Strategies for Prioritizing People with Criminal Records in Coordinated Entry Systems

People with criminal records face formal and informal barriers to full participation in society, including access to housing, employment, education, public benefits, and healthcare. Informal barriers, such as social stigma, can further isolate this population from the community. Together, these factors create long-term trauma, collateral consequences, and mortality risk – challenges faced disproportionately by people of color who are vastly overrepresented among the population of people impacted by the criminal justice system (CJS).

People with criminal records who experience homelessness are thus highly vulnerable to (re)traumatization, illness, and death, and are among those least likely to be able to obtain and maintain stable housing absent intervention by the homelessness response system. This document provides strategies for prioritizing people with criminal records in coordinated entry systems (CES).

Key Strategies and Action Steps

- **Ensure coordinated entry policies and procedures operate in accordance with the** [Housing First](#) **approach and prohibit individual programs from implementing eligibility requirements or other barriers** not required by the terms of their funding
- **Increase access for people involved with the criminal justice system for housing and services** by identifying appropriate factors and assessment methods that lower barriers
- **Regularly evaluate assessment and processes** to ensure they effectively increase access for people involved with the criminal justice system in accordance with their individualized vulnerability and need

Ensure CES Policies and Procedures Prohibit Screening People Out

Coordinated entry (CE) is intended to prioritize the people with the greatest vulnerability and need for limited housing, services, and other resources[1]. Therefore, it is essential for communities to ensure that the housing barriers and challenges, indicating vulnerability and need, do not prevent people from being able to access programs. Consider the following:

❑ **Policies and procedures should prohibit programs "from screening people out of the coordinated entry process due to perceived barriers to housing or services**, including, but not limited to, too little or no income, active or a history of substance abuse, domestic violence history, resistance to receiving services, the type or extent of disability-related services or supports that are needed, history of evictions or poor credit, lease violations or history of not being a leaseholder, or criminal record."[2] To further support this goal, communities should narrowly define the circumstances in which individual programs may reject a referral for placement (e.g., ineligibility, failure to locate despite reasonable efforts, etc.).

❑ **Reduce barriers to entry for individual programs, in accordance with the Housing First approach:** To effectively prioritize housing and services for people with the highest levels of vulnerability and need, communities must ensure that individual programs do not impose additional eligibility requirements or barriers beyond those imposed by the terms of the funding which they receive. Communities may consider using a combination of peer learning, technical assistance, monitoring, and annual grant competitions to induce programs to reduce barriers to the maximum extent feasible. This approach will bring those programs into alignment with Housing First principles and support the community to quickly rehouse people with the greatest vulnerability and need, improve performance, and reduce the administrative burden on the coordinated entry system.

❑ **Ensure that individual programs house only individuals and families prioritized and referred for placement through the coordinated entry system:** Programs funded by HUD's Continuum of Care (CoC) and Emergency Solutions Grants (ESG) programs are required to receive clients exclusively through the community's coordinated entry system. Communities should monitor programs to ensure compliance with this requirement and take corrective action where necessary. Other HUD programs and

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[1] ***New to Coordinated Entry?** Start with the **Coordinated Entry Core Elements** guidebook and the **2017 Coordinated Entry Notice** that established new requirements for recipients of CoC and ESG program funding. **View additional Coordinated Entry materials on the HUD Exchange**.

[2] HUD Coordinated Entry Notice: Section II.B.4, available at: https://www.hud.gov/sites/documents/17-01CPDN.PDF

non-HUD-funded housing and service programs are strongly encouraged to work with their local CES.

❑ **Ensure that CE policies and procedures narrowly define the circumstances in which individual programs may reject a referral for placement:** The purpose of a CES is to bring disparate programs into alignment so that a community can implement a coordinated, equitable, and speedy response to homelessness. As such, individual programs should be expected to actively participate in their local CES and not seek excuses to screen clients out of their programs who were identified as having high levels of vulnerability/need and referred through the CE process.

