



# ACTION BRIEF

**Taking Action on Housing: An Action Brief.** Every returning prisoner will have access to permanent, safe, and affordable housing and supportive services designed to help the individual achieve permanent housing.

## Overview

Prisoners returning to the community upon release need safe, stable, and affordable housing in order to be successful, but often they encounter barriers when attempting to access and maintain appropriate housing. Incarceration puts returning prisoners at greater risk of homelessness. About a tenth of the population coming into prison has recently been homeless, and at least the same percentage of those who leave prison end up homeless for some period of time. Individuals with histories of mental illness are even more likely to be homeless. Surveys of homeless assistance providers and individuals who use their services estimated that about 54 percent of currently homeless clients had been incarcerated - in jail or in prison - at some point in their lives (Burt et al., 1999).

The consequences of insufficient housing for returning prisoners extend beyond the prisoner.

## Housing Returning Prisoners

Each year the Michigan Department of Corrections releases approximately 13,000 prisoners back to the community (Urban Institute, 2004). It is estimated that approximately 10 percent of these returning prisoners are in need of MPRI funded housing assistance. In fiscal year 2008, the Department is projected to allocate approximately \$2 million through the MPRI to ensure that each one of these returning prisoners has access to permanent, safe, and affordable housing and/or services and programs that will help them obtain and maintain housing (MDOC, 2007).

Research indicates that parolees without stable housing may face a higher risk of parole failure, whether through re-arrest for a new crime or failure to meet basic parole requirements. Studies indicate that the likelihood of arrest increases 25 percent each time a parolee changes address (Meredith et al., 2003).

## MPRI

A goal of The Michigan Prisoner ReEntry Initiative (MPRI) is to ensure that every returning prisoner will have access to permanent, safe, and affordable housing and supportive services designed to help the individual achieve permanent housing (e.g., emergency shelter, transitional housing).

The MPRI process requires local transition teams to assess returning prisoners' housing needs two to four months prior to release and to begin the process of assisting the prisoner with finding appropriate housing options that increase the odds of success upon return to the community. Suitable options are determined by the needs and strengths of the prisoner as identified during the development of the Transition Accountability Plan (TAP).

To increase the likelihood of securing suitable housing options that meet the identified needs of the prisoner, local steering teams conduct periodic assessments of housing assets, gaps, and barriers within their communities. Steering Teams continue to engage individuals and organizations, including community-based housing and human service providers, in order to identify additional housing options and develop strategies for filling existing gaps and overcoming barriers.

## Gaps and Barriers

Based on feedback from members of the MPRI Statewide Advisory

Council and 18 MPRI sites across the state, the following list of local gaps and barriers that parolees are facing when they attempt to access housing was compiled:

- Lack of safe, affordable, long-term housing options
- Lack of supportive housing programs that lead to long-term success for high-risk prisoners
- Housing options for returning prisoners with criminal sexual conduct convictions are severely limited by the "1,000-foot rule"<sup>1</sup>
- Denial of rental applications because of criminal history
- Denial of rental applications for bad or no credit history
- Long waiting lists for public housing due to inadequate state and federal funding
- Community resistance
- Lack of resources to assist with security deposits and/or rent in the private market
- Lack of state and federally funded low-income housing vouchers
- Misinterpretation of federal housing regulations and resulting local practice that excludes parolees from housing options they actually qualify for

## Promising Approaches

The research on the best practices for housing options and strategies for prisoners re-entering society is in its infancy. The current research

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<sup>1</sup> Michigan statute prohibits individuals with a criminal sexual conduct conviction from living within 1,000 feet of a school, park, or other area where children congregate.



identifies options, including some promising approaches, for overcoming the barriers listed above, but has yet to establish and recommend a set of best practices for housing returning prisoners (e.g., Lake, 1993; HUD, 1997; La Vigne et al., 2003; Visser et al., 2004; Roman and Travis, 2004). The literature identifies the following housing approaches and associated barriers for prisoners re-entering society:

- Familial households
- Private-market housing
- Federally subsidized housing
- Service-enhanced transitional and permanent supportive housing
- Community corrections centers

#### Familial Households

For a majority of returning prisoners, their first home after release is that of a family member, a close friend, or a significant other. Research shows that between 49 and 62 percent of returning prisoners interviewed approximately two months after their release end up staying with a friend or in a family member's home (including spouse or partner) their first night out of prison. (Roman et al., 2006). In addition, an overwhelming majority of returning prisoners end up living with a family member within a few months after release (Roman et al., 2006).

