



CHICAGO COALITION FOR THE HOMELESS

**Testimony of the Chicago Coalition for the Homeless  
Universal Periodic Review for the United Nations Human Rights Council  
Civil Society Consultation  
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The problem of homelessness is a serious and growing problem in the Chicago metropolitan region. The Chicago Coalition for the Homeless estimates that 74,149 people experienced homelessness in the City of Chicago during 2008-2009.

The most accurate and compelling data regarding the extent of homelessness is collected by public schools. While not every homeless person is able to access shelter or housing, all homeless children are entitled to enrollment in public school in accordance with the education subtitle of the McKinney-Vento Act. Additionally, all public schools are required to identify students experiencing homelessness in a range of living situations, including those in shelters and those living doubled-up with others due to a lack of housing. The data from the Chicago Public Schools as well as districts in the metropolitan area show a dramatic increase in homelessness among families.

The Chicago Public Schools identified 13,278 students as homeless as of February 28, 2010. This marks a 19% increase from February 2009 (11,143), and a

41% increase from February 2008 (9,419). Indeed, that number has increased over 100% from the count in February 2003 (6,585).

Unaccompanied youth in Chicago – those youth not in the custody of a parent or guardian – saw a 26% increase, from 2,574 in February 2009 to 3,254 in February 2010. Statewide, there are 24,968 unaccompanied youth in Illinois. The number of CPS preschool students who are homeless increased 43%, from 357 in February 2009 to 509 in February 2010.

The CPS data reflects that the vast majority of families are living doubled up or “sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.” As of February 28, 2010, 85% of the CPS homeless students (or 11,272 out of 13,278) were sharing housing of others. With limited shelter space and increasing foreclosures, a doubled-up living situation is often a family’s only option.

The increasing numbers of homeless families is not limited to Chicago. In suburban Cook County and the collar counties, there was a 56% increase in homeless students from December 31, 2008 to December 31, 2009 (4,455 to 6,936). From FY07 to FY09, this area saw an increase of over 100%, from 3,387 homeless students in FY07 to 7,471 in FY09. Some individual counties saw an even more dramatic increase—85% in Kane County (from 709 homeless students in 2008 to 1,310 in 2009) and 125% in McHenry County (from 170 in 2008 to 382 in 2009).

As of February 1, 2010, the number of identified homeless students statewide increased 18%, from 22,797 for the 2008-2009 school year to 26,951 for the 2009-2010 school year.

The school data demonstrates dramatic increases in homelessness among families. The Chicago Coalition for the Homeless believes that similar increases have occurred among single adults due to economic crisis and lack of affordable housing. Data from the shelter system in Chicago indicates many households experiencing homelessness for the first time and a significant number of households turned away by shelters. In 2008, 12,685 households were served by shelters in Chicago. Of those clients, 37% (or 4,647) of households were being served by a shelter for the first time. Also in 2008, 5,189 households were served by interim, second-stage, and transitional shelters. Of that group, only 1,268—or 24%—were able to find permanent placements after leaving the shelter. In 2008, 23,369 households were turned away by shelters. The number of turnaways increased by 29% as of the third quarter of 2009 (compared to the same period of 2008; 21,766 as of 9/30/09 compared to 16,832 as of 9/30/08).

#### Recommendations:

1. Adopt the definition of homelessness used in the education subtitle of McKinney-Vento that includes sharing housing of others due to loss of housing or economic hardship. This definition reflects the reality of the living situations for families and individuals experiencing homelessness. This definition is shared by many federal agencies, including the Department of Education, the Department of Health and Human Services in its Head Start programs, by the Department of Agriculture in its Child Nutrition programs and the Department of Justice in its Violence Against Women Act programs. Families and individuals who are doubled-up should have access to federal housing and prevention resources.
2. Address the needs of unaccompanied homeless youth. The Youth Committee of the Chicago Coalition for the Homeless joins the local Chicago Alliance to End Homelessness and National Alliance to End Homelessness in supporting the funding and creation of a continuum of federally funded housing and services to aid unaccompanied youth during their minority and young adulthood. This should include funding a unique Illinois model, the Youth Transitional Housing Program, in which 16 and 17 year olds can be housed and receive age-appropriate services in a stable licensed transitional housing

programs. CCH also recommends appropriating \$165 million for Runaway and Homeless Youth Act programs.