Unique Challenges for People with Criminal Records for Housing and Services

People involved with the criminal justice system face unique challenges to securing safe and stable housing:

- **People who have been incarcerated are more likely to experience homelessness:** People who have been incarcerated are 10x more likely to experience homelessness than the general population.[3]

- **Homelessness increases the likelihood that people will experience arrest or incarceration:** People in unsheltered situations are 9x more likely to have spent at least one night in jail in the last six months than those in shelter.[4]

For these reasons, people with criminal records or otherwise impacted by the criminal justice system have high levels of vulnerability and need. Communities may consider increasing access for this population to housing and services through their coordinated entry systems. To do so, communities should consider two questions:

❑ **What aspects of involvement with the criminal justice system make individuals or families more vulnerable or increase their level of need?** The answer(s) to this question will inform the prioritization decisions that a community can make through its coordinated entry system. See the *prioritization* section below for more information.

❑ **How can the community identify the aspects of involvement with the criminal justice system that make people more vulnerable or increased their level of need among people experiencing homelessness?** Once a community has identified the relevant

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[3] The Prison Policy Initiative, *Nowhere to Go: Homelessness among formerly incarcerated people* (2018), available at: https://www. prisonpolicy.org/reports/rates.html.
[4] California Policy Lab, *Health Conditions Among Unsheltered Adults in the U.S.* (2019), available at: https://www.capolicylab.org/wp-content/uploads/2023/02/Health-Conditions-Among-Unsheltered-Adults-in-the-U.S..pdf.

prioritization factor(s), it must determine how to collect the information necessary to prioritize people for housing and services. See the *assessment* section below for more information.

Incorporate CJS Involvement into CE Processes

CE prioritization is designed to triage limited housing and services for people who are the least likely to obtain and maintain stable housing and most likely to face adverse consequences absent intervention. To do so, communities must identify relevant factors that indicate vulnerability and need. Utilizing identified factors to determine which person experiencing homelessness receives available resources first is the key task of a community's coordinated entry prioritization process.

In the CE process, the assessment is completed with the program participant before they are prioritized for housing, but communities should develop their prioritization schemes first, then determine what data needs to be collected and in what manner to implement the prioritization scheme. Assessment will be discussed in the next section.

While multiple factors may tend to indicate vulnerability or need (e.g., length of time homeless, history of mental or physical health challenges, etc.), all factors must be:

- **Objective:** All prioritization factors should be objectively measurable and discernible.

- **Locally-relevant:** Prioritization factors must be relevant to vulnerability and need of the people experiencing homelessness within the specific area in which the Continuum of Care (CoC) is located.

- **Non-discriminatory:** Prioritization factors may not solely be based upon membership in a Fair Housing Act protected class (i.e., race, color, religion, sex/gender, sexual orientation, marital status, medical diagnosis, national origin, age, etc.). Instead, factors should be based on experiences or status that indicate individualized vulnerability and need.

When considering how to incorporate barriers to housing into CE prioritization, communities should consider whether a criminal record or history of involvement with the criminal justice system is an objective, locally-relevant, non-discriminatory basis to identify people with higher levels of vulnerability and need. To gauge vulnerability and need, communities can consider utilizing the following prioritization factors (among other, non-CJS-related prioritization factors):

- ❑ **Experience(s) of incarceration** may adversely affect an individual or family's ability to obtain or maintain housing, as well as their likelihood of experiencing further adverse consequences of remaining unhoused.

❑ **Possession of a criminal record or community supervision status** may similarly impede a person's ability to obtain and maintain housing absent intervention.

❑ **Interactions with law enforcement** may place the individual or family at greater risk, particularly if such interactions are frequent and directly related to their experience of homelessness.

❑ The **frequency, length, timing, or causes** of any of the above may further indicate vulnerability and need.

❑ Communities may consider **weighing** any (or all) of these aspects as part of their prioritization processes. For instance, communities can provide greater or lesser weight to specific prioritization factors or to frequency of involvement with the criminal justice system.

