

June 10, 2024

The Honorable Adrienne Todman  
Acting Secretary  
U.S. Department of Housing and Urban Development  
Washington, D.C.

To Acting Secretary Todman:

We, the undersigned 327 organizations, write in support of the Department of Housing and Urban Development's (HUD's) efforts to decrease barriers to HUD housing programs for formerly incarcerated and convicted people. In particular, we write in support of the efforts exemplified in the recent Notice of Proposed Rule Making (NPRM), "Reducing Barriers to HUD-Assisted Housing" (FR-6362-P-01). While some of the signatories of this letter may have supplied individual comments responding to the questions posed in the NPRM, **we are united in our support for increased access to housing for formerly incarcerated and convicted people and their families.**

An estimated one in three Americans has some kind of conviction or arrest record,<sup>1</sup> which poses a significant barrier to finding affordable housing in an already extremely tight rental market. Nationally, there is a shortage of 7.3 million affordable, available rental units for people with the lowest incomes, and only 34 affordable, available rental homes exist for every 100 of the lowest-income households.<sup>2</sup> Due to employment discrimination, formerly incarcerated and convicted people typically work in lower-paying jobs or survive on fixed incomes, making it more difficult to afford the cost of housing.<sup>3</sup> Overly restrictive background screening practices place people impacted by the criminal-legal system at a significant disadvantage to finding quality, affordable housing, increasing the risk of housing instability, homelessness, and reincarceration as more communities enact laws criminalizing homelessness.<sup>4</sup>

While there are several federal admissions policies created by Congress that all Public Housing Authorities (PHAs), owners, and operators of HUD-assisted housing must follow, these policies act as a floor and are often supplemented with additional screening policies that, taken together, can act as a de facto ban on formerly incarcerated and convicted people from HUD-assisted housing. Bias in the criminal-legal system has caused people of color – particularly Black, Native, and Latino people – as well as people with disabilities and members of the LGBTQ+

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<sup>1</sup> National Conference of State Legislatures. (2023). Criminal Records and Reentry Toolkit.

<https://www.ncsl.org/civil-and-criminal-justice/criminal-records-and-reentry-toolkit#:~:text=Approximately%2077%20million%20Americans%2C%20or,housing%2C%20and%20higher%20education%20opportunities.>

<sup>2</sup> Aurand, A., et al. (2024). *The Gap: A Shortage of Affordable Homes*. National Low Income Housing Coalition. <https://nlihc.org/gap>

<sup>3</sup> Wang, L., and Bertram, W. (2022). "New Data on Formerly Incarcerated Peoples' Employment Reveal Labor Market Injustices." Prison Policy Initiative. <https://www.prisonpolicy.org/blog/2022/02/08/employment/>

<sup>4</sup> National Homelessness Law Center. (2024). "Emergent Threats: State Level Homelessness Criminalization." Housing Not Handcuffs. <https://housingnohandcuffs.org/emergent-threats-homelessness-criminalization/>

community to be disproportionately targeted and impacted by the criminal-legal system,<sup>5</sup> and the number of incarcerated women has grown at twice the rate of incarcerated men.<sup>6</sup> As such, restrictive background screening policies likely have a disparate impact on these groups and run the risk of violating *Fair Housing Act* protections.

The barriers created by these policies make it exceedingly difficult for people exiting incarceration and those with conviction histories to find safe, affordable, accessible housing. As a result, people who have been incarcerated once are seven times more likely to experience homelessness than the general population, while those who have been incarcerated more than once are 13 times more likely to experience homelessness.<sup>7</sup> Without stable housing, people exiting incarceration are twice as likely to experience reincarceration than their peers living in stable homes.<sup>8</sup> As a central social determinant of health,<sup>9</sup> education,<sup>10</sup> and economic mobility,<sup>11</sup> access to stable housing is critical to ensuring individuals, families, and communities are safe, healthy, and thriving.

