Second Chances

Understanding the challenges faced by both property managers and renters when a tenant has a prior criminal conviction.

Utah Housing Coalition
Housing Matters Conference
September 11, 2024

Utah Stats:

- Incarceration Rates, per 100,000 residents:
  - U.S. 350
  - Western States 310
  - Utah **164**

- Incarcerated Population, **~6,000** (96% male)

- Recidivism Rate, **16%**

- Over **850,000** Utahns have some type of misdemeanor of felony record.

https://corrections.utah.gov/operations-dashboard/
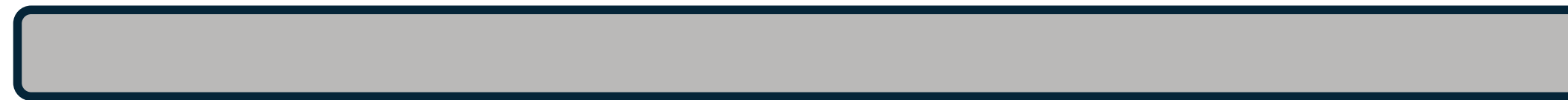
THE ISSUE

- Stable and safe housing is an important social determinant of health.

- Most supportive housing programs rely on the voluntary participation of private owners, landlords, and property managers.

- Research shows that landlords hesitate to rent to individuals with criminal backgrounds due to concerns about liability, safety, and tenant quality - creating significant barriers stable housing, which is critical for successful reentry into society.

THE ISSUE

- Landlords are key stakeholders as they are ultimately the individuals making decisions about to whom to rent.

- There is little research on landlord engagement yet it is crucial for program development.

- Educating landlords to help them avoid any bias or discriminatory attitudes and behaviors toward tenants with criminal backgrounds and/or other vulnerabilities may ensure more equitable opportunities.

LANDLORD SURVEY 2021

RESEARCH QUESTIONS

1 What level of knowledge do landlords have regarding homelessness in their community?

2 What are the attitudes of landlords regarding individual to system-level blame and responsibility for homelessness?

3 What is the comfort level of landlords in regards to renting to at-risk tenants?

4 Does a landlord's knowledge, attitude, and comfort predict their willingness to rent to at-risk or homeless populations?

Read the full study here

METHODS

- Participants of interest - landlords or property managers (N=134)
- Recruitment
  - Publicly available list of licensed landlords
    - 600 names randomly selected from list of 2,000
    - Phone/mail survey/online
  - Social media
- 49-item survey developed in consultation with community partners
  - closed- and open-ended questions

FINDINGS - KNOWLEDGE & ATTITUDES

Landlords in our study:

- Most had minimal knowledge of homelessness
- Neutral to positive attitude towards people who experienced homelessness
- 2 of 3 unaware of status of emergency shelter resources
- 40% were not able to name any resources

FINDINGS - COMFORT & WILLINGNESS

Landlords in our study:

- More negative their attitude was, the less comfort with renting
- Least comfortable renting to people who had prior evictions and challenges with substance misuse
- More comfortable with people who had physical disabilities or domestic violence
- Believing people were responsible for their homeless situation meant that landlords were less willing to rent
- Willing to rent, even to riskier profiles, especially when external support was available and demonstrated self-reliance (e.g., a steady income)

