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## **Supporting the Prison & Jail Reentry Population – A Strategy for Reducing Unsheltered Homelessness in California**

**A “White Paper” Submitted to the  
California Homeless Coordinating and Financing Council**

**March 2019**

San Diego County’s 2018 WEALLCOUNT Report reported that 27% of those in jail, about 1,500 individuals, identified themselves as being unsheltered prior to their incarceration. Before their arrest, most slept on the street or sidewalk (51%), a vehicle (24%), or in a park, tent, abandoned building, woods encampment.<sup>1</sup>

If these inmates were living on the street before coming to jail, the chances are they will be living on the street again when they’re released. Many also have untreated serious mental illness and substance use disorders. These disabilities help to perpetuate a costly and tragic cycle of rearrest, more custody time, and a return to the street.

This white paper suggests that the Homeless Coordinating and Financing Council consider a strategy that engages the jail and prison system to provide supportive housing and other necessary supports for the reentry population.

### **Homelessness and Criminal Justice Involvement – What Does the Data Say?**

In a recently released [analysis](#), California Health Policy Strategies (CalHPS) estimated the number of unsheltered homeless individuals who have histories of criminal justice system involvement and who report that they have mental health issues or illness. We base these estimates on Point-in-Time homelessness survey results from the three largest counties -- San Diego, Orange, and Los Angeles -- from 2017 and 2018.<sup>2</sup>

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<sup>1</sup> [San Diego County, WeAllCount Annual Report \(2018\)](#)

<sup>2</sup> These estimates are conservative. Both mental illness and criminal records are likely *under-reported* in homeless surveys. We acknowledge that the stigma associated with mental health and criminal justice involvement means that people may not accurately report their personal information if questioned by a stranger.

The key findings included:

- *The number of unsheltered homeless has increased by 26%.* The number of unsheltered homeless individuals increased from 72,998 people in 2013 to about 91,642 people in 2017.
- *70% of unsheltered homeless report a history of incarceration.* We estimate that about 64,149 unsheltered individuals have ever been incarcerated.
- *28% of unsheltered homeless individuals report having recently been released from jail or prison.* We estimate that 25,660 unsheltered individuals are recently justice involved.
- *13% of unsheltered homeless individuals report being presently under community supervision.* We estimate that 11,913 unsheltered homeless individuals are presently on either probation or parole.
- *32% of unsheltered homeless individuals report both having “mental health issues” and being ever incarcerated.* We estimate that about 29,692 individuals have been previously incarcerated at some point and currently report having mental health issues.
- *15% of unsheltered homeless individuals report both a “serious mental illness” and being ever incarcerated.* We estimate that about 13,746 individuals have both been previously incarcerated at some point in their lives and report having a serious mental illness.

### **The Elephant in the Room**

Homelessness has many causes, but it is also a byproduct of mass incarceration policies that flowed from the war on drugs, and mandatory sentencing laws that dramatically increased penalties for a variety of criminal offenses. A history of incarceration imposes additional stigma and legal barriers for former inmates who seek employment. Many rely on the support of family members and friends for housing and living expenses. For those who have fallen through family and community systems of support, the path leads to becoming an unsheltered homeless person living on the street.

For former inmates who also have a serious mental illness, most also have a co-occurring substance use disorder (SUD). These individuals are likely to fall through the cracks of the behavioral health treatment system as they move from custody to the community; though eligible for SSI and other benefits, there are challenges in getting the paperwork completed and applications approved; and housing programs may have eligibility requirements that require sobriety or absence of criminal history.

Incarceration is perhaps an “elephant in the room” that goes unmentioned and unrecognized as an important cause of homelessness. Indeed, a recent annual survey by the U.S. Conference of

Mayors identified the top four causes of homeless among unaccompanied individuals. The causes included: lack of affordable housing, unemployment, poverty, mental illness and the lack of needed services, and substance abuse and the lack of needed services.<sup>3</sup> Our data suggests that 70% of Californian’s unsheltered homeless had a history of incarceration, but it was not recognized as a significant cause of homelessness by the Mayor’s Conference.