While there is significant evidence of the harm overly restrictive policies cause to individuals, families, and communities, there is no evidence suggesting these policies positively impact public safety, and no evidence justifying the blanket exclusion of people with conviction histories from housing.<sup>12</sup> Rather, studies show that people with criminal records have similar rates of maintained housing stability as people without criminal records.<sup>13</sup> Moreover, 22 PHAs have already adjusted their screening policies to limit the scope of records considered and have not reported any significant changes to public safety outcomes.<sup>14</sup>

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<sup>5</sup> Kajstura, A. and Sawyer, W. (2024). “Women’s Mass Incarceration: The Whole Pie 2024.” Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2024women.html>

<sup>6</sup> Ghandnoosh, N. et al. (2023). One in Five: Racial Disparity in Imprisonment – Causes and Remedies. The Sentencing Project. <https://www.sentencingproject.org/app/uploads/2023/12/One-in-Five-Racial-Disparity-in-Imprisonment-Causes-and-Remedies.pdf>

<sup>7</sup> Couloute, L. (2018). “Nowhere to Go: Homelessness Among Formerly Incarcerated People.” Prison Policy Initiative. <https://www.prisonpolicy.org/reports/housing.html#:~:text=The%20revolving%20door%20%26%20homelessness&text=But%20people%20who%20have%20been,from%20their%20first%20prison%20term>

<sup>8</sup> Prison Fellowship. (2022). “Access to Housing.” <https://www.prisonfellowship.org/resources/advocacy/collateral-consequences/access-to-housing/?%22>

<sup>9</sup> Opportunity Starts at Home. (2024). “Healthcare Advocates Are Housing Advocates.” National Low Income Housing Coalition. <https://www.opportunityhome.org/related-sectors/health/>

<sup>10</sup> Opportunity Starts at Home. (2024). “Education Advocates Are Housing Advocates.” National Low Income Housing Coalition <https://www.opportunityhome.org/resources/education-advocates-are-housing-advocates/>

<sup>11</sup> Opportunity Starts at Home. (2024). “Affordable Housing Enables Moving to Opportunity, Which Improves Long-Term Life Outcomes.” National Low Income Housing Coalition. <https://www.opportunityhome.org/resources/affordable-housing-enables-moving-opportunity/>

<sup>12</sup> Johnson, C. (2022). “Why Housing Matters for Successful Reentry and Public Safety.” *Message from PD&R Senior Leadership*. US Department of Housing and Urban Development. <https://www.huduser.gov/portal/pdredge/pdr-edge-fm-asst-sec-041922.html>

<sup>13</sup> Warren, C. (2019). *Success in Housing: How Much Does Criminal Background Matter?* Saint Paul, MN: Wilder Research.

<sup>14</sup> US Department of Housing and Urban Development. (2024). Document 6362-P-01, Reducing Barriers to HUD Assisted Housing. Federal Register. <https://www.regulations.gov/document/HUD-2024-0031-0012>

Stable, accessible, affordable housing is vital to helping formerly incarcerated and convicted people gain employment, advance their education, reunite with family, stay healthy, and ultimately thrive. This NPRM represents an important step forward in HUD's work reducing barriers to housing access for formerly incarcerated and convicted people, and can help create needed clarity for PHAs, owners, and operators of HUD-assisted housing by standardizing admission and termination practices to ensure they do not violate the *Fair Housing Act* or other civil rights protections.

We thank HUD for its work so far, and we look forward to continuing to work with the department on this important goal.