QUALITATIVE DATA: CODING TREE
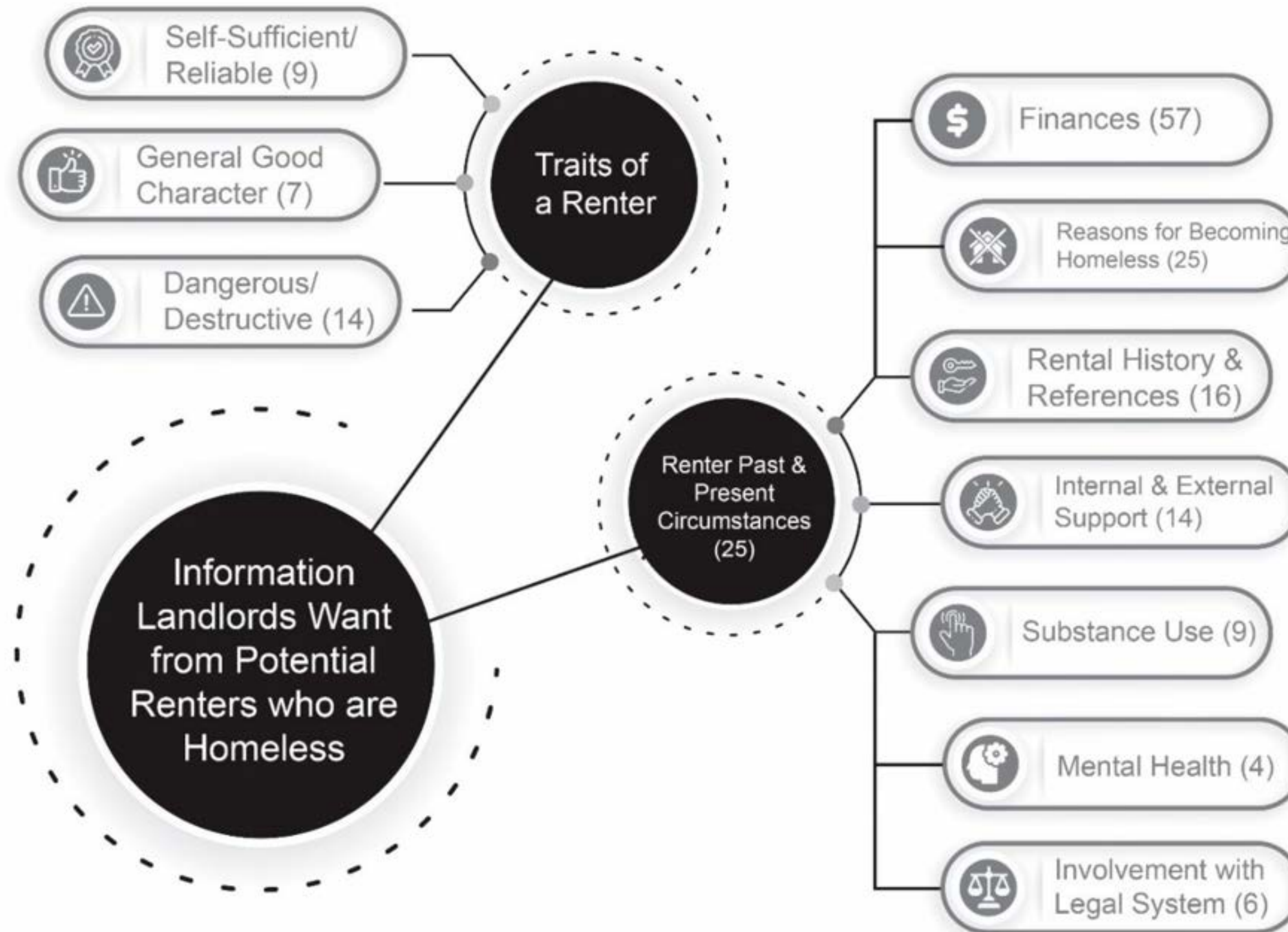
QUALITATIVE FINDINGS

- Landlords who have tenants on the cusp of eviction are not able to share potential options to help avoid a homeless episode.
- Being unaware of the issue and resources indicates that the landlords are likely not participating in local housing programs.

Build awareness and relationships locally

QUALITATIVE FINDINGS

- Consensus was more positive than expected
- More landlords than not believed that individuals needed help to get out of homelessness and help was not considered an enabling act
- May be more receptive to learning about the social issue and how they could help address it

Interventions to alter attitudes and dispel myths about homelessness

QUALITATIVE FINDINGS

- Worried about damages to their properties, particularly from those with a previous record of substance misuse and mental health history
- Comfort to rent to tenants with multiple life challenges translated to an increased willingness to rent
- Concerned about tenant's ability to consistently pay rent and be self-sufficient rather than personal histories

Create landlord engagement initiatives and supports

Staff to liaise between landlords and services

LANDLORD INTERVIEWS 2022

RESEARCH QUESTIONS

1 What program elements will effectively build knowledge, improve attitudes, and increase awareness of landlords regarding homlessness and housing issues?

2 What benefits or incentives will entice landlords to participate in a landlord engagement program?

3 What is the best method to deliver programming to landlords?

METHODS

- Population of Interest
  - Landlords/Property Managers in Box Elder, Cache, and Rich Counties

- Data Collection Method:
  - Semi-structured Interviews (N=16)

FINDINGS

01 PROGRAM DELIVERY

Code 1.1
In-person vs. Online

Code 1.2
Teaching Methods

Code 1.3
Other

02 PROGRAM ELEMENTS

Code 2.1
Knowledge of Problem & Solutions

Code 2.2
Conflict Resolution

Code 2.3
Public & Private Partnerships

Code 2.4
How to Shift Attitudes about Poverty

Code 2.5
Eviction, Prevention, & Diversion

03 PROGRAM INCENTIVES

Code 3.1
Benefits

Code 3.2
Incentives

Code 3.3
Other

04 PERSPECTIVE & EXPERIENCE

Code 4.1
Perspectives on Participating

Code 4.2
Experiences w/ Participating

Code 4.3
General Experiences & Approaches as a Landlord

Code 4.4
Personal Experiences w/ Poverty & Homelessness

HOMELESSNESS & POVERTY

● ● ●

- Most landlords agreed that the causes of poverty are largely due to outside circumstances, and are not about personal attributes or traits.
  - Landlords pointed to unemployment, lack of education, lack of affordable housing, and in some cases, personal failings, as causes of poverty and homelessness.
- Most landlords lacked knowledge of community resources and programs (e.g., Rapid Re-housing) that could help.

"I'm also aware that a lot of homelessness is caused oftentimes by things outside of the people's control...there may be some circumstance they have little to no control over."

TENANT-LANDLORD RELATIONS

- All landlords expressed a dislike for having to evict tenants and explained that they try to take precautions to stop that from happening.
  - ground rules
  - mutual agreement
  - warnings
- Almost all landlords said they do their best to understand both sides of each perspective in order to avoid and resolve conflict.
- A majority of the landlords involved lawyers or received legal counsel when working with the process of eviction.

"I think my first recourse is let's talk it out. Let's see what's going on. Explain the problem and let's make it, let's find the solution that works. And if it works for me and it works for them that's great. If not, well then, you know, the lease will end and we will have to find a different situation that works for everybody."

PROGRAM DESIGN

- Overwhelming consensus on a hybrid educational model (online and in-person educations)
- Landlords discussed wide-ranging incentives
  - License fees or financial incentives provided by local governments; alternatively, some landlords noted that knowing they're helping someone would be incentive enough.
  - Working with housing programs - double deposits, damage protection, and other risk mitigation strategies

LANDLORD ENGAGEMENT PILOT: KEY PARTNER PROGRAM

WHAT'S NEXT?

- **Asynchronous online course series**
  - Free for Utah landlords and property managers
  - Help prevent and mitigate situations leading to housing instability
  - Educate about poverty and dispel myths
  - Tenant rights to help landlords avoid discriminating against potential and current tenant
  - Interpersonal communication skills
  - Resources about housing solutions, financial assistance, mediation, and others in their area
- Piloted among a small group of landlords who provided positive and constructive feedback
- Initial pilot course was about 5 hours, editing down to 2.5-3 hours
- Encouraged additional incentives and outside connections with other small landlords

LANDLORD ENGAGEMENT PILOT: KEY PARTNER PROGRAM

Module 2.3

Sheltered and Unsheltered Homelessness

There are two different kinds of homelessness: sheltered and unsheltered. Sheltered homelessness is when an individual or a family has a place to stay that includes running water and heat. Sheltered individuals may be in domestic violence shelters, homeless shelters, couch surfing at a friend's house, or staying in a motel due to not having their own place to stay. Homelessness is considered unsheltered when an individual or family does not have a place to stay that includes running water and heat. This involves living in a car, at a camping spot, on the street, in a 24-hour business, or at a park.

