



Until There's A Cure
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The Felony Housing Crisis

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About Us:

Until There's A Cure is a 501(c)3 nonprofit organization that focuses on eradicating HIV/AIDS and addressing social injustices that impact those affected by the disease, including mass incarceration, homelessness, and mental health.

Overview:

What follows is a step-by-step case study of San Francisco's felony housing crisis pertaining to parole, criminal background checks, and public health implications. We have also included a thorough examination of current vacancies in the city as a potential solution. Formerly incarcerated individuals with felony convictions are greatly marginalized and overlooked; therefore, we have made it our mission to serve as advocates for them. In addition, the elderly homeless population faces disproportionate rates of violence and substandard healthcare practices. After thorough research and, more importantly, speaking to members of this population about their needs, we have drafted this packet with goals of justice and reform.



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I. Parole Regulations and the Lack of Housing



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What is parole?

Parole is an element of the criminal justice system that applies only in felony cases when a person is sent to state prison. **Mandatory parole** applies to people who are sentenced for a specific amount of time and automatically placed on parole once they are released.¹ **Discretionary parole** applies to people who get released from prison early and serve some part of their remaining sentence under parole supervision.² People who are sentenced to potential life sentences are eligible for parole after they serve the determinate part of their sentence, but only after the parole board determines that they are ready to re-enter society. Incarcerated individuals are allowed to deduct time for **good behavior**: under current California law, Section 2933, they are now eligible for parole after serving half of their sentence. Exceptions for which individuals must serve 85 percent of their sentence are California violent felonies such as rape, burglary, and kidnapping. If someone commits murder or has been incarcerated for at least two felonies, they are not eligible for good-time credit.³

What are the levels of parole?⁴

In California, there are currently six different levels of parole:

Intensive Reentry Supervision and Related Services: Designed to provide enhanced supervision and support services during the critical transition period from institution to community living

Regular Reentry Supervision and Related Services: Designed for those parolees that require the enhanced services for a shorter period of time

Specialized Caseloads: Designed to provide concentrated, intensive services to parolees with special needs (substance abuse, sex offenders, mental health problems, etc.)

Case Management Supervision: Parolees are transitioned to this level when they have demonstrated the ability to function in the community with reduced supervision and services

Electronically Enhanced Supervision: At any time, a parolee's supervision may be more highly-structured with the use of a 24-hour electronic monitoring device

Subsistence and Personal Care Services: Services include but are not limited to out of home placement, cash, clothing, and transportation assistance

¹ Straughan, David. "What Are the Different Types of Parole?" How to Justice, <https://howtojustice.org/i-am-getting-released-from-prison/different-types-of-parole/>. Accessed 27 June 2023.

² *ibid*

³ "Penal Code Section 2933", 9 May 2023, https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=2933&lawCode=PEN. Accessed 14 June 2023.

⁴ Acevedo, Carli. California Parole Laws, Process & System. Accessed August 07, 2019. <https://www.shouselaw.com/parolehub.html>.



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The level of parole an individual is placed on depends on their felony, time in prison, and the ruling of the parole board.

What are the general conditions someone must abide by when on parole?⁵

1. You, your residence and your possessions can be searched at any time without a warrant or without a reason
2. You must waive extradition if you are found outside of the state
3. You must report to your parole agent within one day of your release
4. You must always give your parole agent the address where you live and work
5. You must give your parole agent your new address before you move
6. You must notify your parole agent within three days if the location of your job changes, or if you get a new job
7. You must report to your parole agent whenever you are told to report or a warrant can be issued for your arrest
8. You must follow all of your parole agent's verbal and written instructions
9. You must ask your parole agent for permission to travel more than 50 miles from your residence and you must have their approval before you travel
10. You must request and receive a travel pass from your parole agent before you leave the country or state for more than two days and carry your travel pass at all times.
11. You must obey all laws, and if you break the law, you can be arrested and incarcerated in a county jail even if you do not have any new criminal charges
12. You must notify your parole agent immediately if you get arrested or get a ticket
13. You must not be around guns, or anything that looks like a real gun, bullets, or any other weapons
12. You must not have a knife with a blade longer than two inches except a kitchen knife (which must be kept in your kitchen)
13. Knives you use for work are allowed only when approved by your parole agent but they can only be carried while you are at work or going to and from work. You must ask for a note from your parole agent that approves carrying the knife while going to and from work, and you must carry the note with you at all times
14. You must not own, use, or have access to any weapon that is prohibited by the California Penal Code

Conditions in bold are further discussed below. Additional conditions placed on the individual depend on their felony, time in prison, and the ruling of the parole board.

⁵ "Parole Conditions." Division of Adult Parole Operations (DAPO). Accessed August 07, 2019. <https://www.cdcr.ca.gov/parole/parole/parole-conditions/>.

What are the roles of a parole officer?

Before an incarcerated individual is released, a parole officer will usually conduct an interview to develop a rough plan based on the assessment. The main responsibility of an officer is to simply ensure that the parolee follows all conditions of their parole. Specific tasks include:⁶

- Collecting documentation relating to a convict's incarceration and providing them to the parole board
- Presenting recommendations to the parole board during or outside of the hearing
- Scheduling eligible offenders for their parole hearing
- Managing information regarding the offender on parole data systems
- Monitoring the location and activities of parolees in the community
- Conduct contacts in the community to confirm compliance
- Assessing the risks and needs of parolees prior to and following release
- Utilizing electronic monitoring devices to track parolees
- Preparing and submitting parolees to the parole board and department of corrections
- Notifying police or parole board officials about technical, administrative, or criminal parole violations

**While a parole officer may help parolees' transition back into society by pointing them in the right direction (ex. Setting up interviews with potential employers or referring them to mental health facilities), they have no obligation to do so.*

The Injustices Pertaining to Parolees and Housing:

In California, parolees get close to no support in their search for housing. In certain counties, parole officers may work with local boarding houses, hostels, or motels to find temporary living spaces. Other potential housing options include emergency shelters, special needs housing, assisted-living housing, living with family or friends, and private and public apartments and houses. However, due to criminal background checks specifically targeted at those with felony convictions, not only do parolees have no aid in finding housing, but their options themselves become limited, and in many cases, nonexistent.

Individuals who are under specialized caseloads or subsistence and personal care services are referred to specific programs run by the California Department of Corrections and Rehabilitation. In San Francisco specifically, the Parole and Community Services Division refers individuals to either Geo Group or HealthRIGHT 360:⁷

⁶ "Parole Officer Careers." How to Become a Probation Officer. Accessed August 08, 2019. <https://www.probationofficeredu.org/parole-officer/>.
⁷ "STOP Program Map - Division of Rehabilitative Programs (DRP)." CDCR, <https://www.cdcr.ca.gov/rehabilitation/stop/stopmap/>. Accessed 12 June 2023.



