

REVISED MOTION BY SUPERVISORS KUEHL
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March 24, 2015

Los Angeles County is committed to increasing the safety of our communities by ensuring that people experiencing poverty are aided through a safety net of resources. This includes ensuring that those who have been incarcerated have the support they need to get a second chance at a productive life. Numerous studies have shown that a stable home can provide the foundation for the safety net needed to lead a productive life.

On June 11, 2011, the Secretary of the United States Housing and Urban Development Department sent a letter to executive directors of public housing authorities across the nation encouraging those housing authorities to allow ex-offenders to rejoin their families in Public Housing and Housing Choice Voucher programs, when appropriate, because research has shown that ex-offenders are less likely to recidivate if they have stable housing in the community.

Our federal agencies, including the United States Interagency Council on Homelessness, have recognized the vicious cycle whereby “the difficulties in reintegrating into the community increase the risk of homelessness for released prisoners, and homelessness in turn increases the risk for subsequent re-incarceration.”

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At the same time there is no evidence that restricting access to federally subsidized housing based on an applicant's criminal record improves public safety or predicts in any way the likelihood that the applicant will succeed or fail in federally subsidized housing.

The United States Housing and Urban Development Department and federal law set certain policies for admission to a public housing authority's Housing Choice Voucher and Public Housing programs which are mandatory for all public housing authorities. These include denying access to these programs for persons who are registered sex offenders (including those convicted of human trafficking crimes) and individuals discovered producing methamphetamine on public housing premises. In addition, federal law allows public housing authorities discretion to adopt other policies which are not required. The Housing Authority of the County of Los Angeles has gone beyond policies required by the federal government and screens out applicants to the Housing Choice Voucher and Public Housing programs based on "other" criminal activity categories, and probation and/or parole status.

The consequence of excluding applicants on probation and/or parole is that it prevents family reunification and integration back into community even though concerns about criminal behavior are mitigated by the fact that these individuals are under the scrutiny of a law enforcement agency. Further, the current ban does nothing to enhance public safety. Serious or violent criminal offenders are adequately excluded by the multitude of other criminal bans in place.

By making more housing options available, Los Angeles County is able to reallocate its resources to focus on people more in need, like the mentally ill who can be

better treated in community based programs rather than jail. Los Angeles County is committed to creating a comprehensive mental health diversion system and is in the process of unifying its various departmental subsystems so that all of its departments are working together toward a unified goal. Modifying the Housing Authority of the County of Los Angeles' policies is a step forward to achieve a balanced system.

Similarly, numerous studies have shown that individuals without stable housing overburden crisis resources, such as the County's emergency rooms, first-responders and jails. Policies that promote community integration for formerly incarcerated men and women, not only improve the outcomes for these individuals, but save County resources by stabilizing these men and women in stable, affordable housing in the community thus decreasing their use of extremely costly crisis resources.

The County is also increasingly aware that some criminal activity is more damaging to communities than other activity. As such, the Housing Authority should focus less on low-level crimes such as drug possession, and more on heinous crimes such human sex trafficking.

The Housing Authority received numerous public comments during the FY 2015/2016 Annual Plan review process that asked the Housing Authority to revise these discretionary policies to ensure that formerly incarcerated individuals who do not pose a safety risk are allowed access to the Housing Choice Voucher and Public Housing programs.

It is in the best interest of Los Angeles County to align the policies of Housing Authority of the County of Los Angeles with the 2011 letter from United States Housing and Urban Development Department and our largest neighboring public housing

authority, the Housing Authority of the City of Los Angeles, by eliminating the prohibition on accepting applicants who have not completed probation and/or parole, limiting screening for drug activity beyond federal mandates to no more than the previous year, and eliminating screening for “other” criminal activity. As housing authorities are required to accept referrals from each other when Voucher participants desire to move between jurisdictions, it is administratively advantageous for the housing authorities of the city and county to use the similar screening standards. Taking this action improves intergovernmental coordination, enhances the County’s affordable housing and diversion initiatives, and eliminates unnecessary eligibility requirements without compromising public safety.

WE, THEREFORE MOVE that the Board of Commissioners of the Housing Authority:

1. Direct the Executive Director of the Housing Authority of the County of Los Angeles to work with the Board of Commissioners of the Housing Authority and the District Attorney’s office to revise the FY 2015/2016 Annual Plan reflecting the following changes:
 - Eliminate any and all provisions screening applicants out of the Housing Choice Voucher and Public Housing programs due to probation or parole status,
 - Reduce the criminal “look-back” period for drug offenses to no more than 2 years,
 - Develop a definition of “serious violent” crimes that the 3 year criminal “look-back” period would apply to,

- Revise the category of “other criminal activity” to other criminal activity which may threaten the health and safety of persons residing in the immediate vicinity,
2. Direct the Executive Director of the Housing Authority of the County of Los Angeles to make the above changes and publicly notice the revised Annual Plan within 30 days to allow the Annual Plan to be approved by the Board of Supervisors and United States Housing and Urban Development Department so that these changes will go into effect by September 1, 2015.
 3. Direct the Executive Director of the Housing Authority of the County of Los Angeles to report back to the Board of Supervisors within 90 days on a revised Annual Plan review process that will allow community members to provide public input into the Annual Plan before draft plans are published in future years, thus allowing the draft plan to reflect community interests and receive comments accordingly.
 4. Direct the Executive Director of the Housing Authority of the County of Los Angeles to report back to the Board of Supervisors within 90 days with revised language for section 4.3 LOCAL PREFERENCES, sub-section 4. Homeless Families Referred by an Eligible Organization to clearly reflect that self-referral of homeless families is intended only for those families who are already on the Housing Authority’s Housing Choice Voucher program waitlist.