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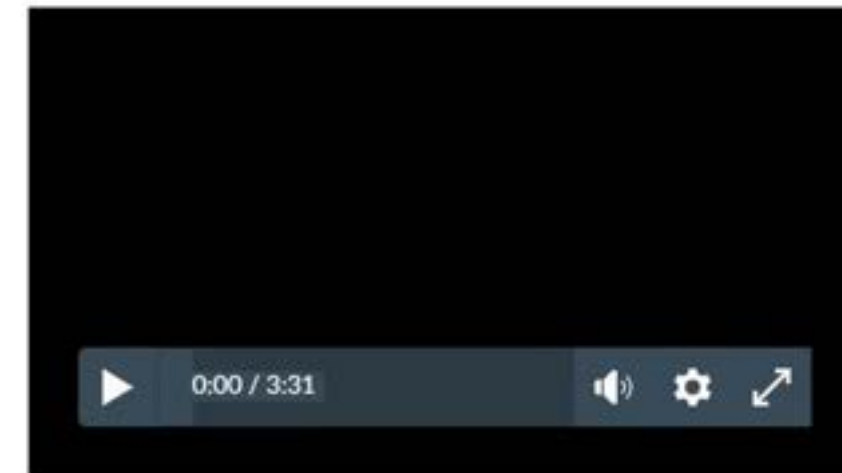
Causes of Homelessness

From the voices of current landlords

In a research study conducted by undergraduate social work students and their professors at Utah State University, landlords in the Bear River region of northern Utah were asked what they believe caused or contributed to homelessness. These are the reasons that the participating landlords cited most often:

- Unemployment
- Inflation
- Lack of affordable housing
- Low income

WHAT'S NEXT?

LANDLORD ENGAGEMENT PILOT: KEY PARTNER PROGRAM

- **Future developments**
    - Partnership with Utah Housing Coalition to seek funding
    - HUD grant for Eviction Protection Program
    - Adding the small landlord coalition, creating a platform to connect, troubleshoot, and learn how to be partners in housing instability
    - Meetings/networking, online forums, training, and resource access
    - Identify local municipalities to pilot the course on a broader scale as an alternative or in addition to the "Good Landlord Program," which often provides a discount to landlords on their business license if they complete the course

TENANT EDUCATION CERTIFICATE

WHAT'S NEXT?

- **TCI & UHC Partnership**
  - Adapt UHC's tenant toolkit to a free, accessible online tenant education course
  - Free, accessible, online, and asynchronous course
  - Seek to improve tenant knowledge of
    - what tenants should know before they rent;
    - how tenants can be successful; and
    - how tenants can prepare for move-out
- Target tenants with challenging housing backgrounds and social service agencies that serve them as a tool that might help increase housing options
- Demonstrate the value and credibility of the certificate to Utah landlords as a reliable indicator of a tenant's commitment to maintaining a positive rental experience
- Enhance tenant opportunities for quality, affordable housing while also reassuring landlords of the reputation of certified tenants
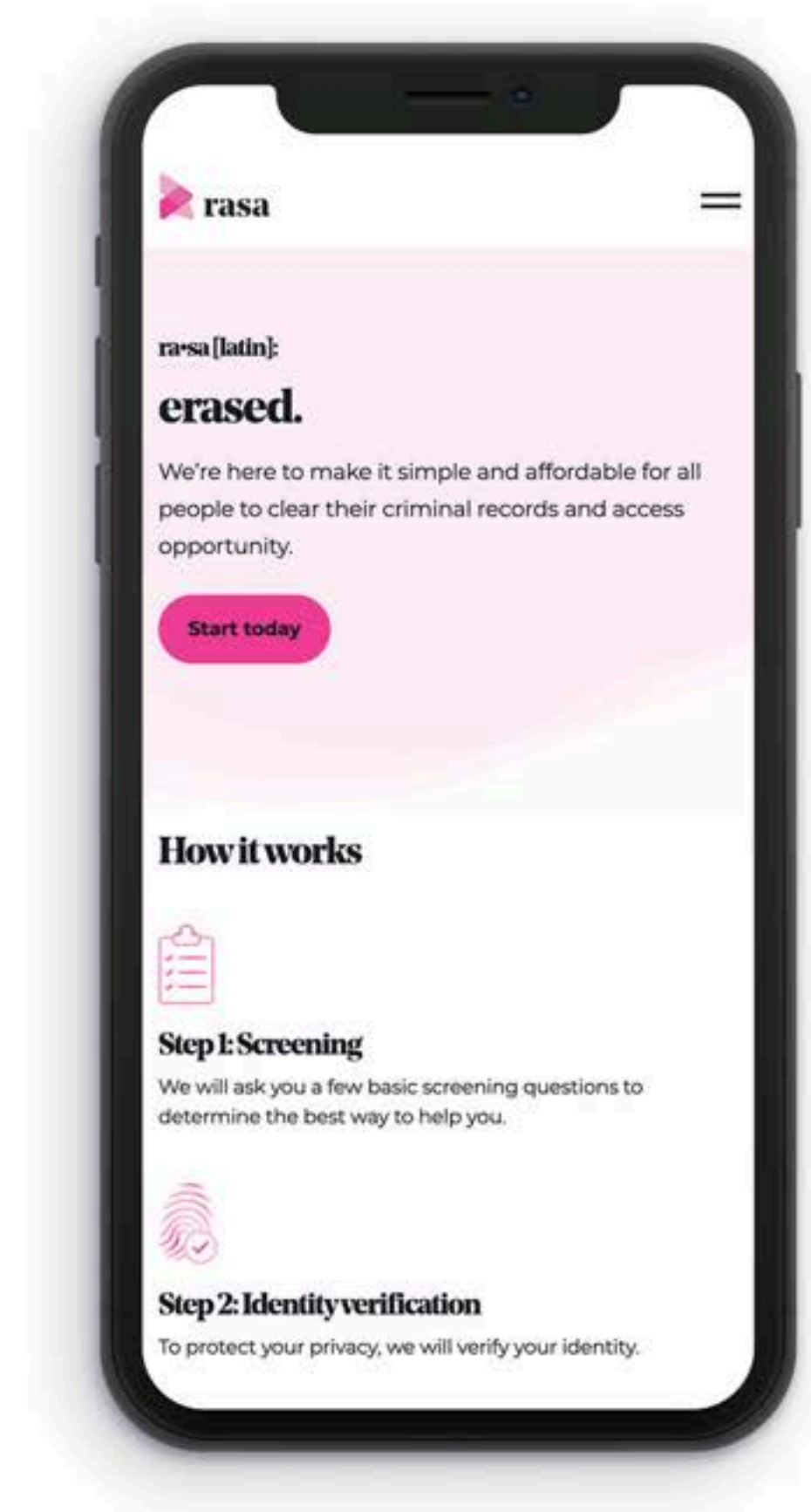
Contact