3. Prevent local housing authorities from imposing more stringent barriers for individuals with criminal records who wish to access Housing Choice Vouchers. The Re-Entry Committee of the Chicago Coalition for the Homeless recommends that the CHA revise its current policies to permit individuals with criminal records to be eligible for Housing Choice Vouchers 12 months after the date of criminal activity (as opposed to current 5-year policy).
4. Adopt the recommendations in the February 12, 2010 Report of the United Nations Special Rapporteur on the Right to Adequate Housing, including:
  - a. Adequate funding for public housing and affordable housing, including increased resources for the Family Unification Voucher Program. These vouchers are used in Illinois to reunify families in the child welfare system and to prevent children from entering the system by providing adequate housing for their families.
  - b. Making permanent the Protecting Tenants at Foreclosure Act
  - c. Developing alternatives to criminalization of homelessness.
  - d. Making federal vacant properties available for affordable housing
5. Ensure coordination with public schools to serve the growing number of homeless students. Chicago has a pilot project that should be expanded, replicated and made permanent. This model uses Homelessness Prevention and Rapid Rehousing Program (HPRP) funds to provide housing and services to families sharing the housing of others in designated CPS schools. The project is a collaboration of the Chicago Public Schools, the City of Chicago Department of Family and Support Services, and private agencies, including Heartland Alliance. School districts are required to remove barriers to the success of students experiencing homelessness. One of the biggest barriers to success is the lack of permanent, affordable housing.



## Chicago Coalition for the Homeless

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### Barred from Housing: Individuals with Criminal Records & Housing Choice Vouchers (Section 8)

**Safe Chicago communities depend upon stable and affordable housing for all community members, including individuals leaving incarceration.** However, federal housing policies imposed by the US Department of Housing and Urban Development (HUD) and local discretionary policies imposed by the Chicago Housing Authority (CHA) create barriers for individuals with criminal records who want to access Housing Choice Vouchers (Section 8). Such barriers to stable and affordable housing for individuals reentering society dramatically increase their potential for homelessness and recidivism, and decrease their ability to support their families both emotionally and financially.<sup>1</sup>

#### Who Are the Formerly Incarcerated?

In 2005 over 650,000 prisoners were released in the United States, and over 40,000 were released from Illinois prisons.<sup>2</sup> Each year more than 20,000 ex-offenders released from Illinois state prisons return to Chicago communities, and approximately 1,200 of these individuals are discharged into homeless shelters.<sup>3</sup> Despite completing their sentencing requirements, most returnees are immediately confronted with additional challenges or "invisible punishments" upon their release from jail or prison.<sup>4</sup> These challenges include finding employment, obtaining adequate health care, and securing stable housing. Studies indicate that while relapse into criminal activity (recidivism) is high among returnees, it is *significantly lower* if individuals find stable housing soon after release.<sup>5</sup> However, federally subsidized and administered housing—a primary option for returnees—is unavailable due to local policy barriers.

#### Chicago Public Housing Policies

Federal policies (HUD) require the Chicago Housing Authority (CHA) to ban individuals from Housing Choice Vouchers (Section 8) if they meet any of the following conditions: 1) evicted from federally assisted housing within the past three years because of drug related criminal activity; 2) registered sex offender; 3) convicted of methamphetamine manufacture or production on the premises of federally assisted housing; 4) currently engaging in illegal drug use; or 5) currently abusing alcohol in a manner that interferes with the health, safety or right to peaceful enjoyment of other residents.<sup>6</sup>

However, beyond the federal requirements imposed by HUD, the Chicago Housing Authority (CHA) has a great deal of discretion in the creation and the implementation of policies based on individual criminal histories. Unfortunately, CHA's current policies make it very difficult for individuals with criminal records to access Housing Choice Vouchers (Section 8).

***CHA's current policy states that applications for Housing Choice Vouchers (Section 8) will be denied if either the applicant or a household member has engaged in drug-related or violent criminal activity during the 5 years prior to application.***<sup>7</sup>

This time frame is too long to ensure that individuals with criminal histories re-enter society successfully. Without an immediate option for housing following their release, individuals with criminal histories are more susceptible to homelessness—a condition that drastically decreases their ability to support themselves *and* their families, and increases their chances of reoffending before they have the opportunity to access the Housing Choice Voucher (Section 8) Program.

