housing program to scale. PRI coordinates a working group to address the termination policies for tenants who are arrested. Over 5,000 individuals are on the permanent ban list, even though they may pose little risk of reoffending—and stable housing and family support would further reduce that risk—and are barred from contributing to the care of their families and communities.³ We support NYCHA's ongoing efforts to change this policy, though we remain concerned about the significant increase in permanent exclusion cases so far this year.

There is also an overwhelming need for supportive housing designed specifically to serve those involved in the criminal justice system as a special population. Supportive housing provides stable housing and supportive services tailored to the need of each individual. Unfortunately, past supportive housing efforts have short-changed those with criminal justice system involvement. New commitments from the City and the State must target those with criminal justice histories as a specific population to ensure that this proven, cost-effective option is available for vast number of individuals and families that would benefit.

In private market housing, there are no laws protecting individuals with criminal records from discrimination in housing decisions. Unlike in the employment arena, where the Human Rights Law and the Correction Law prohibit outright discrimination and provide guidance for evaluating applicants with criminal records, there are no such laws for housing. People denied housing

³ Ramey, Corinne. "Permanent Ban Policy in Public Housing under Review." *Wall Street Journal* (New York City), May 27, 2016.

because of their criminal record—no matter how attenuated or unrelated to tenancy—have no recourse under City and State laws.

Additionally, PRI supports Resolution 1035, calling upon the New York State Office of Temporary and Disability Assistance to promulgate a rule that would increase the current public assistance shelter allowance amounts in New York City. Increasing the shelter allowance is a commonsense adjustment reflecting the economic reality of the housing market in New York City.

Stable, quality housing is central to successful reentry and central to being a thriving member of society. Housing is the linchpin to accessing economic and social opportunity, a vital precursor to employment, education, maintaining sobriety, and avoiding rearrest. These bills are an essential piece of the broad work needed to ensure equality, justice, and opportunity for all.

Thank you for the opportunity to testify today.