Dr. Jess Lucero
Associate Professor & Department Head,
Social Work

Dr. Jayme Walters
Assistant Professor, Social Work
Director, TCI

rasa

MY BACKGROUND

- Attorney and Former Public Defender

- Salt Lake County Criminal Justice Advisory Council Director

- Leader of Utah's Clean Slate Campaign

- Founder of Clean Slate Utah

- Former Steering Committee member on National Clean Slate Initiative

- CEO of Rasa Legal

Noella Sudbury, JD

FOUNDER & CEO

CASE STUDY

case study

TRYING TO MOVE ON FROM PAST

❌ Homeless

❌ Transitioning out of treatment; ordered to get a job within 2 weeks

❌ Crime free, but still experiencing constant barriers

❌ On government assistance for everything: housing, food stamps, financial aid, kid's insurance

❌ Unable to get a job: getting denied constantly after background checks

IMPACTS ON HEALTH:

Mentally unstable and hopeless; experienced food insecurity; constantly worried about young daughter

CLEARS CRIMINAL RECORD

✅ Able to get employment

✅ Able to get an apartment with her son's name on the lease

✅ Able to rebuild relationships

✅ Gained financial stability and transitioned off gov't benefits

✅ Obtained access to good dental care, allowing her to fix her teeth

IMPACTS ON HEALTH:

Immediate effect on health and wellness; access to healthy food and pro-social networks; reduced stress and increased physical and mental stability.

BEGINS TO THRIVE

✅ Executive Director of Clean Slate Utah

✅ Works full-time and able to pay for childcare for her daughter.

✅ First time home owner

✅ Purchased a car

✅ Started a college savings account for her daughter

IMPACTS ON HEALTH:

Full transformation in confidence; now an advocate to others; changing and breaking generational cycles of incarceration and poverty.

THE PROBLEM

the problem

- Over 850,000 Utahns have some type of misdemeanor or felony record

- Criminal records are digital and permanent

- Even old and minor records prevent people from accessing jobs, housing, education, and opportunity.

- 78% of people have been denied housing after a background check.

Amy is one of the 850,000 Utahns with a criminal record. Early in her recovery, she was denied housing repeatedly because of her criminal record.

# SO WHY DOESN'T EVERYONE JUST CLEAR THEIR RECORDS?

the problem

- Clearing a criminal record is costly and complicated.

- State expungement laws and government processes make it difficult to determine if you're eligible.

- It typically costs a minimum of $2,000 to $5,000 to hire a lawyer, which is out of reach for most people with criminal records.

Anthony is one of the 70-100 million Americans with a criminal record. His criminal record has cost him many higher-paying jobs and makes him feel like a second-class citizen.

OUR SOLUTION
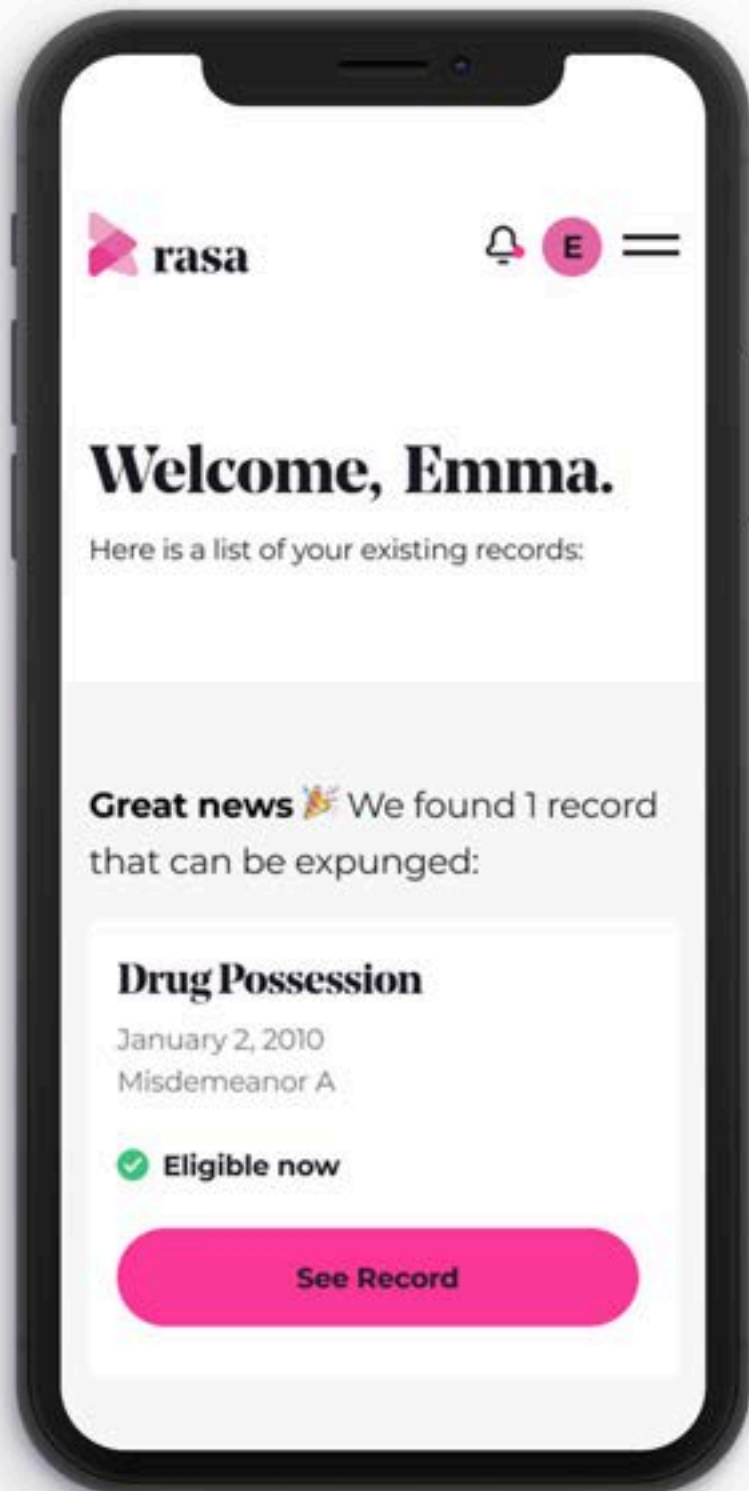
OUR WEB APPLICATION:

- In under 3 minutes, we analyze a secure and complete database of court records to determine whether a person is eligible for expungement under existing state law.

