

# Criminal Records and Access to Housing

Seattle King County Coalition on Homelessness  
King County Coalition Against Domestic Violence

Joint Membership Meeting

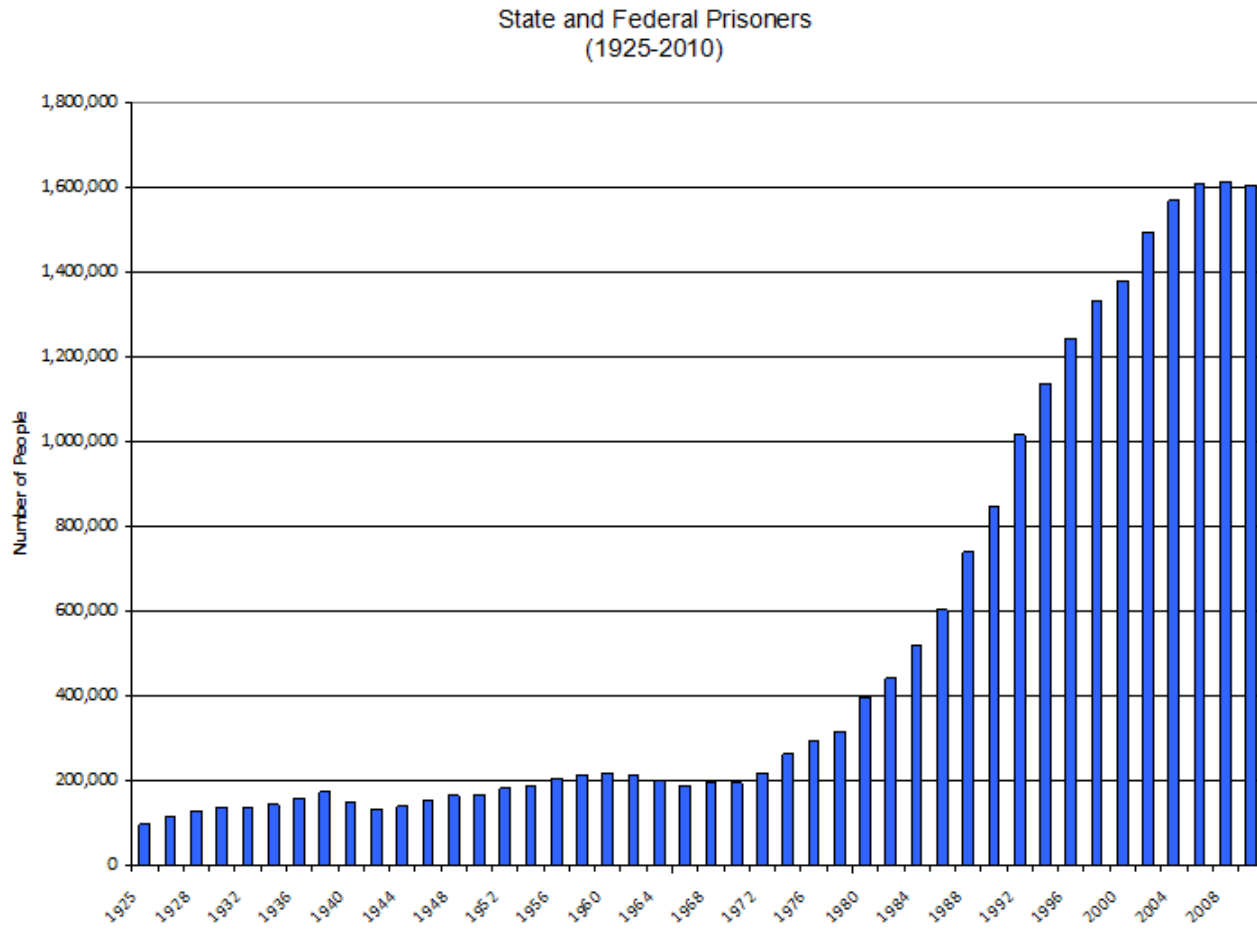
July 16, 2015

## Office of Housing -- Criminal Histories and Housing working group:

- Education: criminal justice system, fair housing, screening reports
- Impact/next steps: housing providers revising policies, Guideline for screening reports, HALA recommendations