For 10 to 20 percent of returning prisoners, however, returning to the home of a family member, friend, or significant other is not an option (Roman et al., 2006). This may be the result of family

### **Family Support**

In order to build on the natural supports a family can provide a returning prisoner and address the common barriers associated with family reunification, many sites have chosen to fund family support and reunification services. For example, Kent/Allegan is in the early stages of implementing the Family Advocacy Program. The program is designed to provide the counseling and support needed by both the prisoner and his or her family to facilitate successful reunification. Participation in the program usually begins prior to the prisoner's release.

To ensure that reunification is a safe and feasible option for all involved and that the services meet the individual needs of each family and prisoner, the first step is an assessment delivered by a licensed family therapist. Following the assessment, the prisoner receives support and guidance from partnering community providers to assist in preparing for release and reunification through the in-reach process.

During this same period of time, a Family Advocate meets with the prisoner's family to assess existing needs that might prevent the family from reuniting with the returning prisoner. A large network of local providers assists the family in meeting those needs through a wide variety of services, including utility assistance, emergency rent vouchers, counseling, etc. In addition, the Family Advocate may accompany the family on visits to the prison to begin working on reunification.

(continued on paged 4)



conflict, the reluctance of family members to welcome a violent individual back into their lives, or the lack of an immediate family. Limited financial resources may also be a problem, because low-income families may be unwilling and unable to house and support an unemployed family member. There are also legal and/or policy restrictions preventing some individuals from living with family or friends. In cases of domestic violence, for example, restraining orders can prevent an individual from returning to the home of a family member who has been victimized, or who has been abusive. Conditions of parole can prohibit an individual from returning to the home of a friend or family member. Families living in public housing may be precluded by federal public housing policies from allowing certain types of offenders back in their homes.

### Private Market

Renting or purchasing in the private market is an option, but few returning prisoners have adequate resources to do so. A 2004 study by the National Low-Income Housing Coalition reported that, on average, a full-time worker needed to earn \$15.37 per hour (\$31,970 annually) in order to afford the rent for a modest two-bedroom home while paying no more than 30 percent of income for housing. Based on this estimate, those working for minimum wage must work at least 80 hours per week to afford the same apartment.

## **Family Support**

In cases where the family is uncomfortable with reunification until the prisoner has returned and has shown a commitment to living a responsible, crime-free life, the Family Advocate will continue to coordinate supportive services with the family and proceed with the reunification process when everyone involved is ready.

Although the primary focus of this program is on the health, safety, and well-being of the families, a healthy family with access to needed support services is a valuable housing option for returning prisoners.

Additionally, many urban areas are witnessing increasingly tight rental markets, with a severely limited number of units available for low-income households, particularly in neighborhoods accessible by public transportation (National Low-Income Housing Coalition 2004; Obrinsky and Meron 2002). A similar problem exists in rural areas where the distance to employment and other services is often greater and the public transportation options are fewer.

Even for returning prisoners who have adequate resources and can find affordable housing, other barriers exist that make securing housing in the private market difficult. Landlords must consider the public safety of residents when making leasing decisions. They may view all individuals with criminal records as a threat to safety without considering individual



circumstances. Criminal background checks are allowed by most states, including Michigan, and are standard practice by many landlords.

Convicted sex offenders face additional barriers to securing housing. Sex offenders are subject to legal restrictions that limit where they can live. Furthermore, sex offender registries are easily accessible to landlords, who are often fearful of renting to sex offenders regardless of individual circumstances.

### Federally Subsidized Housing

For many returning prisoners, neither familial nor private-market options are realistic. Without a family willing to take them in or the money available for rent, many turn to federally subsidized housing programs as a viable option before homelessness. Federally subsidized options include public housing and the Housing Choice Voucher Program (HCVP).

Nationally, there are approximately 1.3 million households living in public housing units, owned, managed, and operated by 3,300 Public Housing Authorities (PHAs) (see: <http://www.hud.gov/renting/phprog.cfm>).

There are many barriers for returning prisoners seeking access to federally subsidized housing. The most significant hurdle is likely lack of supply. There are insufficient units available to meet the demand.

## **Rental Assistance**

Many of the MPRI sites are providing rental assistance designed to help parolees—who do not yet have an income—access housing in the private market.

The Northwest Region provides a good example of this approach. This site has set aside funding through their Comprehensive Plan to help pay rent on a time-limited basis for parolees who are in need of housing, are at high or moderately high risk to re-offend, and are ineligible for other existing resources.