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HealthRIGHT 360:

HealthRIGHT 360 is comprised of many integrated health programs, providing care and treatment to over 40,000 individuals a year through organizations in 11 California counties. Its services include substance abuse disorder treatment, primary medical care, mental health advisement, social support, re-entry, and dental care.⁸ The agencies through which it operates are Asian American Recovery Services, Integrated Care Center, North County Serenity House, Prototypes, Rock Medicine, Walden House, Women's Recovery Association, San Mateo Clinic, and Haight Ashbury Medical Clinics. While these agencies are designed to benefit parolees, nearly all of them have **numerous structural and internal problems** that put parolees at risk of not only **violating their parole**, but also **relapsing into harmful behavior** and **getting exposed to the toxic conditions** that led them to incarceration in the first place. Moreover, HealthRIGHT 360 itself is run in a manner that makes it extremely difficult to acquire services and resources. Multiple individuals report confusing and extensive initial intake processes that only serve to confuse them further after being incarcerated for years on end. HealthRIGHT has **repeatedly refused to take in formerly incarcerated people** with substance abuse issues, asserting that their sobriety is attributable solely to institutional remission despite documentation citing evidence to the contrary. Such actions prevent individuals from receiving the help they need to transition back into society and successfully complete their parole.

What follows is an exposé style critique of selected agencies mentioned above.

⁸ HealthRIGHT 360 | Get Better. Do Better. Be Better., <https://www.healthright360.org/>. Accessed 13 June 2023.



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North County Serenity House is an accredited substance abuse and mental health treatment center. While the facility claims to be substance free, individuals report **constant exposure to alcohol and narcotics**. In many circumstances, addicts are allowed to bring in substances, which in turn harm those who are trying to get clean. Furthermore, being in such close proximity to such substances specifically endangers those on parole, as if an unexpected visit from their parole officer occurs, they are in violation of their terms due to circumstances that are outside of their control. Individuals at North County Serenity House also report **stolen possessions** with no actions being taken despite informing staff members.⁹

Walden House is a chemical dependency and alcohol use treatment program. However, similarly to the conditions at North County Serenity House, the facility is **not substance free**, and there are no disciplinary actions taken against those who bring in substances that can threaten the sobriety of all individuals in the program. Individuals express deep concerns regarding staff etiquette such as **asking them for money, knowingly sabotaging their search for permanent housing** due to jealousy issues, and **giving pills to people who are trying to recover from pill addictions**. Program therapists have reportedly **sexually assaulted** certain clients and forced them to perform sexual favors. One of the program's lead substance abuse counselors was associated with a **Bay Area heroin ring**.¹⁰

Geo Group:

The Geo Group is a publicly traded company that is one of the nation's largest for-profit prison operators, holding contracts with government agencies to provide services surrounding correctional, community reentry, rehabilitation, and electronic monitoring. Geo Group runs a spectrum of services including private prisons, detention centers, and rehabilitative housing through **government funded contracts**.¹¹ In San Francisco, Geo Group owns and operates the **Taylor Street residential reentry program**, located in the Tenderloin District. This facility is **contracted by the state of California**.

9 Review of North County Serenity House, www.google.com/maps/place/North+County+Serenity+House/@33.1402919,-117.0927347,17z/data=!4m8!3m7!1s0x80dbf4b1b5479959:0x6c709947d2d64046!8m2!3d33.1402919!4d-117.0927347!9m1!1b1!16s%2Fg%2F11bzs50nl2?entry=ttu. Accessed 15 June 2023.

10 B., Laura, Lynnette F., Ricky G., Michael C., Gary S., Darryl G., Charlie L., Matt L., Sara G., Sara J., Felicia P., Emily K., Irene S., Adrian P., Jen L., and Mercedes S. "Walden House, a Program of HealthRIGHT 360 - SoMa - San Francisco, CA." Yelp. July 20, 2019. Accessed August 08, 2019. <https://www.yelp.com/biz/walden-house-a-program-of-healthright-360-san-francisco-3>.

11 CONTRACT to GEO GROUP INC., THE." USAspending, https://www.usaspending.gov/award/CONT_AWD_70CD-CR23FC0000010_7012_HSCEM14A00001_7012/. Accessed 14 June 2023.



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Although the residential reentry programs provided by Geo Group are meant to be service-oriented transitional housing facilities for those who have felony convictions, the corporation has a long history of scandals and breaches of constitutional rights. For instance, the **United States Department of Justice investigation** has investigated Geo Group **over accounts of sexual misconduct** in 2012. The investigation found that Geo Group had violated the constitutional rights of those residing in their correctional facility. The report states, "Our findings show that due to the unconstitutional operation of WGY-CF, youth were sexually preyed upon by staff and all too frequently suffered grievous harm, including death." Such cases are not isolated incidents but rather indicative of a larger systemic problem. In California, a facility in Oakland run by Geo Care had an independent investigator who came to check on the facility's compliance with the federal Prison Rape Elimination Act and reported that individuals at the center had accused staff members of "**sexual touching and voyeurism.**" Geo Group's business practices even came under the **scrutiny of the ACLU** in 2017 when an Iranian immigrant passed away in one of the company's privately-owned detention centers.¹²

Geo Group has provided management services to the state of **California for 34 years.** Essentially, state money is being pumped into a private, for profit company that made a **\$172.1 million revenue in 2022.**¹³ In addition to the fact that state funds are being used to promote the business of a scandal-ridden private corporation, the conditions of the San Francisco residential reentry services are not up to code. In 2019 to 2022, there were nine complaints filed to the city against Geo Group's 111 Taylor Street facility. The most recent complaint levied against the Taylor Street residential reentry center on October 4th, 2022 to the Department of Building Inspections gives insight into the conditions of the housing facility:

"This building is housing disabled inmates on the 4th floor with no working elevator. There are residents in wheelchairs and visually impaired residents and they have no access to a working elevator. It is consistently broken. There are individuals that have to climb up the stairs. There is no property management taking care of the building. There are broken light fixtures, no trash is collected and the place is filthy. It has not been cleaned or mopped. It smells like feces and urine. These conditions are a violation of our federal rights. And a violation of ADA regulations. There are 12 people in one small room."

¹² "California-GEO Group Contract for MCRP Facility." Scribd. Accessed August 08, 2019. <https://www.scribd.com/document/334610162/California-GEO-Group-contract-for-MCRP-facility>.