San Diego’s WEALLCOUNT Report speculates “that a significant segment of the homeless are individuals who recently exited the criminal justice system. A macro understanding of this phenomenon has been largely nonexistent on an empirical level.” The report adds that by collecting data on a local level, the community can help connect “the dots between the cycles of incarceration and homelessness.”<sup>4</sup>

### **Asking the Question**

One reason why incarceration is not recognized as a cause of homelessness is simply a lack of data. But that is starting to change. During the 2017 Point-in-Time (PIT) count, six out of the ten most populace counties in California (Los Angeles, San Diego, Orange, Santa Clara, Alameda, and San Francisco) asked questions about criminal justice involvement in their surveys of the unsheltered population. These questions, however, were not uniform across the surveys which makes comparisons between counties difficult and aggregation of the survey results challenging.

San Diego gathered the most complete information on the relationship between homelessness and incarceration. Specifically, they asked unsheltered individuals if they had ever been incarcerated in jail or prison and if they were currently on probation or parole. San Diego also surveyed individuals in jail and asked about where they slept the night before they were arrested. In San Francisco county, however, they asked unsheltered homeless respondents if they had spent a night in jail or prison in the last 12 months or had been on probation or parole at the onset of their homelessness.

### **Access Challenges for Current Programs**

Finding housing for formerly incarcerated individuals is not easy under the best circumstances. In tight private markets, landlords routinely conduct criminal background checks or call references. Transitional housing programs also may impose requirements such as sobriety or an absence of criminal history for participants, thereby excluding justice-involved individuals who may also have SUDs.

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<sup>3</sup> [The U.S. Conference of Mayors’ Report on Hunger and Homelessness \(Dec 2016\)](#)

<sup>4</sup> [San Diego County, WeAllCount Annual Report \(2018\)](#)

As inmates are released from state prison and county jails, there is currently no systematic process, or dedicated resources for providing supportive housing and treatment that will keep them off the street. Our analysis suggests that about 12,000 of Californian's unsheltered population are *currently* on either probation or parole. Again, this is based on self-reported data, and is likely to be a conservative estimate.

For parole agents and probation officers, the challenge of providing community supervision to the unsheltered homeless is daunting. However, what efforts are made to determine an individual's housing status in the community as part of the pre-release planning process? It's likely the question is not asked because dedicated housing resources for the justice-involved are extremely limited, especially for those with physical and behavioral health disabilities.

Eligibility for programs intended to serve the homeless often have rules that exclude individuals with a history of incarceration. For example, HUD's priority criteria for "chronic homelessness" specifically exclude individuals who have been in "an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility" for 90 days or more."<sup>5</sup> Paradoxically, this rule makes it harder for individuals with a behavioral health disability to access subsidized housing.

CDCR does administer some transitional housing programs for parolees. Their Residential Multi-Service Centers and Parole Service Centers allow parolees to be housed for up to 180 days with the possibility for after care. Individuals with a serious mental illness are eligible as long as they are stable. For those SMI parolees who are not stable, CDCR does not have supportive housing options.

### **Supportive Housing for Reentering Prison and Jail Inmates**

More efforts are being made to focus resources on the reentry population to coordinate health, human services, and supportive housing interventions. Examples include:

- Los Angeles County. Since 2015, Los Angeles County has administered a program called Breaking Barriers that serves probationers who are deemed to have a moderate to high risk of reoffending. Engagement begins while the clients are still incarcerated. The program provides up to 24 months of rental assistance combined with housing retention services, intensive case management and employment services. The County's Office of Reentry and Diversion has committed to create 1,000 units of supportive housing to connect chronically homeless and frequently incarcerated individuals with permanent housing. The County's Whole Personal Care Pilot, authorized under the state's Section 1115 Medi-Cal Waiver, has also targeted the reentry population for a variety of services

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<sup>5</sup> [HUD Guidelines, Defining Chronic Homeless](#)

including supportive housing.<sup>6,7,8</sup>

- San Diego County provides some transitional housing for individuals upon reentry. The County's Post Release Offender (PRO) Division, which provides case management for AB 109 offenders, contracts with five housing providers, including 24 separate locations throughout the county. In calendar year 2015, a total of 120 beds were available.<sup>9</sup>
- Adult Reentry Grants. The 2018-19 State Budget included \$50 million for a new grant program administered by the Board of State and Community Corrections (BSCC) to provide housing assistance and to former state prison inmates. The program will be providing one-time competitive grants to community-based organizations to provide rental assistance, rehabilitation of existing buildings for housing former state prison inmates, warm hand-offs to help the transition process from prison to the community.<sup>10</sup>

## Recommendations

Simply put, releasing someone from prison or jail to live on the street is unconscionable. And it is even more egregious for those who have a serious mental or physical illness or substance use disorder (SUD). What's needed are effective ways to engage the unsheltered homeless as they touch the criminal justice system and as they are released from prison or jail. When these individuals are released without a plan to access shelter, we have missed an opportunity to help.