# **1. Mass Incarceration and Racial Disproportionality in the Criminal Justice System**

# Mass Conviction, Mass Incarceration



# Criminal Justice Statistics (2011 est.)

## Total number living behind bars

- U.S. : **2.25 million**
- WA State prison and jails: 30,501
- King County jails: 2,009 (June, 2013)

## Total Under Corrections Supervision

- U.S.: 7,082,438
- WA State: 126,748

## Total with Felony Conviction

- U.S.: 20 million (8.6% of population)
- Seattle: 37,000 (6.1%)

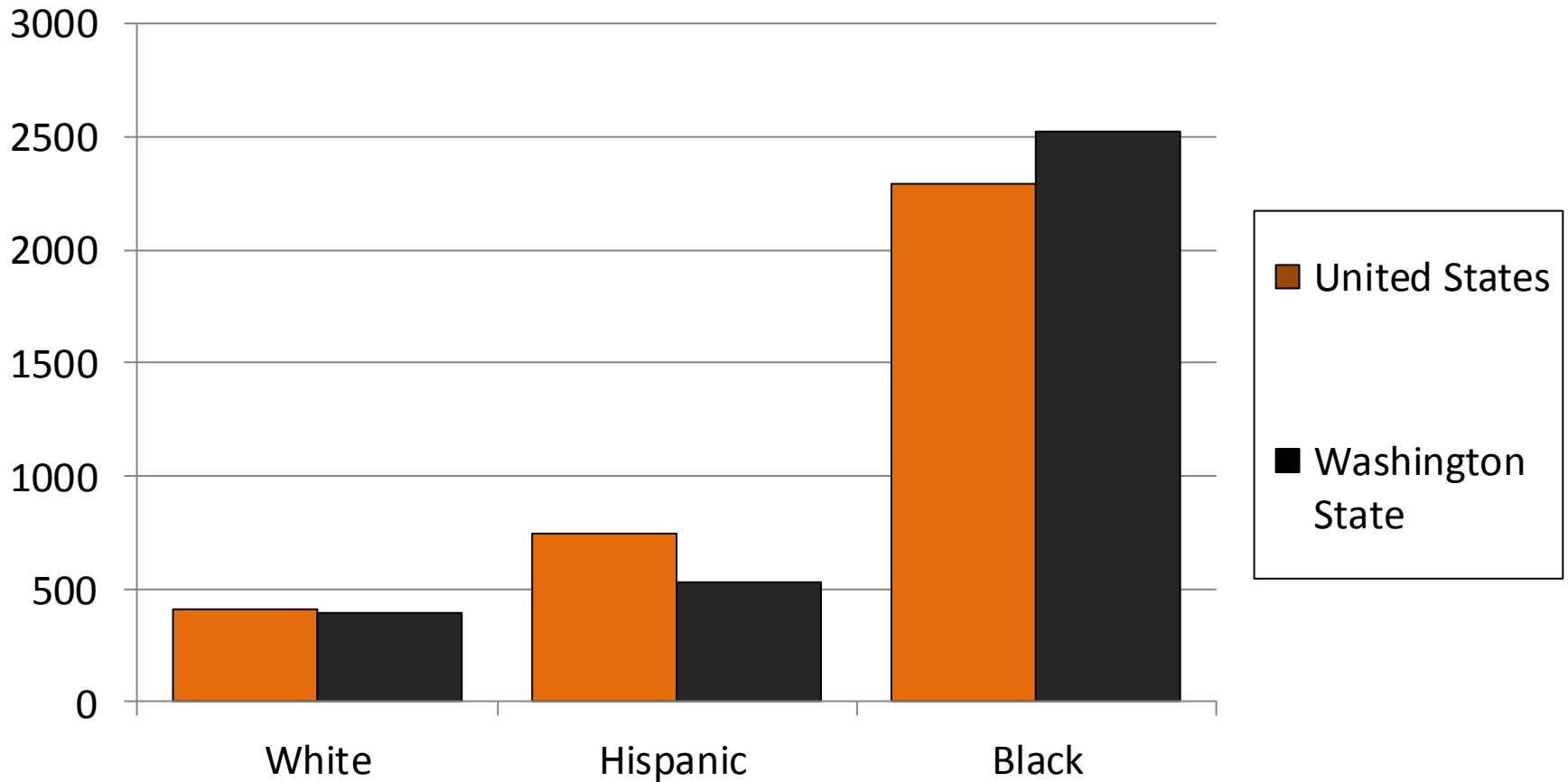
Source: Dr. Alexis Harris, UW Dept of Sociology