¹³ "The GEO Group Reports Fourth Quarter and Full Year 2022 Results." Business Wire, 14 February 2023, <https://www.businesswire.com/news/home/20230213005665/en/The-GEO-Group-Reports-Fourth-Quarter-and-Full-Year-2022-Results>. Accessed 15 June 2023.



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This complaint required an inspection of the property, the observation of a violation of the San Francisco Housing Code, and 17 days for the issue to be resolved. Despite closing the case, the inspector never addressed the other concerns of the complaint, such as the broken light fixtures and negligent treatment of the facility. Considering GEO Group has \$172.1 million annual revenue, the fact that individuals living in the company's housing facilities are living in substandard conditions is unacceptable.¹⁴

Insufficient Emergency Funds:

Parole services often cite **gate money** as a last resort for those with felony convictions to use to pay for temporary housing as they search for more permanent options. Gate money consists of 200 dollars in state funds if an individual is (1) paroled, (2) placed on post-release community supervision, or (3) discharged from a California Department of Corrections and Rehabilitation institution or reentry facility. Not only is this amount insufficient in California's economy, but parole officers are not required to give the entire sum at once. Instead, they may elect to distribute the 200 dollars in separate, smaller amounts over a period of 60 days following release. Parole officers may fail to provide the money at all under some circumstances, in which case parolees must file an administrative appeal to start a grievance process that can **last from months to years**.¹⁵ The most recent attempt to amend these conditions was SB-1304 which sought to increase gate money from the California Department of Corrections and Rehabilitation; however, the bill was vetoed, leaving the amount at an insufficient 200 dollars.¹⁶

In addition to gate money, there are two types of emergency funds that parolees can access through their parole agents: (1) **cash assistance loans** and (2) **funds for services**. Both of these can theoretically go towards housing, but since budgets are tight, these funds are extremely limited. Moreover, they are **discretionary**, which means that parole agents and their supervisors hold the power to determine whether an individual should receive them based on their history and needs.¹⁷

¹⁴ "Welcome to Our Permit / Complaint Tracking System!" Department of Building Inspection. <https://dbiweb.sfgov.org/dbipts/default.aspx?page=AddressComplaint&ComplaintNo=201939177>.

¹⁵ "Do I get any financial assistance or "gate money" from parole when I first get out? - Roadmap to Reentry." Roadmap to Reentry, <https://roadmap.rootandrebound.org/parole-probation/state-parole/after-release-what-to-expect-in-your-first-days-ou/do-i-get-any-financial-assistance-or-gate-money-fr/>. Accessed 15 June 2023.

¹⁶ "SB-1304." California Legislative Information, 29 August 2022, https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB1304. Accessed 14 June 2023.

¹⁷ "What can I do if I don't get my gate money? - Roadmap to Reentry." Roadmap to Reentry, <https://roadmap.rootandrebound.org/parole-probation/state-parole/after-release-what-to-expect-in-your-first-days-ou/what-can-i-do-if-i-dont-get-my-gate-money/#footnote-374>. Accessed 27 June 2023.



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What turns these obstacles into a **cycle of injustice** are the parole conditions that require parolees to give their address to their officers and notify them before they move. For more serious crimes, individuals are often required to have an address before they can even be eligible for parole. Since the lack of support and ongoing housing discrimination leads many people with felony convictions to becoming **homeless**, they become trapped in a revolving door, going back and forth between prison and the outside world. For perspective, they are **10 times more likely** to be homeless than the average population. **Approximately 50,000 people a year** enter homeless shelters immediately after exiting incarceration. Homeless individuals have no singular resting spot, and therefore they must change their location of shelter (if they have any) constantly in order to survive. In the instance that they do not notify their officer under the required restraints or fail to be found by their officer in an unannounced visit, they could be in **violation of parole conditions**. Penalties for parole violations include issuance of **arrest warrants, revocation of parole, removal of gate money, and increased term of parole**. Therefore, individuals often find themselves **back in prison**, being punished for circumstances that are outside of their control. Compared to people who have only been to prison once, people who have had a long history of going in and out are **twice as likely** to be homeless¹⁸. Through these injustices, we see that the criminal justice system, which is designed to rehabilitate individuals, places its bets against them from the very beginning. These explicit and inexplicit barriers lead to a **lifetime of punishment** with no end or freedom guaranteed.

¹⁸ "Nowhere to Go: Homelessness among formerly incarcerated people." Prison Policy Initiative, <https://www.prisonpolicy.org/reports/housing.html>. Accessed 12 June 2023.



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II. The Illegality of Felony Housing Discrimination

Section 1:

Racially based housing discrimination in the United States dates back to the days of the Jim Crow laws. After the abolition of slavery, states created policies intended to keep blacks both mentally and physically suppressed.

The landmark Supreme Court decision of **Buchanan v. Warley (1917)** struck down ordinances that enforced the denial of housing to minority groups in white-zoned areas.¹⁹ In **Jones v. Mayer Co. (1968)** the Court held that 42 U.S.C. Section 1982 was intended to prohibit all discrimination against blacks in the sale and rental of property.²⁰ However, such racially charged practices continued into the late 1900s. The **Fair Housing Act** was passed in 1968, prohibiting discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, and sex under the disparate impact clause.²¹ Buildings with one to four units were exempt if the owner lived in one of the units.

The issue resurfaced in the Supreme Court in 2015 in **Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.**, in which the Court ruled that claims of racial discrimination in housing cases should not be limited by questions of intent, upholding the application of disparate impact under the Fair Housing Act.²²

Based on these cases and legislation, it is clear that it is illegal to discriminate on the basis of race when selling or offering property for rent. However, perhaps the most powerful source of protection for racial minorities is the **Equal Protection Clause** of the United States Constitution, which asserts that all citizens are guaranteed equal rights, privileges, and protections. Cases involving race are subject to strict scrutiny under the clause, meaning that laws that discriminate on the basis of race must serve a compelling state interest, be narrowly tailored to achieve that goal, and use the least restrictive means to do so.

The United States criminal justice system has been racially charged since its very existence. Slavery has ended, but prisons serve as means to continue the traditions of oppression and servitude. The United States has the world's highest incarcerated population with approximately 2 million Americans currently incarcerated.²³ As of 2021, the incarceration rate for Black Americans is nearly 5 times the rate for white Americans.²⁴

19 "Buchanan V. Warley". 2019. Oyez. <https://www.oyez.org/cases/1900-1940/245us60>.

20 "Jones V. Alfred H. Mayer Company". 2019. Oyez. <https://www.oyez.org/cases/1967/645>

21 "Housing Discrimination Under The Fair Housing Act". 2019. Department Of Housing And Urban Development. https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview.

22 "Texas Dept. Of Housing And Community Affairs V. Inclusive Communities Project, Inc.". 2019. Oyez. <https://www.oyez.org/cases/2014/13-1371>.