This document was prepared by the Chicago Coalition for the Homeless Re-Entry Committee, comprised of people who were formerly incarcerated, service providers, lawyers, educators, government agencies, and advocates. The Committee addresses the barriers associated with reentry and develops policies for individuals returning from jail or prison.



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In addition, the policy is often applied incorrectly in practice. Rather than looking at the date the criminal activity occurred, the CHA looks for any criminal justice involvement in the past five years. People are denied housing because of arrests, convictions, and time spent in prison or on parole in the past five years, even if the criminal activity occurred before that time.

### **Proposal to Reform CHA Housing Choice Voucher Program**

The Re-Entry Committee of the Chicago Coalition for the Homeless (CCH) is recommending that the Chicago Housing Authority revise its policy regarding applicants with criminal histories and ensure proper implementation of the policy:

- 1) ***Applicants will be denied only if the housing authority can prove that they have committed a drug-related or violent criminal act in the 12 months prior to application either through a conviction or the preponderance of the evidence that the criminal act was committed.***
- 2) ***In applying this policy, CHA must only look at the date the criminal act occurred, not time spent in prison or on parole in the 12 month period. In addition, they must prove the act occurred and not rely only on arrest records. In order to ensure proper implementation, CHA will allow an outside advisory body to review applications denied due to criminal history on a quarterly basis.***
- 3) ***Applicants with a criminal history, if denied application, inclusion on a waiting list, or receipt of a Section 8 Voucher, will have the right to demonstrate their eligibility through a fair and consistent, and transparent, appeal process.***

The Chicago Coalition for the Homeless' proposal falls directly in line with the goals of the Mayoral Policy Caucus on Prisoner Re-Entry, a group convened by Chicago's Mayor Richard M. Daley in 2004, along with those highlighted in the Mayor's 10-Year Plan to End Homelessness in the City of Chicago.<sup>8</sup> Their goals, like the Re-Entry Committee's proposal to reform CHA's Housing Choice Voucher Program, aim to eliminate the "invisible punishments" associated with having a criminal record.

If individuals with criminal records are eligible for Housing Choice Vouchers (Section 8) **12 months after the date of criminal activity**, then their potential for recidivism and temporary and disruptive living arrangements—and all other forms of homelessness—is reduced. Such a policy reform would help to promote safer Chicago communities.

<sup>1</sup> Council of State Governments. Public Housing Authorities (PHAs) and Prisoner Re-Entry; Council of State Governments. Homelessness and Prisoner Re-Entry.  
<sup>2</sup> Final Report of the Mayoral Policy Caucus on Prisoner Re-Entry, 2006. Rebuilding Lives. Restoring Hope. Strengthening Communities. Breaking the Cycle of Incarceration and Building Brighter Futures in Chicago.

<sup>3</sup> Mayoral Policy Caucus on Prisoner Re-Entry, *Supra* Endnote 2.

<sup>4</sup> Mayoral Policy Caucus on Prisoner Re-Entry, *Supra* Endnote 2.

<sup>5</sup> Council of State Governments, *Supra* Endnote 1.

<sup>6</sup> Corporation for Supportive Housing, 2007. Public Housing Authorities and Re-Entry Populations: Eligibility of Persons with Criminal Histories and/or Drug Involvement for Public Housing and Section 8/Housing Choice Voucher Programs; CHANGE Chicago Housing Authority, Amended January 2009. Amended FY2007 Admissions and Continued Occupancy Policy (ACOP).

<sup>7</sup> Chicago Housing Authority, 2008. Administrative Plan for the Housing Choice Vouchers (allocated for leasing) Project-Based Vouchers, and Moderate Rehabilitation Programs. Adopted by the CHA Board of Commissioners Approved July 15, 2008; Chicago Housing Authority, *Supra* Endnote 7.

<sup>8</sup> The Mayoral Policy Caucus on Prisoner Re-Entry is a group comprised of government, business and community leaders. The mission of the Policy Caucus is to 1) expand options for ex-offenders transitioning back into Chicago communities, and 2) lower the recidivism rates that challenge ex-offenders. Mayoral Policy Caucus on Prisoner Re-Entry, *Supra* Endnote 2.