

Criminal Record & HOME Choice

March 31, 2015



- Wrap around program to Ohio's existing long term services and supports
 - Individuals with institutional level of care that can receive services in a community setting
- Offers “extra” services to individuals for the first 365 days post discharge
 - After 90 days in nursing facility, ICF/IID, or hospital



6,000

Individuals moved to community
as of March 2015!



Webinar Overview

- Your phone lines are muted
- Use message box to ask questions or give comments

Purpose

- A Criminal Record is one of the most challenging life barriers
 - jobs, housing, education, personal life
- Approximately **65,000,000** Americans have a criminal record (Shriver Center)
 - How does this impact HOME Choice?



Purpose

- **Criminal Record & Housing:**
 - Not a “protected class” under the Fair Housing Act
 - Landlords have discretion over restrictions
- **Not a broad, overarching solution...yet**
 - Attorney General Task Force on Criminal Justice, Housing Committee
 - Re-entry Coalitions

Goals for Today

- Record Sealing & Expungement
- Sex Offender Tiers & Reporting Requirements
- Leveraging knowledge & resources



Agenda & Speakers

Melissa Lindsay, Staff Attorney

Family & Youth Law Center at Capital University

- Record Sealing & Expungement
 - Eligibility
 - Steps to getting started

Agenda & Speakers

Dianna Parker Howie, Staff Attorney

Legal Aid Society of Columbus

- Clinics & Requesting Assistance



Agenda & Speakers

Michele Johnson, Founder & CEO

NISRE, Inc.

- Sex Offender Overview
 - Tiers
 - Reporting Requirements

Opportunities for Advancement

- **Knowledge:**
 - Framing Criminal Records & Housing Access
- **Resources:**
 - Home for Good
 - RSS (Residential State Supplement)
 - Recovery Requires a Community

“When Discretion Means Denial”

- **HUD permanently bans applicants for 2 reasons:**
 - Convicted of manufacturing methamphetamine on federally assisted property
 - Required to register as sex offenders for life
- Public Housing Authorities & Section 8 Property Owners have “discretion” in tenant selection plans
- **Context of Criminal Record denials (subsidized and market rate)**
 - Long “lookback period”
 - Considering arrest without subsequent activity
 - Overbroad categories
 - Underuse of mitigating evidence to overcome a criminal record

Knowledge & Documentation

- HUD Properties Discretion & Responsibility
 - Public Housing
 - PHA required to consider “mitigating” circumstances in deciding whether or not to admit an applicant
- Reasonable Accommodations under Fair Housing Act
 - “Disability” includes mental illness, recovery from illegal substance abuse
 - Link between criminal record and disability
 - Documentation to demonstrate remediation



Resource: Home for Good

What: Rent, Security Deposit, Utility Costs, and Housing application fee

- Not a permanent subsidy- long term plan needed

Who: HOME Choice participants

- Mental Health background or substance abuse disorder
–AND–
- Criminal background/record that is a barrier to accessing housing
- No other housing is currently available



Home for Good

Where: Cuyahoga and Hamilton Counties

- Can relocate to one of the counties, current residency not required



Home for Good

Process:

1. Application for Individual
 - Submit to EDEN, Inc. (contractor for program)

2. Secure Landlord & complete Landlord Packet
 - Both similar to Housing Choice Voucher requirements (income verification, lease review, housing quality standards inspection, financial info and contract)
 - Not without challenges!

Resource: RSS

- **What:** “A cash assistance program to prevent institutionalization ... or deinstitutionalize...”
 - Accommodations, Supervision & Personal Care Services in Community Residences
 - Adult Care Facilities
- **Who:** HOME Choice consumers
 - Over the age of 18
 - Enrolled in State Plan Medicaid (not waiver)
 - Receiving Social Security, SSI and/or SSDI
 - Currently in an institution or at-risk
 - *** Many times have flexible standards around criminal background**

RSS- Residential State Supplement

- **Where:** Around the state
 - <http://mha.ohio.gov>
 - Tabs: → Regulation → Licensure → Adult Care Facilities
 - Adult Foster Homes (1-2 Residents)
 - Adult Family Homes (3-5 Residents)
 - Qualified Residence implications

RSS- Residential State Supplement

- **Application:** www.mha.ohio.gov/RSS
 - RSS Program Application
 - Release of Information
 - ODJFS 07120
- **Program contact:**
 - Ellie Jazi, LISW-S
 - RSS@mha.ohio.gov
 - Phone: 614-466-6783



What questions do you have?

Thanks for attending!

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