23 "Highest to Lowest - Prison Population Total." World Prison Brief, https://www.prisonstudies.org/highest-to-lowest/prison-population-total?-field_region_taxonomy_tid=All. Accessed 14 June 2023.

24 Nellis, Ashley, and Niki Monazzam. "The Color of Justice: Racial and Ethnic Disparity in State Prisons – The Sentencing Project." The Sentencing Project, 13 October 2021, <https://www.sentencingproject.org/reports/the-color-of-justice-racial-and-ethnic-disparity-in-state-prisons-the-sentencing-project/>. Accessed 12 June 2023.



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Section 2:

People with felony convictions accounted for eight percent of the overall population and 33 percent of the African American male population.²⁵ Today, a Black male has nearly a one in three chance of being incarcerated at some point in their life.²⁶

Hispanic people make up 18.9% of the total United States population, and yet they comprise 30.1% percent of the state prison and jail populations.^{27, 28} The average white male has a one in seventeen chance of being incarcerated at some point in life, but a Latino man has a one in six percent chance.²⁹

These statistics are jarring, and they barely cover the surface of the depths of racism. It is undeniable that the justice system is racially discriminatory, and that is why, after reviewing the cases and legislation described in Section 1, we argue that San Francisco housing is committing illegal acts in discriminating against formerly incarcerated people with felony convictions.

25 "Flutty, Alan. "Study estimates U.S. population with felony convictions." UGA Today, 1 October 2017, <https://news.uga.edu/total-us-population-with-felony-conviction/>. Accessed 13 June 2023.

26 Kessler, Glenn. "Analysis | The stale statistic that one in three black males 'born today' will end up in jail." The Washington Post, 16 June 2015, <https://www.washingtonpost.com/news/fact-checker/wp/2015/06/16/the-stale-statistic-that-one-in-three-black-males-has-a-chance-of-ending-up-in-jail/>. Accessed 13 June 2023.

27 "Hispanic/Latino - The Office of Minority Health." Office of Minority Health, 24 February 2023, <https://minorityhealth.hhs.gov/omh/browse.aspx?IV=3&Ivid=64>. Accessed 13 June 2023.

28 "BOP Statistics: Inmate Ethnicity." Federal Bureau of Prisons, 10 June 2023, https://www.bop.gov/about/statistics/statistics_inmate_ethnicity.jsp. Accessed 15 June 2023.

29 Amurao, Carla. "Criminal Justice Reform." LULAC, https://lulac.org/advocacy/issues/criminal_justice_reform/. Accessed 14 June 2023.



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Section 3:

Opponents of our stance may cite the **Fair Chance Ordinance**, which strictly forbids housing providers from inquiring at any point in time into an individual's "(1) history of arrest not leading to a conviction, (2) participation in...a deferral of judgment program, (3) history of conviction related to marijuana use or distribution (which has been decriminalized under the amended California Code of Regulations), (4) conviction eight or more years old, and (5) history of infraction."³⁰

However, the ordinance makes an exception for all misdemeanor and felony convictions. Housing providers can inquire into the misdemeanor or felony conviction history of an applicant after the individual has been found "legally eligible to rent" under the housing provider's criteria for assessing rental and credit history. This clause creates a loophole for continued discrimination for those with felony convictions. The use of credit checks is one of many systemic barriers for people who have spent extended periods of time away from their communities. The number one factor on a credit score is payment history: a late payment can quickly drop the score. For someone in prison, bills may be forgotten or overlooked for other priorities or payments such as legal fees or fines. What adds to this burden is that many formerly incarcerated individuals owe substantial sums of money to the court systems.

³⁰ "Fair Chance Ordinance". 2019. SF Gov. <https://sfgov.org/olse/fair-chance-ordinance-fco>.



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Solution:

Housing should be a basic human right. The purpose of prison is to rehabilitate, not to punish or to keep centuries of racism alive. We strongly believe that San Francisco is breaking the law by discriminating against formerly incarcerated individuals in their search for housing.

The San Francisco Housing Authority conducts background checks for public housing along with Section 8, a housing program for low-income families, seniors, and people with disabilities in California. These cover both eviction and unlawful detainer issues from past rental situations and criminal histories related to violence, assault, drug sales, sexual offenses, and arson, just to name a few. In order to mitigate felony housing discrimination, **we propose the removal of applicant background checks.**

There are currently 7,754 homeless individuals in San Francisco.³¹ During the COVID-19 pandemic, San Francisco founded the Shelter-In-Place Hotel Program, converting hotels into temporary housing for more than 3,300 unsheltered individuals. According to the department of homelessness and supportive housing, 45% residents exiting the Shelter-In-Place Hotel program entered permanent housing, while 14% entered temporary shelter, and 2% entered other institutions.³² From 2019 to 2022, the number of unhoused people in San Francisco dropped by 3.5%.³³ However, because of a change in reporting methodology, these numbers may inaccurately reflect the unhoused population in San Francisco. Although in previous years the city's "hidden homeless" population—those who live in temporary accommodations, cars, or at a friend's house—were counted in the total unhoused population, in recent years they have not been classified as unhoused. This means that this decrease in the San Francisco unhoused population may not be as significant as it appears.³⁴ Therefore, we recommend that reporting methodology be redefined to include all people who lack regular and sufficient nighttime housing, specifically those who are housed in a public or private place not meant for habitation. For example, people living in shared housing, shelters, substandard housing, and cars would be identified as experiencing homelessness under this expanded definition. This would ensure that reported data accurately represents unhoused populations.

31 "Homeless Population | City Performance Scorecards." City of San Francisco, <https://sfgov.org/scorecards/safety-net/homeless-population>. Accessed 12 June 2023.

32 "SIP Program Overview and Outcomes." SF HSH, <https://hsh.sfgov.org/covid-19/shelter-in-place-hotel-program-overview/>. Accessed 14 June 2023.

33 "Homelessness up in Bay Area, down slightly in San Francisco." AP News, 16 May 2022, <https://apnews.com/article/covid-health-government-and-politics-san-francisco-homelessness-52bb4a9992c4fa4b4477fb01eab30d5f>. Accessed 14 June 2023.

34 "Gavin Newsom makes big admission to Sean Hannity: 'I can't defend this.'" YouTube, 13 June 2023, <https://www.youtube.com/watch?v=eWlQ-236YXU>. Accessed 14 June 2023.