- If individuals have eligible records, we will offer to clear their records for $250 per case (compared to the $2-5k of a traditional lawyer).
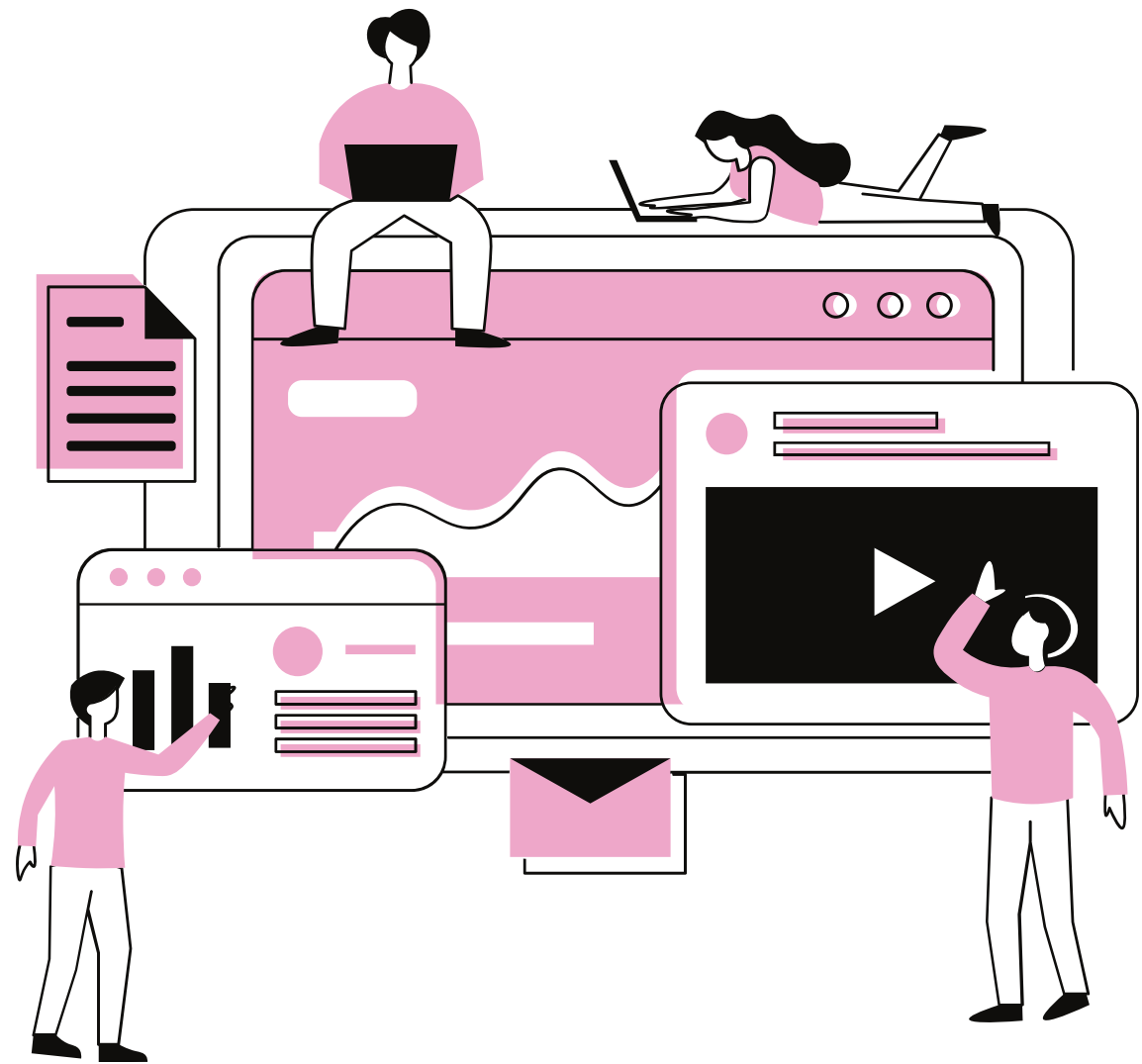
OUR TECH & NON-LAWYERS:

- Our back-end computer software generates all legal paperwork, keeps track of all deadlines, notifies necessary parties, and sends out email and text alerts to keep clients informed.

- We train, upskill, and empower formerly incarcerated people to help with our legal work.

WHAT TYPES OF RECORDS CAN BE EXPUNGED?

rasa

YOU ARE <u>NOT</u> ELIGIBLE TO EXPUNGE ANY RECORDS IF YOU:

- Have any open criminal cases
- Have any upcoming court dates
- Are on probation or parole
- Owe fines, fees, or restitution

![rasa]

INELIGIBLE TYPES OF RECORDS

These records are <u>never</u> eligible for expungement under Utah law:

Capital and First-Degree Felonies	**Violent Felonies**
Felony DUIs	**Registrable Offenses**

ELIGIBILITY DEPENDS ON THREE THINGS:

1 How Many Offenses?

2 What Kind of Offenses?

3 How Long Ago the Offenses Occurred?

ELIGIBLE OFFENSES AND WAITING PERIODS

Misdemeanor DUI or Impaired Driving Conviction	10 YEARS
Felonies (typically limited to 1)	7 YEARS
Class A Misdemeanors (typically limited to 2)	5 YEARS
Class B Misdemeanors (typically limited to 3)	4 YEARS
Class C Misdemeanors	3 YEARS
Acquittals	60 DAYS (FROM ORDER OF ACQUITTAL)
Dismissals except plea in abeyance cases	180 DAYS (FROM ORDER OF DISMISSAL)
Dismissals as a result of plea in abeyance agreement	30 DAYS (FROM ORDER OF DISMISSAL)

*If it's been 10 years, unlimited B, C, & Drug Possession Convictions

our impact

- Since launch, we have helped more than 12,000 Utahns determine their eligibility for record clearance and connect to an affordable lawyer to help them through the process.

- We have successfully expunged more than 3,000 cases across the state, opening up more stable housing and employment opportunities for low-income Utahns.

WORKING WITH RASA WAS A GREAT EXPERIENCE.

I got the best news ever today. Thanks to Rasa my criminal record is a thing of the past. After so many years working to be the woman and mother I always wanted to be, I no longer have a record following me around reminding me of my mistakes. It was so easy. They did all the work to make this happen for me.