To make this approach work, the Steering Team is collaborating with housing assistance providers throughout the region to ensure that parolees are accessing available assets. In addition, the site maintains a current housing inventory for all 10 counties in the region to assist parolees in quickly locating appropriate housing options.

Finally, the Steering Team and Community Coordinator continue to engage in public outreach and education to hear the concerns of local residents and dispel some of the fears around parolees living in the community. This is resulting in increased community support of the re-entry housing efforts.

Public housing waiting lists for individuals and families are typically long, with families with children getting first consideration. According to the National Low-Income Housing Coalition, between 1996 and 1998, a family's average time on a waiting list for public housing rose from 22 months to 33 months, a 50 percent



increase. In some large cities, the waiting period is substantially longer.

Compounding the issues of availability is eligibility, both for public housing and for vouchers. From a financial perspective, many PHAs ask for proof of income to be eligible for Section 8 housing vouchers, a task difficult for those just leaving prison. Additionally, many individuals with a criminal record believe they are automatically barred from public housing and do not apply.

While the federal law does hold that certain categories of applicants be denied public housing, further denials based on criminal history are at the discretion of the state and local PHA or landlords. Tenant selection and occupancy policies permit landlords and PHAs to examine an applicant's history, including criminal background, to ensure selection of a responsible tenant and good neighbor. These searches may lead to a significant delay or denial of admission. Although HUD policy gives PHAs power to deny admission or to terminate assistance to individuals with a history of criminal behavior or use or abuse of drugs or alcohol, it allows PHAs discretion in determining their own time limits for past criminal activity.

According to the Federal Housing Opportunity Program Extension Act of 1996 (Public Law 104-120, 1996), there are four categories of people

## **Public Education and Outreach**

Due to the substantial barriers in overcoming PHAs' restrictive eligibility policies and long waiting lists, MPRI sites have encountered numerous barriers in helping returning prisoners access public housing assistance.

Action is already underway at both the state and local levels to address this barrier. Steering Teams at all of the sites have reached out to local PHAs, landlords, and service providers to increase knowledge of the needs of returning prisoners and the risks to the community if these needs are not met.

As a result of reaching out to groups, such as the local Housing Continuum of Care group, many communities have included returning prisoners as a target population of their efforts to end homelessness.

At the state level, MSHDA is represented on the MPRI State Policy Team and is leading the strategic planning efforts to increase housing options, including publicly funded options, for returning prisoners.

ineligible for public housing and Section 8 assistance:

1. Tenants who have been evicted within the previous three years from housing assisted under the United States Housing Act.
2. People who are illegally using drugs.
3. People whose illegal use or pattern of illegal use of drugs may interfere with other tenants'



- health, safety, or peaceful enjoyment of the premises.
4. People whose abuse or pattern of abuse of alcohol may interfere with other tenant's health, safety, or peaceful enjoyment of the premises.

In addition, the statute makes exceptions for cases in which:

1. An evicted person successfully completes a rehabilitation program.
2. The circumstances leading to the eviction no longer exist.
3. The person is no longer illegally using drugs or abusing alcohol and is participating in or has successfully completed a rehabilitation program or has otherwise been rehabilitated successfully.

Service-enhanced Transitional and Permanent Supportive Housing

Combining housing services with additional support services has shown success in helping returning prisoners with very few resources achieve success. There are two basic models, service-enhanced transitional housing and supportive housing.

Service-enhanced housing includes transitional (i.e., fixed length of stay) or phased-permanent housing (a new housing model where residents have month-to-month occupancy agreements in lieu of leases) coupled with a variety of support services to assist clients in achieving self-sufficiency.

**Housing Plus Services**

Although community resistance has made it difficult to develop new supportive housing when it has been identified as a gap, a few of the MPRI sites have built successful relationships with existing supportive-housing providers.

For instance, in Macomb, returning prisoners in need of supportive housing are placed with an organization that has been providing transitional supportive-housing services in Macomb County for many years.

While in the program, individuals participate in job seeking, life skills workshops, family reunification workshops, and appointments with a Housing Specialist to develop a more permanent housing placement.

In some communities where the traditional approach to supportive housing is not currently an option, sites are combining supportive services with other housing options, such as private-market options.

For example, in Muskegon-Ottawa-Oceana, the Steering Team has designed a process through which a Housing Specialist assists parolees who are ineligible for existing services find suitable housing in the private market. The site then provides rental assistance to bridge the gap until an individual secures employment.