A low income in the city for a household of four is considered to be 148,650 dollars, while the national median household income is 70,784 dollars.^{35, 36} The current lack of housing leaves the formerly incarcerated competing for the same limited resources with others who have no criminal history. More than 10 percent of those coming in and out of prison are homeless in the months following their sentences, and being unhoused heightens people's risks of reoffending.³⁷ The most important factor in reintegration is community support, and in addition to shelter, housing provides a neighborhood through which those with felony convictions can experience a sense of belonging. Therefore, our proposition will help protect society as a whole by **easing transitions back into society and preventing recidivism**. In turn, California taxpayers will save money, as it costs an average of about \$106,000 per year to incarcerate an inmate in this state.³⁸

The city of San Francisco has a duty towards each and every single one of its citizens. The formerly incarcerated should not be an exception. The risk of suicide rose with the number of times an individual had been incarcerated: those who had served one sentence had a 42% increased risk; those who had served two sentences had a 67% increased risk; and those who had served three or more had a 113% increased risk.³⁹ These suicides are caused by feelings of hopelessness and lack of guidance. By simplifying the paths to housing, San Francisco can help save the lives of these individuals.

Furthermore, it is estimated that **one in seven** people who are living with HIV pass through the correctional system each year.⁴⁰ Prisons are incubators of disease, and when an individual who has HIV is released without adequate access to health services and housing, the problem unravels. People with felony convictions who are HIV-positive already have enough challenges and stigmas to combat, and the lack of housing only exacerbates these circumstances. Therefore, our proposition will benefit both public health and the formerly incarcerated who deserve to successfully re-enter into society.

35 "FY 2023 Income Limits Summary." HUD USER, 9 May 2023, https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?STATES=6.0&INPUTNAME=METRO41860MM7360*0607599999%2BSan+Francisco+County&statelist=&stname=California&wherefrom=%24wherefrom%24&statefp=06&year=2023&ne_flag=&selection_type=county&incpath=%24. Accessed 15 June 2023.

36 Semega, Jessica, and Melissa Kollar. "Income in the United States: 2021." Census Bureau, 13 September 2022, <https://www.census.gov/library/publications/2022/demo/p60-276.html>. Accessed 15 June 2023.

37 "Homelessness And Prisoner Re-Entry: Examining Barriers To Housing". 2019. Volunteers Of America. <https://www.voa.org/homelessness-and-prisoner-reentry>.

38 "Legislative Analyst's Office." Legislative Analyst's Office, https://lao.ca.gov/policyareas/cj/6_cj_inmatecost. Accessed 12 June 2023.

39 "High risk of suicide seen in formerly incarcerated people." UW Newsroom, 1 March 2022, <https://newsroom.uw.edu/postscript/high-risk-suicide-seen-formerly-incarcerated-people>. Accessed 13 June 2023.

40 "Prisons And Jails". 2019. The Center For HIV Law And Policy. <https://www.hivlawandpolicy.org/issues/prisons-and-jails>.



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III. Incarceration as a Public Health Issue

Our Position:

Without proper care, the number of chronic, infectious, and mental illnesses will rise among the formerly incarcerated and homeless population, which impacts society as a whole. The disconnect between access to provided services and the at-risk population is clearly a systemic issue and must be addressed by legislation. We believe that the first step in improving the overall health of formerly incarcerated individuals and preventing further chronic illness is through housing. **Addressing housing issues can help improve various social determinants of health and effectively decrease the risk of developing chronic and mental health issues.**⁴¹

As presented in our proposal, “The Illegality of Felony Housing Discrimination,” we believe that San Francisco is breaking the law by discriminating against formerly incarcerated individuals during their search for housing. Banning the box that indicates whether or not an applicant has a criminal record in housing applications will lessen disparities and difficulties for formerly incarcerated individuals in finding stable housing. Incarceration continues to impact one’s health after release; thus, addressing barriers such as housing disparities is crucial to improving public health.

Incarceration affects the health and overall well-being of individuals currently incarcerated and those with a history of incarceration. This population is at a **higher risk of developing and living with the burden of chronic illness, disease, and mental illness compared to the general public.**⁴² This position paper highlights how formerly incarcerated people are a vulnerable group and why incarceration should be identified as a public health issue.

Chronic and Infectious Diseases:

High rates of incarceration and recidivism in the United States disproportionately affect disadvantaged individuals, including people who are racial minorities, mentally ill, or experiencing homelessness. The high burden of both chronic illness and infectious disease impacts the daily lives of formerly incarcerated individuals and put them at a greater risk compared to the general public.

41 Chadwick, Edwin. “Housing and Health: Time Again for Public Health Action.” NCBI, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447157/>. Accessed 15 June 2023.

42 Sabatini, Joshua. “SF to officially recognize incarceration as a public health issue.” San Francisco Examiner, 9 March 2019, https://www.sfoxaminer.com/news/sf-to-officially-recognize-incarceration-as-a-public-health-issue/article_f8d4f3de-7c91-59e3-b222-59a4a22dbd5d.html. Accessed 15 June 2023.



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HIV:

HIV prevalence is roughly **three times higher** among incarcerated individuals than the general U.S. population.⁴³ While access to treatment and viral suppression are generally acceptable during incarceration, retention of care after release is a challenge for many people. People with HIV who are transitioning from prison to community settings are at risk of negative outcomes, including interruption of antiretroviral therapy, harmful substance use and discontinuities in primary health care. They are also more likely to experience high rates of emergency department use related to overdose and mental illness and the inability to access social services. Medical care is essential in helping people living with HIV who are also returning to the community to improve and maintain their own health. Along with HIV service gaps after incarceration, the stigmatized attitudes towards HIV/AIDS prevents individuals from getting tested for HIV or seek HIV medication. Furthermore, studies have suggested that **risk of HIV transmission increases upon release from prison**. A study reported by Johns Hopkins researchers demonstrated that the primary risk factor of HIV among recently diagnosed African American women who acquired HIV through heterosexual sex was by having sex with a partner who had a history of incarceration. It is crucial that HIV medication is easily accessible for individuals upon release to address prevention, early intervention, and treatment of the disease.

Chronically Ill and Incarceration:

The criminal justice system lacks proper assistance to incarcerated individuals who need to manage their chronic illnesses after release. According to the CDC, the most common chronic illnesses reported by incarcerated individuals include arthritis, asthma, cancer, diabetes, heart disease and high blood pressure.⁴⁴ The lack of adequate services available upon release creates barriers for formerly incarcerated individuals to treat their chronic conditions, which could later lead to more serious health issues and possibly death. While high morbidity rates after incarceration are associated with poor management of chronic conditions, they are also the result of the systematic failures of providing sufficient health care services for previously incarcerated people.

43 Widra, Emily. "New data on HIV in prisons during the COVID-19 pandemic underscore links between HIV and incarceration." Prison Policy Initiative, 1 June 2023, https://www.prisonpolicy.org/blog/2023/06/01/hiv_in_prisons/. Accessed 15 June 2023.