# King County Arrests by Race and Ethnicity, 2010

	King County Arrest Rate per 100,000	Arrest Ratio
Asian, Pacific Islander	254	1 in 393
Black, African American	2656	1 in 38
Native American, Alaskan Native	1796	1 in 56
White	500	1 in 200

Source: Alexis Harris, from WA Association of Sheriffs and Police Chiefs “Crime in Washington 2012”, and US Census, Quick Facts, Washington State, 2010.

# Disproportionality in Incarceration in the United States and Washington State, 2005



# The Challenge and Scope of “The Re-Entry Problem”

Every year about 700,000 inmates are released from prison

The number of Americans with a felony conviction is now about:

- 7.5% of U.S. adult population
- 23.3% of the Black adult population
- 33.4% of Black male adults



## **2. Fair Housing:**

**Disparate Impact or Disparate Treatment?**

# Disparate Treatment or Impact?

## Treatment

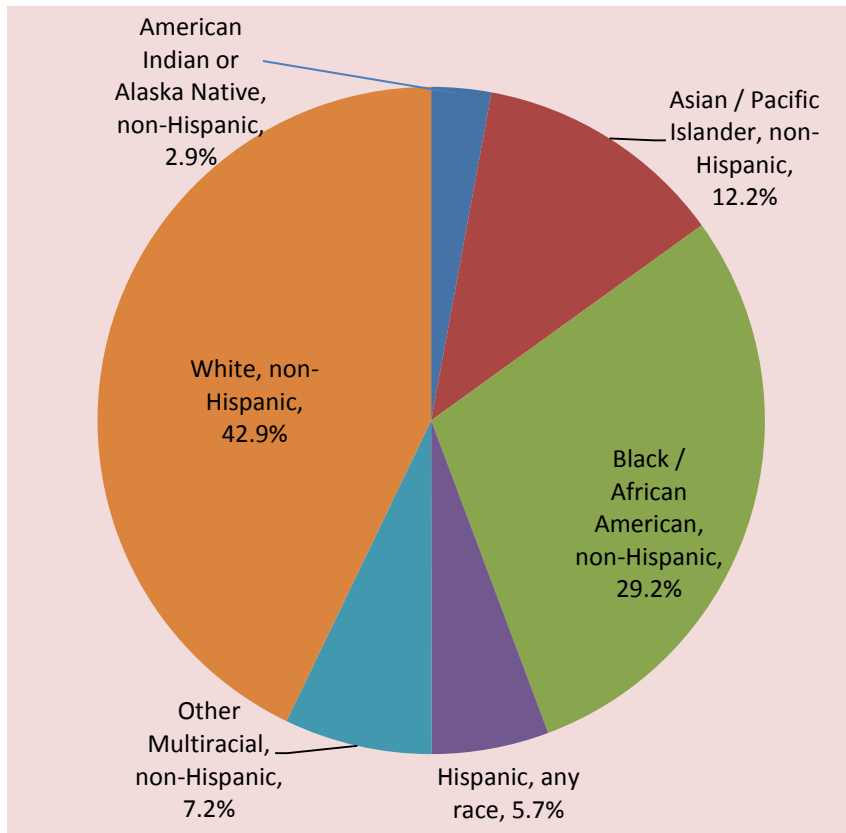
- Refusing to sell, rent or lease housing to an interested tenant based on a protected class
- Applying different sale, rental or occupancy terms for different people based on protected class