### 1. **The Growing Crisis of the Unsheltered Demands Immediate Attention - Recognize Incarceration is a Major Contributing Factor.**

The California Homeless Coordinating and Financing Council's first priority should be to address the alarming increase in the number of unsheltered Californians, now living on the street, parks, abandoned buildings or in their vehicles. Between 2013 and 2017, the number of unsheltered homeless grew from about 73,000 to 92,000, an increase of 26%.<sup>11</sup> However, with an estimated 70% of the state's unsheltered homeless reporting a history of incarceration, the state's approach should recognize that incarceration is a major contributing factor.

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<sup>6</sup> [CalHPS, Final Report Reentry Health Policy \(Jan 2018\)](#)

<sup>7</sup> See our 2018 [overview](#) of the program. The Governor's budget includes an additional \$100 million to augment the supportive housing component of the pilots.

<sup>8</sup> [Intersection of Housing and Reentry in Los Angeles, Presentation](#)

<sup>9</sup> Op Cit, CalHPS Final Report

<sup>10</sup> [CalHPS, Policy Brief Adult Reentry Grant \(Nov 2018\)](#)

<sup>11</sup> [CalHPS, Policy Brief Unsheltered Homelessness \(Nov 2018\)](#)

**2. Gather Consistent Statewide Data on Incarceration and Homelessness.**

Although more counties are beginning to ask about incarceration in their annual PIT counts, most do not, and there is no consistency in the questions for those counties that do. Recognizing the need, a standard set of questions would clearly improve the reliability of the data. San Diego's template would be an excellent starting point. Consistent, reliable data would help establish a benchmark for measuring the effectiveness of interventions that target the justice-involved unsheltered population.

**3. Survey Current Supportive Housing and Treatment Programs that Now Serve the Prison and Jail Reentry Population to Identify Best Practices, Barriers and Service Gaps.**

We need to understand the current pre-release processes for prison and jail inmates who are likely to become homeless, and how the criminal justice system coordinates with existing homeless programs such as the Coordinated Entry System (CES). The Council should survey these programs, review outcome and cost-effectiveness data if available, and create an inventory of what's working now. This analysis should also include an assessment of barriers and service gaps should be addressed. By increasing visibility for these efforts, the Council can encourage information sharing and cross-pollination among state and local jurisdictions.

**4. Target Resources to Provide Supportive Housing for Former Inmates with Serious Mental Illness (SMI), Substance Use Disorders (SUDs), and Complex Health Care Needs.**

About one-third of the unsheltered homeless self-report having a history of incarceration and mental illness. A much higher percentage are likely to also have SUDs. Data is not available on how many might be defined as having complex health care needs or medically fragile. However, these categories of vulnerable individuals are among the most challenging and costly to serve. The Council should survey counties to determine how county behavioral health programs and Medi-Cal managed care plans now coordinate with prison and jails to connect former inmates into treatment programs as they are released from custody. Best practices and gaps should be identified. In addition, special efforts to assist inmates in accessing disability benefits such as SSI should be prioritized.

**5. Partner with CDCR, Sheriffs, Probation, District Attorneys, Public Defenders, and the Courts.**

The state and local criminal justice system has strong incentives to support efforts to reduce homeless. The Council should establish an advisory committee with representation that includes: CDCR, sheriffs, probation, district attorneys, public

defenders, and the courts. The advisory committee should help inform state efforts on how best to engage and leverage the criminal justice system to support efforts to reduce chronic homelessness.

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### **About the Authors**

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### **About the Reentry Health Policy Project**

- This white paper is part of the Reentry Health Policy Project, which seeks to identify state and county level policies and practices that impede the delivery of effective health and behavioral health care services for formerly incarcerated individuals who are medically fragile (MF) and living with serious mental illness (SMI), as they return to the community. The report also offers specific recommendations and best practices for addressing these barriers. The Reentry Health Policy Project was managed by California Health Policy Strategies LLC with support provided by the California Health Care Foundation.

### **About California Health Policy Strategies (CalHPS), L.L.C.**

- CalHPS is a mission-driven health policy consulting group based in Sacramento. For more information, visit [www.calhps.com](http://www.calhps.com).