Sincerely,

**NATIONAL AND MULTISTATE ORGANIZATIONS**

A Little Piece Of Light  
ACOJA Consulting LLC  
Affordable Homeownership Foundation, Inc.  
American Civil Liberties Union  
Association of Maternal and Child Health Programs  
BlueLine Development, Inc.  
Butler Family Fund  
Center for Employment Opportunities  
Chicanos Por La Causa  
Childrens Defense Fund  
Church World Service  
Coalition on Human Needs  
Community Catalyst  
Community Solutions  
Compass Working Capital  
Corporation for Supportive Housing  
Dream.Org  
Equal Rights Center  
Fair Share Housing Center  
Faith in Harm Reduction  
Horizon Behavioral Health PLLC  
Housing Options Provided for the Elderly, Inc.  
Howard Hanna Real Estate Services  
Injustice Reform Network  
Integrated Community Solutions, Inc.  
It Still Takes a Village  
Local Initiatives Support Corporation  
Loevy & Loevy  
MLPB  
More Than Our Crimes

My Dog Is My Home  
National Alliance on Mental Illness  
National Association of Social Workers  
National Center for Medical-Legal Partnership  
National Coalition for the Homeless  
National Disability Rights Network  
National Foundation for Affordable Housing Solutions, Inc.  
National Health Care for the Homeless Council  
National Homelessness Law Center  
National Low Income Housing Coalition  
National Organization for Women  
National Womens Law Center  
NCS Community Development Corporation  
NETWORK Lobby for Catholic Social Justice  
Pathways Wellness Program  
Professional Contract Services, Inc. (PCSI)  
Phumulani - African Women Against Violence  
PolicyLink  
REDF  
Reframe Health and Justice  
Root & Rebound  
StoptheDrugWar.org  
Thriven Design  
Union for Reform Judaism  
Union of Concerned Scientists

## **STATE AND LOCAL ORGANIZATIONS**

### **ALABAMA**

Southtown Public Housing

### **ARIZONA**

Sister Jose Women's Center  
The Mind Body Counseling Center PLLC

### **ARKANSAS**

Arkansas Coalition of Housing and Neighborhood Growth for Empowerment (ACHANGE)  
NAP Unlimited LLC

### **CALIFORNIA**

All Home  
Behavioral Health Planning Council  
Brilliant Corners

Buena Vista Community Institute  
California Housing Partnership  
Catholic Charities  
CSUN Project Rebound  
Davis Opportunity Village  
East Bay Housing Organizations  
Episcopal Community Services  
Eviction Defense Collaborative  
Five Keys  
Insight Garden Program  
Los Angeles Community Action Network  
Los Angeles Housing Department  
Lutheran Social Services  
Mutual Housing California  
Office of Santa Ana City Councilmember Jessie Lopez  
PATH  
RFV Architecture  
Sacramento Regional Coalition to End Homelessness  
Sisters of St. Joseph Healthcare Foundation  
Speak Up!  
Stanislaus County Office of Education  
Tenant Association Coalition of San Francisco  
Tenants Together  
The People Concern  
Ventura Homeless Prevention

## **COLORADO**

Center For Independence  
Colorado Coalition for the Homeless  
Colorado Cross-Disability Coalition  
Homeward Pikes Peak  
Mental Health & Inclusion Ministries  
One Man Handyman  
The Delores Project

## **CONNECTICUT**

Alliance For Living  
Connecticut Coalition to End Homelessness  
Partnership for Strong Communities  
The Housing Collective

## **DELAWARE**

Housing Alliance Delaware

United Way of Delaware

**DISTRICT OF COLUMBIA**

ACLU-DC of American University  
Coalition for Non Profit Housing and Economic Development  
Mommieactivist and Sons  
Pathways to Housing DC  
The Washington Legal Clinic for the Homeless  
Tzedek DC  
University Legal Services  
Washington Lawyers' Committee for Civil Rights and Urban Affairs  
Wesley Housing

**FLORIDA**

Florida Alliance for Community Solutions, Inc.  
Florida Justice Center  
Florida Justice Institute  
Grace Marketplace  
Ormond Beach Housing Authority  
Stone Soup Development, Inc.  
YWIFI Realty

**GEORGIA**

3Keys, Inc.  
Georgia Advancing Communities Together, Inc.  
Our Power Our Voice, Inc.