44 "Data and Statistics about Correctional Health | CDC." Centers for Disease Control and Prevention. <https://www.cdc.gov/correctional-health/health-data.html>.

Exposure to Infectious Disease:

According to a 2017 study regarding infectious diseases and the criminal justice system, the burden of infectious diseases among formerly incarcerated individuals as a proportion of everyone in the US with the disease determined that 24% of all STIs, 35% of tuberculosis, 29% of Hepatitis C, 13% of HIV, and 15% of Hepatitis B is present in the formerly incarcerated population.⁴⁵ Results from routine, opt-out screening efforts in jails and prisons have identified that prisoner rates of *Chlamydia trachomatis* and *Neisseria gonorrhoea* infections are **three to five times greater** than the general population. Similarly, other sexually transmitted infections such as syphilis, trichomonas, herpes simplex virus (HSV) and human papilloma virus are more prevalent among the incarcerated population. COVID-19 is a recent hazard that largely affected incarcerated individuals housed in jails, prisons, and other detention facilities in the US. Throughout the early phases of the pandemic, incarcerated individuals were 5.5 times more likely to contract the virus than the general population. Incarceration facilities quickly became viral hotspots with the confined space making it easier for the virus to spread, the lack of proper sanitation, poor ventilation, and shortage of necessary healthcare.⁴⁶ As of June 2023 there have been 647,376 COVID-19 cases reported for people incarcerated in prisons and 2,934 reported deaths of incarcerated individuals in prisons due to COVID-19.⁴⁷

45 Nijhawan, Ank "Infectious Diseases and the Criminal Justice System: A Public Health Perspective." NCBI, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5119815/>. Accessed 15 June 2023

46 "Inclusive health: modeling COVID-19 in correctional facilities and communities." NCBI, 16 May 2022, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9108375/#CR1>. Accessed 13 June 2023.

47 COVID Prison Project: Home, <https://covidprisonproject.com/>. Accessed 13 June 2023.

Mental Health:

Mental health disorders among previously incarcerated individuals exceed the rate of such disorders in the general public of the United States. 64 percent of jail inmates, 54 percent of state prisoners, and 45 percent of federal prisoners have reported mental health concerns.⁴⁸ According to the National Commission on Correctional Health Care, the most common psychological disorders within prison are Schizophrenia, Bi-Polar, depression, Posttraumatic stress disorder (PTSD), and General Anxiety Disorder (GAD).⁴⁹ Barriers that tend to worsen mental health concerns after incarceration include the lack of perceived need for treatment, stigma, lack of access due to financial barriers and other structural barriers such as inconvenience or inability to obtain an appointment.

Prisons and jails in the United States are the largest institutions that house mentally ill individuals.⁵⁰ This demonstrates how mental illness is “criminalized” which results in wide ranging and devastating consequences. Although the police are equipped with the skills to recognize mental illness and respond accordingly, many individuals with mental illness are redirected into the criminal justice system. This process perpetrates the cyclic nature of people with mental illness constantly entering and exiting the criminal justice system.

Incarceration as an Acute and Chronic Stressor:

Imprisonment is a major life event that changes life circumstances and causes considerable stress in a short period. Research suggests that these such events have negative repercussions on health. Daily stressors in prison include a lack of privacy, overcrowded conditions, hostile relationships with inmates and guards, and an increased threat of violence. These **daily stress factors directly contribute to the short-term or acute stress an incarcerated individual may endure**.⁵¹ Upon release from prison, formerly incarcerated people are exposed to high stressors including social stigma, the disruption of social bonds, and financial strain. Along with the stress of being unable to find adequate housing, the stigma experienced by those who face homelessness may damage perceived social standing and add to the previous stress.

These stress factors are a significant source of health variation since it reflects the degree of autonomy individuals have and their opportunities for social engagement. Exposure to repeated or chronic stressors **increases the allostatic load**, or the “wear and

48 “Mental Health and Reentry: How Court Services Offender Agency Meets the Challenge of Mental Health Community Supervision.” COPS OFFICE, https://cops.usdoj.gov/html/dispatch/05-2022/mental_health_reentry.html. Accessed 12 June 2023.

49 Dumont DM, Brockmann B, Dickman S, Alexander N, Rich JD. Public health and the epidemic of incarceration. *Annu Rev Public Health*. 2012;33:325–339. doi:10.1146/annurev-publhealth-031811-124614

50 James, Doris J., and Lauren E. Glaze. “Mental Health Problems of Prison and Jail Inmates.” U.S. Department of Justice - Office of Justice Problems, September 2006.

51 Massoglia M, Pridemore WA. Incarceration and Health. *Annu Rev Sociol*. 2015;41:291–310. doi:10.1146/annurev-soc-073014-112326

tear on the body,” which leads to negative health outcomes. This could include immune dysfunction, psychological problems, hypertension, heart disease, chest pain, and depression.⁵²

Mortality and Suicide After Release from Prison:

Studies from across the globe have shown that there is an elevated risk of suicide and mortality after being released from prison. A study conducted in Washington State observed an **increase by a factor of 3.5** in the risk of death among former inmates compared to the general population. During the first two weeks following release, the death rate was nearly **12.5 times higher** than the rate for the general population. The sharply elevated risk immediately after release suggests that the reentry process contributes to disproportionately high rates of mortality in this population.⁵³ The leading cause of death for formerly incarcerated individuals during the immediate post-release period was drug overdose.⁵⁴ Possible explanations have been associated with under-treatment of mental disorders while individuals are incarcerated. High incidence of suicide supports the idea that transitioning to live outside of incarceration substantially increases risk for premature death.⁵⁵

Post Incarceration Syndrome:

Post Incarceration Syndrome (PICS) is a mental disorder that occurs in individuals actively incarcerated or those recently released. The disorder causes the development of severe symptoms in individuals who spent extended periods of time in solitary confinement as well as those who suffered from institutional abuse. The behaviors associated with PICS are “natural and normal adaptations made by prisoners in response to the unnatural and abnormal conditions of prisoner life.” Institutionalized personality traits are often developed by individuals who are deprived of learning opportunities while incarcerated, preventing them from developing critical thinking and decision-making skills. Post-traumatic stress disorder (PTSD) is another disorder that may be developed if an individual is experiencing PICS. PTSD may arise as a result of traumatic events or experiences which leads to states of mental distress and disturbance.

52 Wasserman, Jason A. “Stress among the Homeless.” Wiley Online Library, February 21, 2014.

53 Haglund, Axel, Dag Tidemalm, Jussi Jokinen, Niklas Långström, Paul Lichtenstein, Seena Fazel, and Bo Runeson. “Suicide After Release From Prison.” *The Journal of Clinical Psychiatry* 75, no. 10 (2014): 1047-053. doi:10.4088/jcp.13m08967.