Collect Relevant Information Regarding CJS Involvement Through the CES Assessment Process

CE assessment is the process by which communities collect the information necessary to prioritize people experiencing homelessness for housing and services according to the community's stated prioritization scheme.

While the nature of the assessment process will be highly dependent on the specific needs of the community and its chosen prioritization factors, in general, communities should strive to implement assessment processes that are:

- **Minimally burdensome:** CE assessment typically requires self-reported information from people experiencing homelessness. If possible, however, communities can reduce the burden on both staff administering the assessment and people experiencing homelessness by collecting information through other means (HMIS, data-sharing agreements with other information systems, etc.). Where information can be collected in a less burdensome manner, communities should do so.

- **Clear and concise:** Make sure questions are worded clearly so that staff can ask them correctly and clients can answer them accurately. Avoid using jargon, euphemisms, or other expressions that would require specific cultural experience, education, or language fluency to understand.

- **Minimally invasive:** Even well-crafted assessment processes can be invasive, personal experiences for the people to whom they are administered. Be sure to collect only the information strictly necessary for coordinated entry prioritization as part of the coordinated entry assessment process. If the information collected will be used for a purpose other than prioritization, collect it at a different time.

- **Trauma-informed:** Make sure staff administering assessments are trained in trauma-informed care and understand that involvement with the criminal justice system can

cause trauma. Have staff state explicitly that clients don't have to answer these questions and will not be punished for their answers.

- **Carefully considered by appropriate partners:** Ensure that all relevant partners are represented in the development of an assessment process. Relevant partners should include: people with lived experience of both homelessness and the criminal justice system; lived experience advisory boards; youth advisory boards; CE committees; data committees; and assessors. Careful consideration by all relevant partners can help ensure that the assessment process is narrowly tailored according to the principles discussed above.

Community Examples

The following Community Spotlights provide examples of communities that have attempted to utilize factors related to possession of a criminal record and other impacts of involvement with the criminal justice system to prioritize people for housing and services. They are intended solely as examples and this tool makes no claims regarding overall impact or effectiveness.

Community Spotlight: Houston, TX

Housing prioritization in this CoC focuses the following vulnerability factors:

1. Homeless history
2. History of involvement with hospitals or jails
3. Criminal background history
4. Mental health history and lack of care
5. Physical health history and lack of care

The assessment tool addresses these factors, in part, by asking people experiencing homelessness to indicate: "How many times in the past six months have you been arrested or been in jail/prison/juvenile detention?" The tool awards one point for each time.

With this prioritization scheme, the tool captures the frequency of a person's contact with the criminal justice system, considers people with more contacts to be more vulnerable, and creates a scoring system that prioritizes those individuals and families. The CoC has noted that a six-month timeframe may be too short, given the length of time it typically takes from arrest to release from incarceration, and is considering expanding to cover a one-, two-, or three-year timeframe.

Community Spotlight: Chicago, IL

In 2022, the Chicago CoC piloted a new assessment tool centering people with lived experience of homelessness and intending to improve racial equity through the CES. One method of accomplishing this goal has been to improve housing outcomes for people impacted by the criminal justice system.

To this end, the CoC's assessment tool asks people experiencing homelessness "Have you ever in your life, spent any amount of time in a juvenile or adult correctional facility, jail, prison, or detention center?"

Notably, this formulation is a yes/no question considering a much longer period of time, and considers the individual's experiences over the full course of their lifetime.

Community Spotlight: Denver, CO

In 2019, the Metropolitan Denver CoC added questions to its assessment tool to identify people who could benefit from housing and services administered by an organization with extensive reentry programming for people who have been incarcerated. These questions included:

- "Have you had significant interaction(s) with the criminal justice system?"
- "Have you been in jail or prison in the last two years?"
- "Approximately, how many total years have you been incarcerated, in either jail or prison, throughout your lifetime?
    - a. 0-1 years
    - b. b. 1-2 years
    - c. c. 3-5 years
    - d. d. 6-10 years
    - e. e. More than 10 years"
- "How much time, if any, did you spend on Administrative Segregation while incarcerated? (e.g. Ad Seg, solitary confinement, solitary, restrictive housing, special management)
    - a. a. less than one month
    - b. b. one to two months
    - c. c. two to four months
    - d. d. four to six months
    - e. e. more than six months"

These questions consider an individual's experience more holistically, capturing the frequency and severity of contact with the CJS, with the purpose of better matching people to appropriate housing and services.