RASA CUSTOMER
★ ★ ★ ★ ★

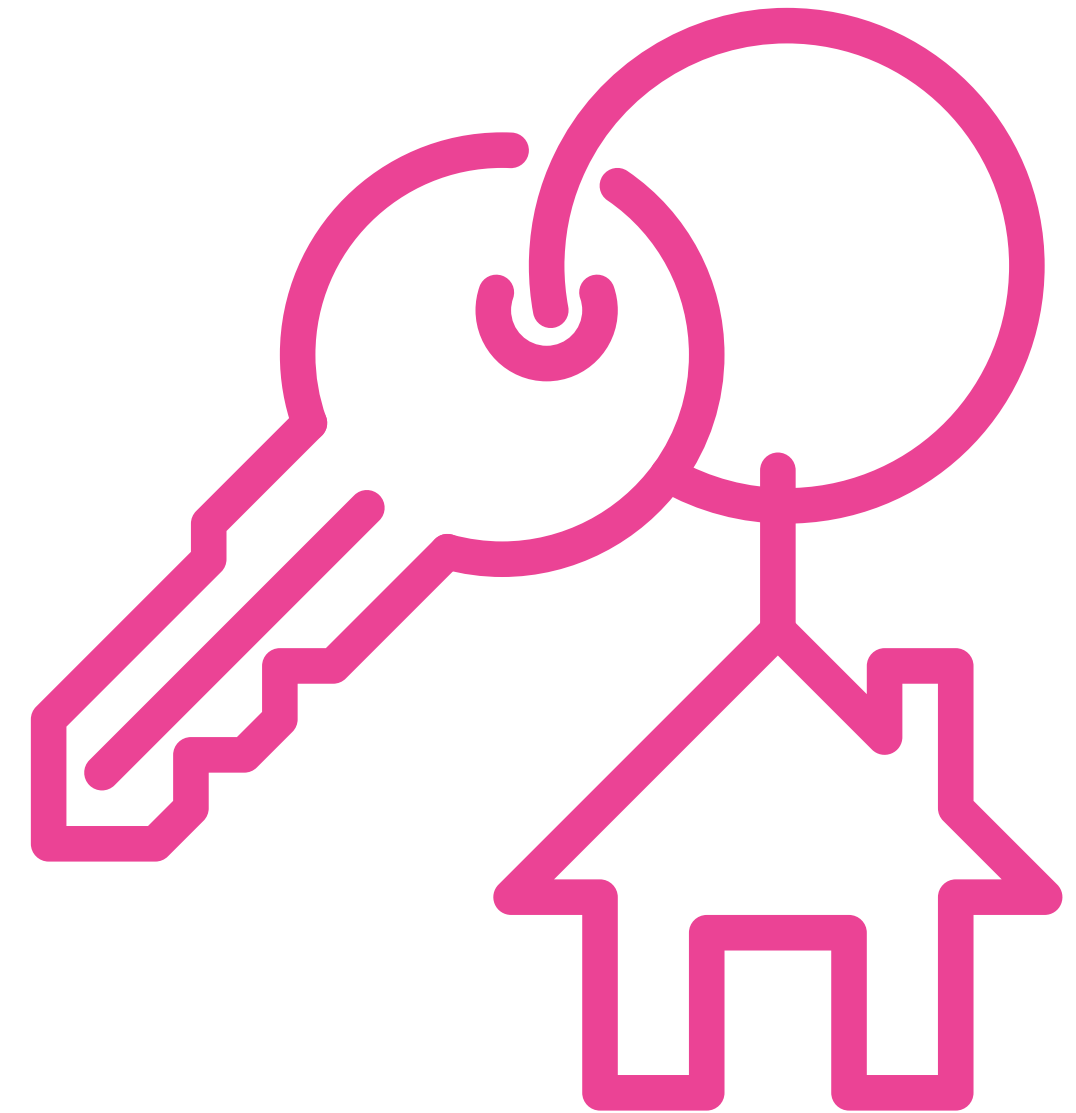★ Trustpilot

★ ★ ★ ★ ★

TrustScore 4.8 | Excellent

Google
Reviews ★ ★ ★ ★ ★

WHAT ABOUT EVICTION RECORDS?

EVICTION RECORDS

- Generally, a record of a lawsuit is a permanent public record.

- This can make it difficult for people with an eviction record to rent an apartment.

- However, records of some eviction cases can be expunged.

EVICTION EXPUNGEMENT

- **Automatic:** eviction action dismissed, no appeal, and it has been at least 3 years

- **Petition-Based:** eviction is for non-payment of rent or staying on property after the expiration of a lease; AND the judgment has been satisfied.

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QUESTIONS

For more information: go to rasa-legal.com or email me at noella@rasa-legal.com

Salt Lake County Human Services, Homelessness, and Criminal Justice Reform Action Plan

Salt Lake County: Systemic Coordination Efforts

Inspired by community impact, and a recognition of growing needs, Salt Lake County developed a systemic plan to address the intersection of homelessness, behavioral health, and the criminal justice system.
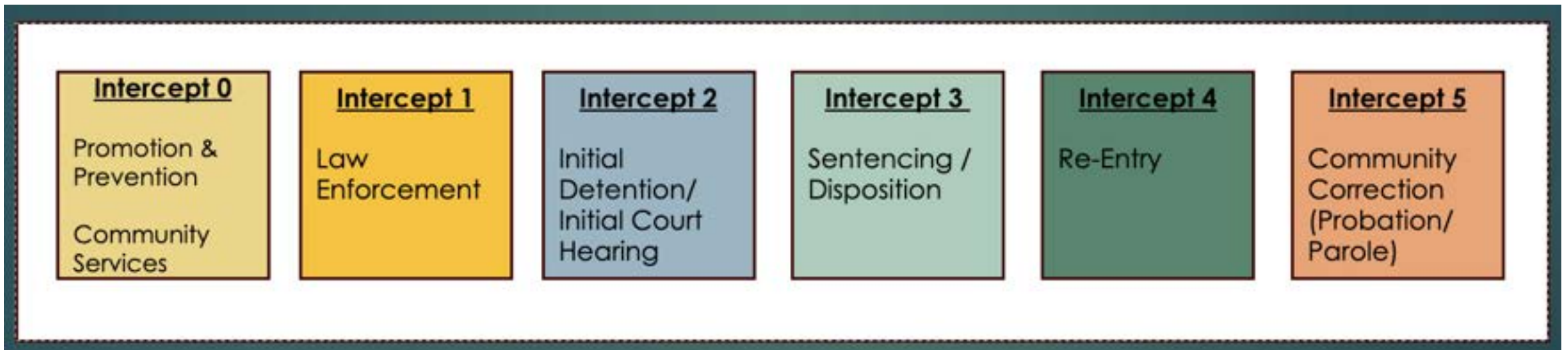
- **We have**
  - Mapped the gaps in the system utilizing Sequential Intercept Model
  - Identified barriers
  - Analyzed the cost of necessary additional investment
  - Visited innovative models in Miami, FL and Washington Co., OR
  - Convened workgroups focusing systemic coordination

To achieve a shared vision:

That homelessness is brief, rare, and non-recurring.