**HAWAII**

Maui Economic Opportunity

**IDAHO**

208 Recovery  
Boise City/Ada County Homeless Coalition  
Our Path Home

**ILLINOIS**

Access Living of Metropolitan Chicago  
Blue Cross Blue Shield Illinois  
Carpenters Place  
Community Action Partnership  
Employment & Employer Services  
Fox Valley Citizens for Peace & Justice  
Housing Action Illinois

Illinois Alliance for Reentry and Justice, NFP  
Illinois Valley Center for Independent Living  
Joining Forces for Affordable Housing  
Kenneth Young Center  
Leah's House  
Niles Township Government  
Open Communities  
The Inner Voice, Inc.  
Treatment Alternatives for Safe Communities  
We Build Lives Together

### **INDIANA**

Coalition for Homelessness Intervention and Prevention  
Fathers and Families Center  
Greater Indianapolis Multifaith Alliance  
Haven House Services  
Prosperity Indiana

### **KENTUCKY**

Community Housing Market Support Network, Inc.  
Homeless and Housing Coalition of Kentucky  
The Association of Community Ministries  
Union Church  
VOCAL-KY  
Welcome House

### **LOUISIANA**

Central Louisiana AIDS Support Services  
lowernine.org  
Neighborhood Development Foundation  
Village Restore

### **MAINE**

Maine Affordable Housing Coalition  
Waldo Community Action Partners

### **MARYLAND**

Advocacy and Training Center  
Affordable Housing Conference of Montgomery County  
Arts and Humanities Council of Montgomery County  
Bridges to Housing Stability, Inc.  
Disability Rights Maryland  
New Vision House of Hope, Inc.  
Project PLASE (People Lacking Ample Shelter and Employment)

Womens Housing Coalition

**MASSACHUSETTS**

Housing Families, Inc.  
Massachusetts Housing & Shelter Alliance  
Office of Housing Stability - Somerville  
SEIU  
Southeast Center for Independent Living  
Western Massachusetts Network to End Homelessness

**MICHIGAN**

2Marines  
Avalon Housing  
Before, During, After Incarceration (BDAI)  
Cherry Health  
Family Youth Interventions  
Friends Of Parkside  
Goodwill Northern Michigan  
Great lakes ADA center of Michigan  
Macomb Community Action  
Michigan Coalition Against Homelessness  
The Salvation Army  
Travelers Aid of Metropolitan Detroit  
Travelers Aid Society of Metropolitan Detroit  
Washington Boulevard Block Club  
Washtenaw County Community Mental Health  
Washtenaw County CPUSA

**MINNESOTA**

Agate Housing and Services  
Churches United for the Homeless  
Engage Community Services  
HOME Line

**MISSOURI**

Burrell Behavioral Health  
Empower Missouri  
empower: abilities  
Epiphany United Church of Christ  
Jackson County Public Health  
Jordan Valley Community Health  
Journey to New Life



Justice and Service Commission of St. Pius V and St. Vincent de Paul Parishes  
Services for Independent Living

**MONTANA**

Great Falls Pre-Release  
Homeward, Inc.

**NEVADA**

Chicanos Por La Causa Nevada  
Lived Experience Advisory Board - Reno  
Lived X  
Nevada Homeless Alliance

**NEW HAMPSHIRE**

Cross Roads House  
Easter Seals  
Granite State Organizing Project  
Housing Action NH

**NEW JERSEY**

Camden Coalition  
Collaborative Support Programs of New Jersey  
Community Enterprises Corporation  
Housing and Community Development Network of New Jersey  
New Jersey Association of Mental Health and Addiction Agencies, Inc.  
New Jersey Coalition to End Homelessness  
Not In Our Town Princeton  
Princeton Community Housing  
Princeton Progressive Action Group  
Reformed Church of Highland Park  
Returning Citizen Support Group  
Sanctuary Foundation For Veterans  
The Supportive Housing Association of New Jersey  
Tri Boro First Aid Squad  
United Black Agenda  
Westminster Presbyterian Church – Trenton