Regularly Evaluate Prioritization and Assessment Processes

No prioritization or assessment process will be perfect, nor should it be permanent. Communities should expect to regularly evaluate and make changes to both prioritization and assessment processes to improve effectiveness.

Any time a community makes changes to either their prioritization or assessment processes (i.e., to incorporate a focus on prioritizing people with criminal records or otherwise impacted by the criminal justice system), communities should conduct an evaluation of the effectiveness of those changes. Consider utilizing the following strategies:

Evaluation Strategy	Purpose
Surveys, focus groups, and interviews with people with lived experience of homelessness and the CJS	• Determine if the assessment questions are clear and not traumatic • Solicit feedback on the CES process • Collect suggestions for additional or alternative ways to assess CJS involvement
Surveys, focus groups, and interviews with frontline staff who administer assessments	• Determine if there are barriers to administering the assessment as designed • Understand what clients' reactions to these questions are • Understand if staff need additional training
Surveys, focus groups, and interviews with housing providers	• Confirm they understand that these populations are vulnerable and need to be prioritized for housing • Understand barriers providers face to housing these populations • Determine if CJS involvement is a reason for referral denials
Analysis of Homeless Management Information system (HMIS) assessment data	• Confirm people receive higher scores for responding that they are impacted by the CJS • Determine if people who respond that they are impacted by the CJS receive referrals and move-in dates at higher rates than the total CES enrollment population
Analysis of HMIS referral data	• Determine if CJS involvement is a reason for referral denials

Where a community discovers that changes made to prioritization and assessment processes are not fully effective, they should make additional changes to these processes. Potential solutions to better increase access for people with criminal records or otherwise impacted by the criminal justice system may include:

☐ **Redesigning the prioritization scheme:** Whenever a coordinated entry prioritization scheme fails to prioritize people with the highest levels of vulnerability and need, communities should change the scheme.

☐ **Redesigning the assessment process:** Whenever a coordinated entry assessment process fails to accurately capture relevant information in a minimally burdensome, clear, concise, minimally invasive, trauma-informed manner, communities should consider making changes to the assessment process.

☐ **Update coordinated entry policies and procedures:** Whenever the coordinated entry fails to rapidly rehouse people experiencing homelessness with the highest level of vulnerability and need, communities should consider whether that are aspects of the system itself which pose barriers to this goal.

☐ **Training or technical assistance for providers and staff:** Whenever implementation of coordinated entry prioritization schemes, assessment processes, or policies and procedures does not comport with the community's intended process, communities can consider providing additional training or technical assistance to providers and staff to bring about alignment.

Additional Resources

- [CoC Program Toolkit – Coordinated Entry (HUD)](): An archive of HUD resources discussing the philosophy, requirements, and models of Coordinated Entry processes

- [Coordinated Entry Community Samples Catalogue (HUD)](): An updated collection of coordinated entry tools, policies, and related documents created by CoCs from across the country

- [Outline for a Continuum of Care's Coordinated Entry (HUD)](): A starting point to develop locally specific CE policies and procedures that reflect the particular CoC's operational standards and management practices

- [Coordinated Entry Self-Assessment (HUD)](): A reference to help communities identify key aspects of coordinated entry design, implementation, and management; compare the results against existing CoC plans and practices to gauge the extent to which the CoC currently includes these elements; and a general outline of policies and procedures a CoC must adopt to support the ongoing management of coordinated entry processes and functions

- [Coordinated Entry as a Tool for Equity: Training on Fair Housing and Coordinated Entry (HUD Exchange)](): A training to provide an overview of CE and explain the applicability of federal fair housing laws to CE, as well as identify best practices to address inequities.