(continued on page 8)

Supportive housing is designed to provide permanent housing, where social service provision is an integral component of the housing operation.



Supportive or service-enhanced housing programs offer a range of services in addition to housing, such as: family counseling, case management, medical services, substance abuse counseling, social skills development, anger management, vocational training, and/or assistance with obtaining vital documents such as Social Security cards and birth certificates. Some jurisdictions have used these programs specifically to target returning prisoners or ex-offenders (Roman et al., 2006), but the majority serve these populations simply because they are homeless or at risk of becoming homeless.

One of the major and often insurmountable barriers to this type of housing is community opposition to the development or expansion of supportive or transitional housing. This opposition appears to be motivated by fear of increased levels of crime, noise, and traffic, as well as a fear of decreased property value, despite current research that does not support many of these common fears.

For instance, research has shown that the general impact of Section 8 occupancy and supportive housing appears to positively impact property values (Galster et al., 1999). In addition, research shows that if negative impacts do occur, it is most likely because these facilities are forced into already troubled areas, providing more potential victims to criminals already active in the area (Goetz et al., 1996; Galster et al., 2002).

## **Housing Plus Services**

Once the returning prisoner is housed, the Housing Specialist continues to work with the individual, parole agent, and transition team to coordinate a wide array of services to support housing stability, including employment, transportation, and health care services.

This model of rental assistance combined with supportive services has achieved early success in Muskegon-Ottawa-Oceana and several other sites. However, as described in the following section, sites continue to work toward creating supportive housing options that more closely resemble promising approaches demonstrated in other jurisdictions throughout the country (for example, see Nelson et al., 1999; Meredith et al., 2003).

## **Community Corrections Centers**

Many corrections systems provide opportunities for housing through the use of community corrections centers, also known as halfway houses or community re-entry centers. Community corrections centers are residential programs that provide a “halfway” step between prison and independent living. These facilities are overseen by either corrections or community corrections agencies (i.e., probation and parole). Although eligibility varies by state and offense, some inmates are eligible for release into a transitional program for the last 90 to 120 days of their sentence.

Halfway houses serve several purposes. They provide a structured and regulated environment for high-



risk parolees who may not be ready to go straight from prison to living independently in the community. They attempt to increase public safety by closely monitoring residents' activity. In addition, many residential facilities offer supportive services and case managers to broker employment and social services in the community. Most halfway houses allow residents to obtain work outside of the facility. In doing so, this approach promotes community reintegration while maintaining intensive supervision and coordinating service delivery.



## **A Call to Action**

Although the options described in this paper have demonstrated success, both nationally and within Michigan, numerous obstacles remain, increasing the likelihood of homelessness for returning prisoners and decreasing community safety and stability.

To help address the remaining barriers that are currently preventing MPRI sites from successfully housing returning prisoners, the following action steps are recommended:

### Local Action

- MPRI sites should continue to engage in public education and outreach efforts, with a special focus on encouraging Public Housing Authorities to reconsider their often-categorical rejection of assistance for anyone with a criminal record.
- MPRI sites should use the Re-entry Housing Options Comparison Table to enhance the availability of short, variable, and long-term housing options for prisoners returning to their local communities (see Re-entry Housing Options Comparison Table below).

### Statewide Action

- The MDOC should ensure that returning prisoners have a housing assessment completed prior to release to help local MPRI sites select appropriate housing placement options.
- The MDOC and MSHDA should invest in the development of new housing units that can be set aside for usage by returning prisoners.
- The MDOC and MSHDA should develop an escrow fund as an incentive for landlords to work with high-risk parolees.
- MSHDA should lead the effort to develop promising approaches to overcome local housing barriers and to identify local housing providers that have proven successful in housing high-risk populations.
- MSHDA should clarify current federal legislation concerning Public Housing Authorities through public education and outreach efforts.
- The Corporation for Supportive Housing (CSH) should train local providers on Housing Quality Standards (HQS) to ensure that parolees are placed in appropriate living conditions.
- The CSH should develop and maintain training and technical assistance opportunities for local MPRI steering teams.