54 “Higher Suicide Risk after Served Prison Sentence.” *ScienceDaily*. October 28, 2014. <https://www.sciencedaily.com/releases/2014/10/141028145548.htm>.

55 Cruz, Christopher. “Suicide Rates Among Released Male Prisoners 8 Times Higher Than National Average; Mental Health, Support Services Can Help.” *Medical Daily*. August 11, 2015. <https://www.medicaldaily.com/suicide-rates-among-released-male-prisoners-8-times-higher-national-average-mental-347170>.

Substance Use:

Formerly-incarcerated individuals who are on probation or parole have a higher prevalence of substance use than the general population. Reports from 2002 to 2014 evidence a significantly higher prevalence of substance use disorder (SUD) among parolees in comparison to the general population. Low-level incomes post-release positively correlate with substance use. SAMHSA, the Substance Abuse and Mental Health Services Administration, reports that between **60 and 80 percent** of parolees and probationers have a substance use-related problem. SAMHSA also finds that use and dependence rates are “two to three times higher” among individuals on parole than the general population and “nearly half of male probationers age 18-49” require treatment of substance use-related problems—three times the need of average age males.⁵⁶ Despite the high need for treatment, access to treatment is limited with only a tenth of formerly-incarcerated individuals receiving treatment upon reentry and **only four to five percent** receiving treatment while incarcerated. A person’s age and the use of more concentrated substances have been identified as the strongest predictors of controlled substance use during a probationary period. Other findings have identified “injection drug use and substance use disorders” as significant risk factors for mortality post-release, concluding that an individual’s reentry into triggering environments increases the likelihood of relapse and overdose.⁵⁷

Qualitative studies have been conducted to assess the risk of relapse for individuals with substance dependency following their release.⁵⁸ According to one study, temptation to relapse is present within the first 24-hour period following release.⁵⁹ Participants in the study cited financial instability as a significant risk factor for relapse with many stating that their term of incarceration “worsened their financial situation”. Limited options upon release further incentivized illegal drug trafficking as a means of stabilizing one’s financial situation.

Access to Care:

Most individuals leaving prison have at least one type of illness – whether it be problems with their physical or mental health. **Reintegration into community is made more difficult for formerly incarcerated people** because physical and mental illness

56 Fearn NE, Vaughn MG, Nelson EJ, Salas-Wright CP, DeLisi M, Qian Z. Trends and correlates of substance use disorders among probationers and parolees in the United States 2002-2014. *Drug Alcohol Depend*. 2016;167:128–139. doi:10.1016/j.drugalcdep.2016.08.003

57 Caudy, Michael S., Liansheng Tang, Alese Wooditch, and Faye S. Taxman. “Short-term Trajectories of Substance Use in a Sample of Drug-involved Probationers.” *Journal of Substance Abuse Treatment* 46, no. 2 (2014): 202-13. doi:10.1016/j.jsat.2013.07.006.

58 Binswanger, Ingrid A., Carolyn Nowels, Karen F. Corsi, Jason Glanz, Jeremy Long, Robert E. Booth, and John F. Steiner. “Return to Drug Use and Overdose after Release from Prison: A Qualitative Study of Risk and Protective Factors.” *Addiction Science & Clinical Practice* 7, no. 1 (2012). doi:10.1186/1940-0640-7-3.

59 van Olphen J, Freudenberg N, Fortin P, Galea S. Community reentry: perceptions of people with substance use problems returning home from New York City jails. *J Urban Health*. 2006;83(3):372–381. doi:10.1007/s11524-006-9047-4



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directly impacts their state of wellness and can be a barrier for finding housing and employment and for maintaining social relations.⁶⁰

Health Care Access:

The majority of formerly incarcerated individuals lack health insurance which affects their ability to access health care in the community. Although Medi-Cal coverage is suspended once an individual is incarcerated, new Medi-Cal guidelines under the Cal AIM Justice-Involved Initiative will extend Medi-Cal coverage to eligible inmates up to 90 days before release. The Justice-Involved Initiative aims to prepare incarcerated people for their return to the community and reduce gaps in care. To do this, the initiative aims to ensure an easy transition from correctional facilities to health care providers so that individuals who require health care services, medications, and other medical supplies have what they need once they re-enter their communities. Under the initiative, county jails, county youth correctional facilities, and state prisons work with community-based care managers to offer intensive care for individuals at re-entry.⁶¹ However, this initiative is only the first step in reforming healthcare practices in California's correctional systems. Implementing this initiative must involve an understanding of the fundamental healthcare needs of incarcerated individuals, how healthcare is delivered in a carceral setting, and transitions to the community. Additionally, change management, stakeholder coordination, and infrastructure must be created or adapted to meet the requirements of the initiative. There must be coordination between community health organizations, administrators of carceral settings, and correctional healthcare providers in order to provide formerly incarcerated people with timely, cost-effective, and quality healthcare services.

Transportation Access:

Access to affordable and convenient transportation plays a critical role in determining whether or not an individual can access health care. Transportation issues can affect formerly incarcerated individuals more intensely than the general population because they may not have the awareness of convenient transportation or funds to pay for transportation upon release. Although individuals may qualify for Medicaid's free

60 Mallik-Kane, Kamala, Ellen Paddock, and Jesse Jannetta. "Health Care after Incarceration: How Do Formerly Incarcerated Men Choose Where and When to Access Physical and Behavioral Health Services?" National Institute of Correction, February 2018. https://www.urban.org/sites/default/files/publication/96386/health_care_after_incarceration.pdf.