## Impact

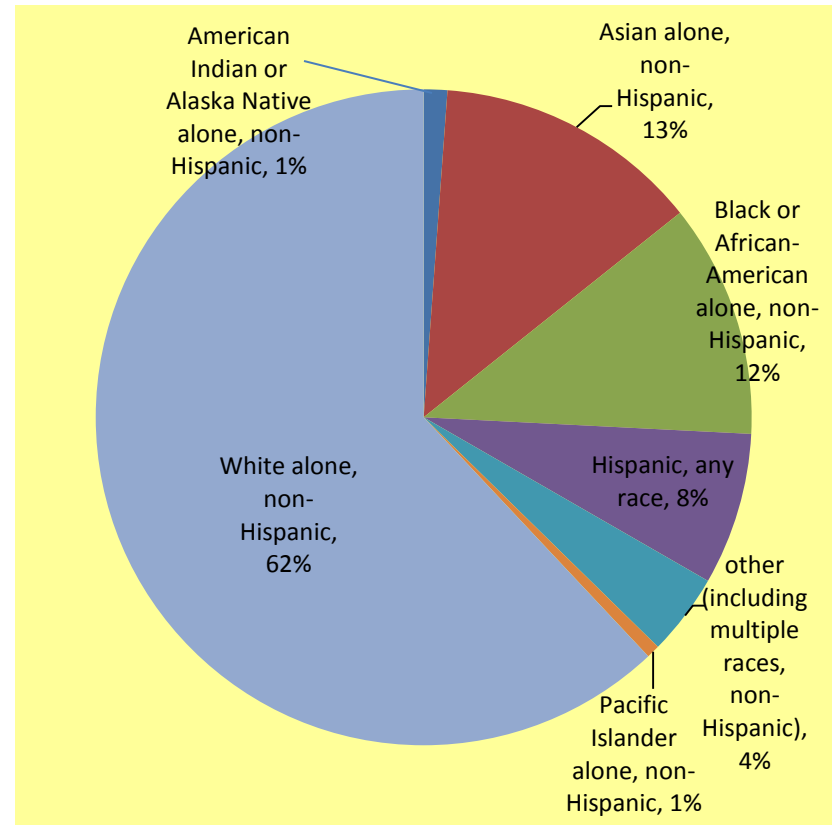
- Neutral policy
- Discriminatory effect
- No sufficient business justification
- Less discriminatory alternative available