## Re-Entry Housing Options Comparison

Housing Type	Funding	Availability	Duration	Barriers	Services	Supervision
<p><i>Private Market Rental Housing</i></p> <p>Individual secures apartment on the private rental market</p>	<p>Primary: <i>Individual</i> Secondary: <i>Government</i></p> <p>The cost of private market rental housing is at market rate and may be partly or wholly funded by public assistance</p>	<p>Moderate</p> <p>Most universally available</p>	<p>Long-Term</p>	<p>Funding/Legal</p> <p>Rental property owners may screen for or refuse to rent to people with criminal backgrounds</p>	<p>Services are not typically included in private market rental housing</p>	<p>Criminal justice supervision is not typically included in private market rental housing</p>
<p><i>Public Housing and Housing Choice Vouchers (HCVs)</i></p> <p>Also known as tenant-based assistance or Section 8; typically administered by Public Housing Authority</p>	<p>Primary: <i>Government</i> Secondary: <i>Individual</i></p> <p>Tenant pays 30% of adjusted income toward rent or, with vouchers, up to 40%</p>	<p>Low</p> <p>Availability is limited—waiting lists may be long</p>	<p>Long-Term</p>	<p>Legal</p> <p>Public Housing Authorities may screen or refuse to house people who have been convicted of certain offenses</p>	<p>May include units specially designated for people with physical or mental disabilities or elderly people</p>	<p>Criminal justice supervision is not typically included in public housing</p>
<p><i>Nonprofit or Private Affordable Housing</i></p> <p>Typically coordinated by neighborhood-based development organizations</p>	<p>Primary: <i>Nonprofit</i> Secondary: <i>Individual</i></p> <p>Financed using a variety of government subsidies and is more affordable than private rental market housing</p>	<p>Low</p> <p>Availability is limited—waiting lists may be long</p>	<p>Variable</p>	<p>Legal</p> <p>Owners may exercise discretion to exclude people with criminal histories</p>	<p>May provide on-site support services</p>	<p>Criminal justice supervision is not typically included in nonprofit or private affordable housing</p>
<p><i>Family and Friends</i></p> <p>Family or other natural support system provides housing for the individual</p>	<p>Primary: <i>Individual</i></p> <p>Minimal costs; individual may share a portion of the rate that the family pays</p>	<p>Moderate</p> <p>Not all inmates maintain family ties, but most expect to live with their families upon release</p>	<p>Long-Term</p>	<p>Legal/Other</p> <p>Legal status of family housing situation may be threatened by accommodation of individual with criminal record</p>	<p>Cohabitation with family members may provide emotional and/or financial support</p>	<p>Criminal justice supervision is not typically included in housing with family and friends</p>



## Re-Entry Housing Options Comparison

Housing Type	Funding	Availability	Duration	Barriers	Services	Supervision
<p><i>Supportive Housing</i></p> <p>Specialized form of nonprofit affordable housing that includes access to treatment and services</p>	<p>Primary: <i>Government</i> Secondary: Nonprofit</p> <p>Limited funding is available. Many supportive housing programs are reliant on funding that may restrict or exclude people who have criminal records</p>	<p>Scarce</p> <p>Very limited availability—not available in most jurisdictions</p>	<p>Variable</p>	<p>Funding/Legal/Other</p> <p>May exclude incarcerated persons who were not homeless prior to incarceration</p>	<p>Provides comprehensive social services to tenants using case-management model</p>	<p>Criminal justice supervision is not typically included in supportive housing</p>
<p><i>Specialized ReEntry Housing</i></p> <p>Similar to supportive housing, but provides specific services for recently released individuals</p>	<p>Primary: <i>Nonprofit</i> Secondary: Government</p> <p>Funded and subsidized by a variety of federal, state, and local sources</p>	<p>Scarce</p> <p>Very limited availability—not available in most jurisdictions</p>	<p>Variable</p>	<p>Funding/Other</p> <p>Specialized re-entry housing is difficult to create due to lack of funding streams and community opposition to target population</p>	<p>Specialized re-entry housing is often linked to transition-planning activities</p>	<p>Some form of criminal justice supervision is typically a pre-requisite for living in this type of housing</p>
<p><i>Halfway Houses, Programmatic or Transitional Housing</i></p> <p>Housing for individuals just after release, usually in a highly supervised environment</p>	<p>Primary: <i>Government</i> Secondary: Individual</p> <p>May have alternative funding streams that provide revolving loans to help people with substance abuse disorders secure housing</p>	<p>Low</p> <p>Availability is limited—waiting lists may be long</p>	<p>Short-Term</p>	<p>Other</p> <p>May not be desirable because of rigid structure</p>	<p>Offers transition between fully secure, structured, monitored environment of incarceration and the community</p>	<p>Some form of criminal justice supervision is typically a prerequisite for living in this type of housing</p>

Source: ReEntry Policy Council, <http://tools.reentrypolicy.org/housing>.



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