Salt Lake County Sequential Intercept Model (SIM)

The SIM seeks to provide trauma-informed services at the earliest point of intervention in the criminal/legal system to move individuals out of cycles of homelessness, criminal justice involvement and behavioral health crises, and preserve criminal justice resources for those who cannot be safely released into society.

Intercept 0	Intercept 1	Intercept 2	Intercept 3	Intercept 4	Intercept 5
Promotion & Prevention Community Services	Law Enforcement	Initial Detention/ Initial Court Hearing	Sentencing / Disposition	Re-Entry	Community Correction (Probation/ Parole)

SL
SALT LAKE
COUNTY

Salt Lake County Sequential Intercept Model (SIM)

Individuals	**Hospitals**	**Law Enforcement**	**Corrections**	**Courts**	**Providers**
• Provide more effective treatment in more appropriate settings for better long-term success for individuals in need, ending cycles of repeat engagement in criminal justice or homeless systems	• Reduce expensive, inefficient use of hospital emergency departments	• Reduce calls to law enforcement for crimes that are symptoms of mental illness, enabling more focus on violent crimes	• Reduce the use of jail as the de facto provider of mental health care and substance abuse treatment for low-income individuals, enabling better use of resources for individuals who cannot be served in the community	• Improve case loads by resolving cases through diversion to treatment of SMI before adjudication	• Enhance data-informed coordination between providers for long-term individual success that helps promote sustainable resource allocation to providers

SALT LAKE COUNTY

Our Goals

Bolster System Access

Create an efficient system to access housing, behavioral health, employment, and other needed services to reduce the number of people living on our streets, and develop clear, successful pathways to housing and additional opportunities for people experiencing homelessness.

Increase Collaboration/Efficiency = Reduce Costs

Increase collaboration and systemic efficiency to realize cost savings and improved client outcomes.

Decriminalize Homelessness

Ensure accountability in our communities while not criminalizing acts related to homelessness.

Require Criminal Accountability

Hold people accountable for criminal acts and prevent people from further penetrating the criminal justice system.

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COUNTY

Identified Concerns

Supportive Housing Need

Criminal Justice and Law Enforcement Challenges

Systemic Gaps

Supportive Housing Need

Salt Lake County estimates that 1,000 people are living unsheltered within the county.

300 people require intensive treatment and group home housing support such as residential or Assertive Community Treatment (ACT) team levels of care.

300 people require permanent supportive housing with case management and a focus on mental health support.

400 people need various levels of housing which could be permanent supportive housing or rental subsidies with less intensive behavioral health supports.

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SALT LAKE
COUNTY

Criminal Justice and Law Enforcement Challenges

- Systems are not aligned nor coordinated.

- America's drug crisis has led to increased drugs on our streets.

- Law enforcement response for people who are homeless or in mental health crisis is not standardized.

- Inconsistent Crisis Intervention Trained (CIT) officers.

Due to a lack of affordable housing and sufficient mental health treatment and other social services, jail has become the defacto system to serve people experiencing homelessness who have mental illness and substance use disorders.

Length of stay in jail is 3.5x longer for those in emergency shelters vs those in more permanent housing.

Over 50 unhoused people in jail at anytime, have a severe mental illness.

1,200 people who are in pretrial and probation, are unstably housed.

SL SALT LAKE COUNTY

Systemic Gaps

Workforce:

Insufficient behavioral health workforce for mental health treatment and supportive housing needs.

Health and Wellness:

Insufficient coordinated health and wellness care system to meet the needs of people experiencing homelessness.

Mental Health Services:

Insufficient mental health capacity to serve those with severe mental illness in the community and in the jail.

Integrated Data System:

Need for integrated data system to better serve clients and evaluate system outcomes.

SALT LAKE COUNTY

Solutions & Progress

Solution: Expand Housing Units in Salt Lake County

Bring an additional 1,000 units online over the next 5 years.

Progress:
- *Opened Valley Oaks Group Home with 29 beds in Nov 2023*
- *Opened Canyon Rim Group Home for 40 women in Millcreek on April 15, 2024*
- *Opening new 40 bed group home in Salt Lake City (Early 2025)*

- *Working with non-profit partner for development of permanent supportive housing for those with serious mental illness (approximately 90 units)*

- *Studying capital and construction costs for a mix of housing to meet the 400 general PSH.*

SALT LAKE COUNTY

Solution: Enforcement and Criminal Justice Reform

Engage in system policy change and reform to bring about cost savings and efficiencies for better outcomes.

Provide: Regional SLCO-wide Crisis Intervention Training for local law enforcement.

Progress: Criminal Justice Advisory Council (CJAC) Work Group has been established and is working on a plan to implement/fund. Applying for Federal funding to support training and coordination.

Support: Regional Law Enforcement education and training for use of the new Receiving Center alternative to jail for those in substance use disorder (SUD) & mental health crisis.

Progress: CJAC Work Group has been established and is working with state and law enforcement partners on guiding criteria and educational campaign for Spring 2025 opening.

Solution: Address Systemic Gaps

Workforce: Implement workforce training programs and a peer support specialist program to help meet service needs and provide employment opportunities.

Progress: Convening local peer support coalition to support their needs and receive feedback for program expansion. Program expansion ready for implementation once funding source is determined.

Health and Wellness Care: Fund 4th Street Clinic to expand medical and street services for those living unsheltered.

Progress: Program is developed and ready for expansion through 4th Street Clinic and VOA once funding source is determined.

SALT LAKE COUNTY

Solution: Address Systemic Gaps Continued…

Mental Health Services: Expand mental health supports in the jail and in expanded seriously mentally ill (SMI) housing.

Progress: Need currently being evaluated and finalized within the Jail Expansion / JAC design model.

Integrated Data System:
Develop data sharing agreements and design and implement an integrated data system to support better client outcomes.

Progress: Work group has been established and data integration mapping both internal and external to SLCO is underway.