# Race and Ethnicity of Low-income Renters

## City-funded Rental Housing Residents, 2013

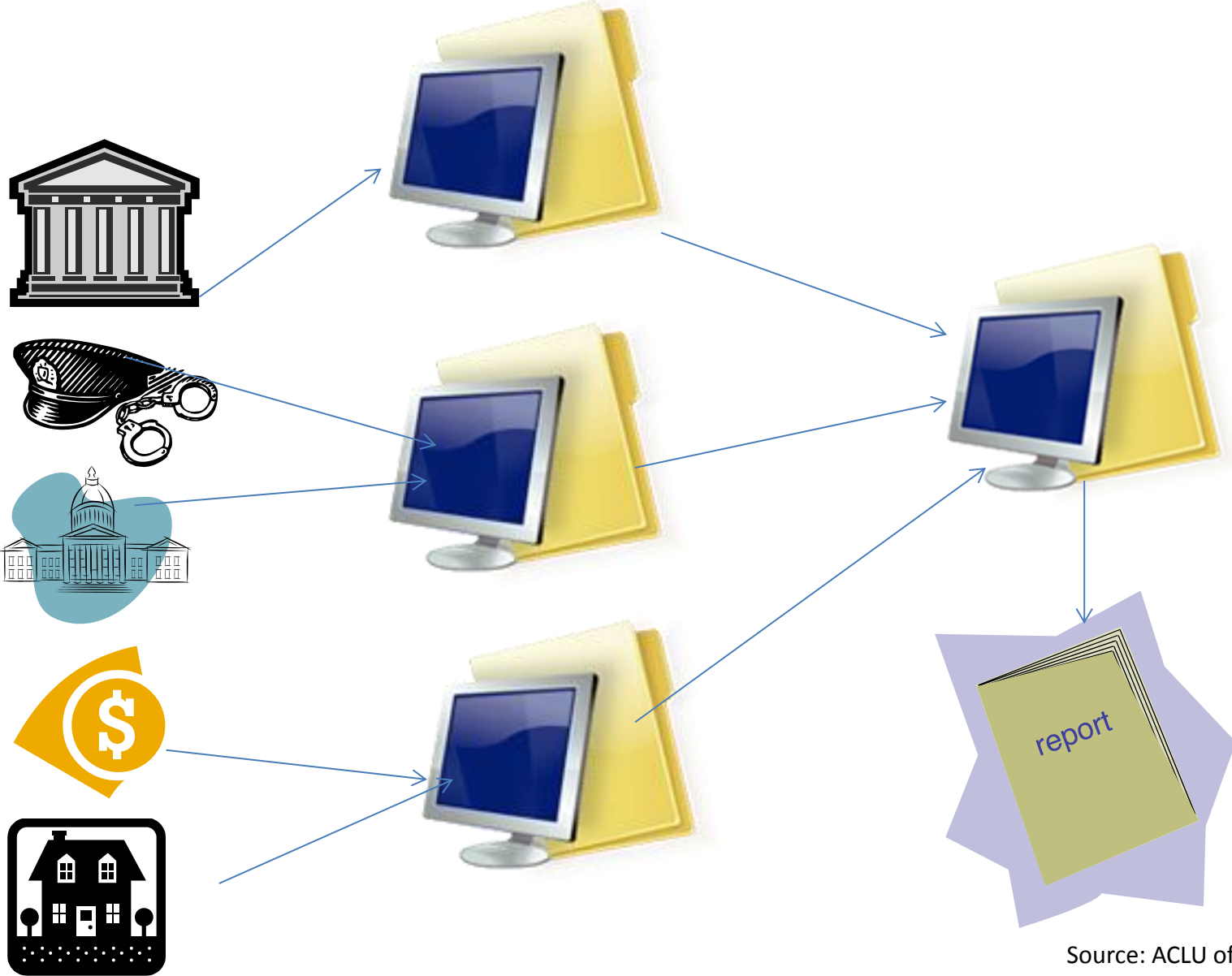


## Seattle Low-Income Renters 0-80% AMI, HUD 2006-2011



**3. Criminal Background  
Screening Reports:  
A Fair Assessment of Risk?**

# How does it work?



# Background Checks are Often Inaccurate or Misleading

- Mismatch the subject of report with another person
- Omit information about how the case was resolved
- Report inaccurate charges
- Mischaracterize the seriousness of the charges (felony v. misdemeanor)
- Repeat the same charge multiple times
- Incorrect dates (conviction date v. closing date)

# How can you verify the facts?

- Applicant's statement
- Statements from probation/attorney/counselor
- Statutes (search for RCW online)
- Law enforcement records
  - Police reports
  - Incident reports
- Court records
  - Information
  - Statement of defendant on plea of guilty
  - Judgment and sentence
  - Case dockets

Source: ACLU of WA, 2013

## **4. Increasing Access to Housing -- Ongoing Efforts in Seattle**



- Fair Housing – Best Practices for Individualized Tenant Assessment
- Affordable housing providers review/revise screening criteria and procedures
- Office of Housing Guideline for Criminal Records Screening Reports

- Homeless services and housing providers reducing client screening
- HALA-proposed legislation to reduce barriers to rental housing citywide
- Ongoing education about criminal records and barriers to housing

# Thank You!

For more information:

[Seattle.gov/housing/property-managers/management-resources](https://seattle.gov/housing/property-managers/management-resources)