**NEW MEXICO**

Coalition for a Safer Albuquerque

**NEW YORK**

Albany Housing Coalition, Inc.  
Better Business Bureau

CAMBA  
CAMBA Housing Ventures  
Concern Housing  
Counseling with Love  
Grassroots Artists Movement, Inc.  
Hands Across Long Island, Inc.  
Hudson River Housing  
Independent Living, Inc.  
Journey to Wellness Center  
Lantern Community Services  
Leviticus 25:23 Alternative Fund, Inc.  
Life Unbolted, Inc.  
Long Island Alliance  
New York State Council of Churches  
Nicolespeaking LLC  
Sisters of Charity of New York  
The Bridge, Inc.  
The Exchange Blueprint LLC  
The Fortune Society  
Urban Pathways  
Vital Strategies

#### **NORTH CAROLINA**

Disability Rights North Carolina  
Good Shepherd Center  
Mecklenburg County Government  
Orange County Housing  
Orange County Street Outreach, Harm Reduction and Deflection

#### **NORTH DAKOTA**

YWCA Cass Clay Shelter

#### **OHIO**

Alliance for Substance Abuse Prevention  
Fair Housing Center for Rights & Research  
Fair Housing Resource Center  
KAV Health Group LLC  
Mid-Ohio Board for an Independent Living Environment  
The Ability Center of Greater Toledo  
Youngstown Neighborhood Development Corporation

#### **OREGON**

Central City Concern

Hope Community Network  
Housing Oregon  
Residents Organizing for Change  
Sponsors, Inc.  
SquareOne Villages

**PENNSYLVANIA**

Allegheny Valley Association of Churches  
Community Action Association of Pennsylvania  
Crawford County Drug and Alcohol  
Cumberland County Housing and Redevelopment Authorities  
HDC MidAtlantic  
Herode Beauvais LLC  
Housing Alliance of Pennsylvania  
Inclusion Home Care  
Kennett Area Community Service  
Landless Peoples Alliance  
Lawrence County Housing Authority  
Lehigh Valley Center for Independent Living  
LNF Media  
Mental Health Association of Northwestern Pennsylvania  
Pathways To Housing  
Pathways to Housing Pennsylvania  
Philadelphia Unemployment Project  
POWER Interfaith  
Rising Tide Partners  
South Kensington Community Partners  
The Birmingham Free Clinic  
The Cornerstone of Beaver County  
The Montco 30% Project  
UESF  
Women's Services, Inc.

**RHODE ISLAND**

Community Care Alliance  
Rhode Island Coalition to End Homelessness

**SOUTH CAROLINA**

Community Fresh Start of Upstate  
South Carolina Appleseed Legal Justice Center

**TENNESSEE**

Clarksville Neighborhood & Community Services

Open Table Nashville  
Safe Haven Family Shelter

**TEXAS**

Center for Civic & Public Policy Improvement  
Collaborating Voices Foundation  
Ending Community Homelessness Coalition (ECHO) - Austin  
Front Steps  
Metrocare Services  
Northern Hills Homeowners Association  
Samaritan Inn  
Tarrant County Homeless Coalition  
Texas Homeless Network  
Tilbury Real Estate Advisors

**VERMONT**

John Graham Housing & Services

**VIRGINIA**

Carpenters Shelter  
Family Resource Center  
Nolef Turns, Inc.  
Symmetry Builders LLC  
Virginia Housing Alliance  
Waynesboro Area Refuge Ministry

**WASHINGTON**

Catholic Charities Eastern Washington  
Seattle King County Public Health Family Ways Program  
Tenants Union of Washington State  
Transitional Resources

**WEST VIRGINIA**

ACLU of West Virginia

**WISCONSIN**

Independence First  
JOSHUA (Justice Organization Sharing Hope & United for Action)  
NewBridge