SL
SALT LAKE
COUNTY

Solution: Public Safety Bond
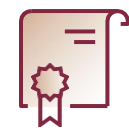
Address Systemic Gaps

Expand Housing Units

Build Justice & Accountability Center →

Enforcement and Criminal Justice Reform

Improve & Expand Jail + Mental Health Unit →

Support Drug Enforcement (DEA) Task Force

Public Safety Bond is a catalyst for essential parts of the systemic plan:

- Justice and Accountability Center; including structured space for:
  - Mental Health and Substance Use Services
  - Job Training & Employment Resources
  - Connection to Housing Opportunities
- Combine Two County Jails; including:
  - Updated and Increased Mental Health Units

SALT LAKE COUNTY

County Jail System Revamp

Combine the two county jails; increase capacity, expand mental health unit, and build stepdown unit

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Adult Detention Center

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Adult Detention Center
(Expanded)
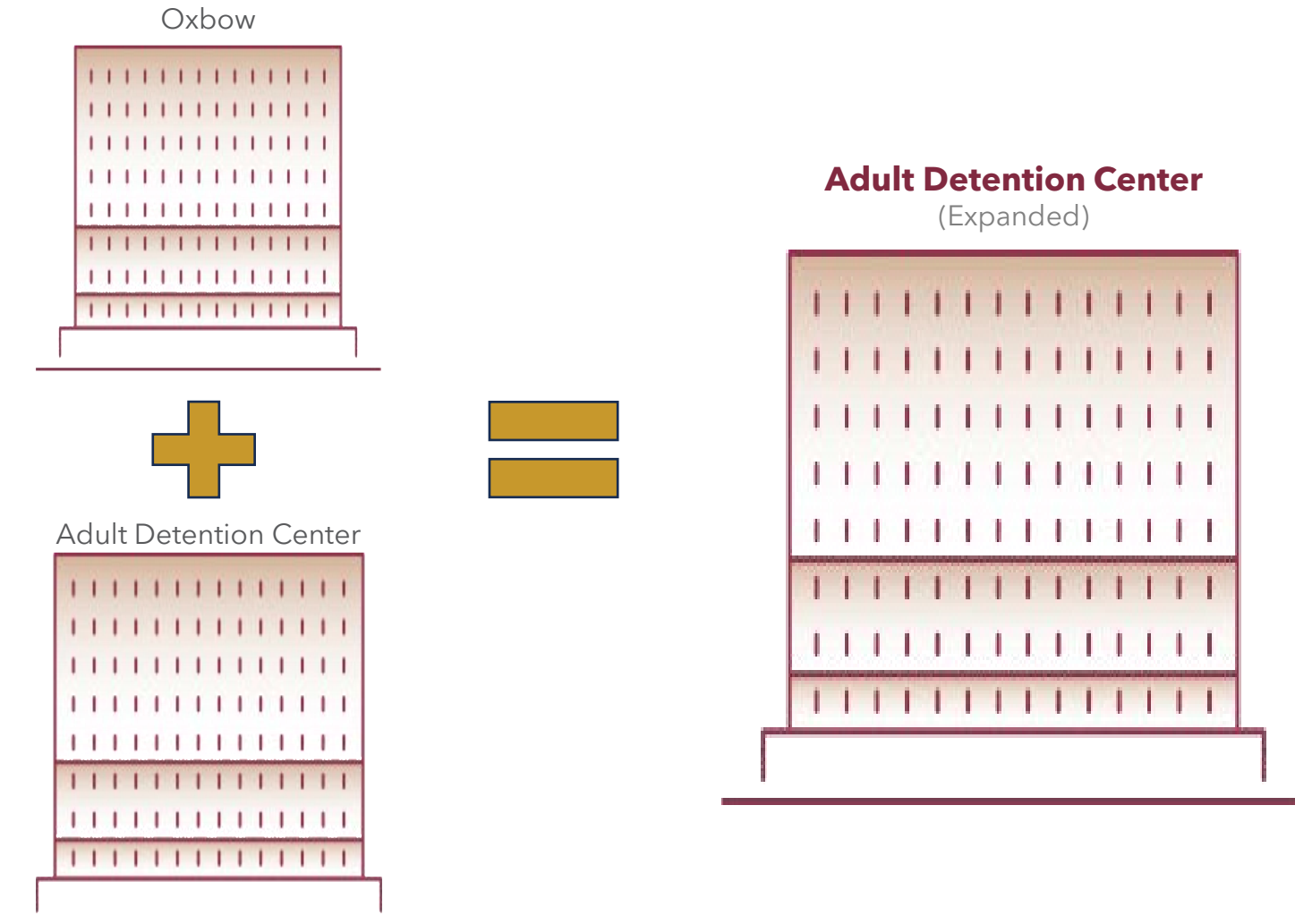
**General Population
(Includes SUD Treatment Unit)**

Increased general population; built for future growth as well as improved substance use disorder treatment unit.

Mental Health Unit

Expanded and modernized behavioral health unit to better serve population.

Community Reentry Stepdown Unit

Transitional unit to help prepare inmates to rejoin society on a path towards self-reliance.

Total Newly Constructed Beds = 812

SL SALT LAKE COUNTY

Justice & Accountability Center

Supervised alternative for low-level offenders with resources to reduce repeat offenses and support people's path to self-reliance.
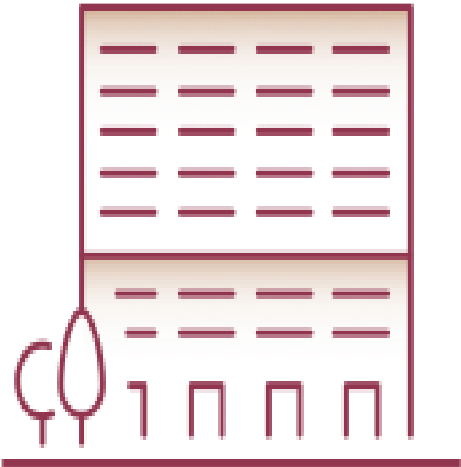
Wrap-Around Stabilization Units

- Dedicated Case Workers
- Job Training and Employment Services
- Mental Health and Substance Use Disorder Treatment
- Connection to Housing Options

Behavioral Health Stabilization Units

Intensive mental health/substance use treatment unit to prepare people to transition to the Wrap-Around space.

SL SALT LAKE COUNTY

Questions?

Thank you!

Kelly Colopy

Director, Salt Lake County Human Services Department

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