61 Mallik-Kane, Kamala, Ellen Paddock, and Jesse Jannetta. "Health Care after Incarceration: How Do Formerly Incarcerated Men Choose Where and When to Access Physical and Behavioral Health Services?" National Institute of Correction, February 2018.

non-emergency medical transportation service, many lack awareness of how to access this service, how to meet the service's advance scheduling requirements, and how to determine whether or not they qualify.⁶² This exemplifies the need for stronger post-release infrastructure to ensure the continuity of healthcare post-release. Transportation is an important determinant of health that ensures people have easy access to health care services. These barriers lead to poor management of chronic illness and overall poorer health outcomes.⁶³

Medication Access:

Access to medication upon release from incarceration poses an additional barrier to treatment. For instance, HIV-positive individuals lose access and adherence to antiretroviral treatment (ART) after incarceration compared to during incarceration. On average, 65% received ART during incarceration and 37% received ART after release. This example highlights the urgent need for stronger re-entry programs and linkage-to-care to ensure that individuals are able to access medications for both chronic and infectious diseases after release.⁶⁴

Violence Against the Homeless Population:

Homeless populations are left unprotected against violence and harassment, with recent years seeing a spike in violence against unhoused populations. A study found that in 2021, 85 people in Los Angeles were murdered, an all-time high for the city. However, disproportionate violence against this population is not new; a 2003 study of the adult homeless population in San Francisco found that one-third of cis-women, one-quarter of cis-men, and almost 40% of transgender participants experienced physical or sexual violence a year earlier. The unhoused population suffers an increased exposure to violence, including assault, sexual assault, robbery, theft, and vandalism. The population is especially vulnerable because of their lack of protection against criminal activity, inability to avoid dangerous areas, and lack of shelter.⁶⁵

62 Iroh PA, Mayo H, Nijhawan AE. The HIV Care Cascade Before, During, and After Incarceration: A Systematic Review and Data Synthesis [published correction appears in *Am J Public Health*. 2018 Mar;108(3):e18]. *Am J Public Health*. 2015;105(7):e5–e16. doi:10.2105/AJPH.2015.302635

63 Kushel, Margot. "Violence Against People Who Are Homeless: The Hidden Epidemic | Benioff Homelessness and Housing Initiative." Benioff Homelessness and Housing Initiative, 14 July 2022, <https://homelessness.ucsf.edu/blog/violence-against-people-homeless-hidden-epidemic>. Accessed 27 June 2023.

64 Iroh PA, Mayo H, Nijhawan AE. The HIV Care Cascade Before, During, and After Incarceration: A Systematic Review and Data Synthesis [published correction appears in *Am J Public Health*. 2018 Mar;108(3):e18]. *Am J Public Health*. 2015;105(7):e5–e16. doi:10.2105/AJPH.2015.302635

65 Kushel, Margot. "Violence Against People Who Are Homeless: The Hidden Epidemic | Benioff Homelessness and Housing Initiative." Benioff Homelessness and Housing Initiative, 14 July 2022, <https://homelessness.ucsf.edu/blog/violence-against-people-homeless-hidden-epidemic>. Accessed 27 June 2023.

San Francisco is experiencing an increase in their elderly unhoused population, with people over 40 comprising 57% of the homeless population, despite making up only 46% of S.F.'s total population.⁶⁶ The elderly unhoused population also suffers disproportionate levels of violence, as observed in the HOPE HOME study (Health Outcomes of People Experiencing Homelessness in Older Middle Age). The study recruited 350 adults aged 50 and older in Oakland, which observed that 10.6% had experienced physical or sexual victimization in the past six months, and an 18-month post-assessment found that 42% of the cohort remained homeless. The study also found that persistently homeless people had twice the odds of victimization. However, housing significantly improved exposure rates to violence; when individuals became housed, their risk of experiencing violence dropped by half. Therefore policymakers should acknowledge the positive effect of housing as a preventative measure against violence in unhoused populations.⁶⁷

Substandard Healthcare of the Elderly Homeless Population:

The elderly homeless population experiences disproportionate rates of violence and is also at greater risk of mortality due to chronic health conditions as a result of substandard care. This points to a greater underlying problem, as California has seen an 84% increase in individuals over 55 who have sought homelessness services from 2017 to 2021, the most significant increase of any age group. For comparison, according to California's Homeless Data Integration System, there was a 43% increase in individuals utilizing homelessness services across all ages. Homeless seniors are subject to poorer nutrition and sleeping habits, exposure to harsh environments, loose medications during encampment sweeps, and lack access to adequate medical care. Many find themselves moving from one encampment or shelter to another, making access to routine care and diagnosis difficult. These conditions pose a particular threat of exposure to infectious diseases and poor management of chronic illnesses. As a result, vision problems, hearing problems, cognitive impairments, and difficulty walking start at an earlier age for many homeless seniors, many of whom develop anxiety, depression, and substance use.⁶⁸

A UCSF study found that individuals who experienced homelessness for the first time at age 50 or older were at greater risk of dying early, at a median age of 64.6, compared to those who became homeless earlier in life. This is because this population are primarily low income individuals who have experienced sudden rent increase, job loss, family breakup, or sickness that has made housing unaffordable. The leading causes of

66 Rezal, Adriana. "SFNext Index: Key facts about homelessness in San Francisco." San Francisco Chronicle, 29 June 2022, <https://www.sfchronicle.com/projects/2022/fixing-san-francisco-problems/sf-homelessness-data>. Accessed 27 June 2023

67 Kushel, Margot B. "Persistent Homelessness and Violent Victimization Among Older Adults in the HOPE HOME Study." NCBI, 28 May 2019, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8715865/>. Accessed 27 June 2023.

68 Ibarra, Ana B., and Erica Yee. "Homeless seniors: California's numbers surge." CalMatters, 10 February 2023, <https://calmatters.org/health/2023/02/california-homeless-seniors/>. Accessed 27 June 2023.

death for this population were heart disease (14.5%), cancer (14.5%), and drug overdose (12%). The study observed a significantly low rate of homeless participants who reported a diagnosis of serious medical conditions such as heart disease and cancer prior to death from these diseases. These deaths highlight the complications that arise from delayed diagnoses and lack of access to healthcare. Therefore, preventative measures such as rehousing are vital to improving access to care for elderly unhoused populations.⁶⁹

Recommendation:

In order to reduce the burden of chronic, infectious and mental illness among previously incarcerated individuals, it is crucial that they receive adequate and affordable housing as well as an increased access to care. While former inmates are mandated to enter transitional housing, the waitlists to get into one of these facilities can take years. Once they enter the transitional housing system, the conditions of living are inhumane which escalates various health issues rather than improving them. These conditions must be improved to provide the necessary shelter that these individuals deserve and this will, in turn, reduce the burden of disease. Furthermore, although the CalAIM Justice-Involved Initiative has helped to bridge the gap between healthcare during incarceration and healthcare after release, additional coordination between stakeholders, administrators and community organizations, as well as the development of change management infrastructure, are crucial in ensuring the effectiveness of the initiative. While formerly incarcerated individuals are at high-risk of developing chronic and mental diseases, it is on the government, organizations, and communities to decrease the barriers that escalate these public health issues.

Furthermore, housing is a necessary preventative measure in combating the increased rate of violence and healthcare barriers faced by elderly unhoused populations. Senate Bill 37 would create a housing subsidy program for older adults and those with disabilities experiencing homelessness or at high risk of becoming homeless. This program would supplement Section 8 vouchers and other federal assistant programs. The program is essential because demand often outpaces the supply of federal rental subsidies, with only four out of every ten people eligible for a federal rental subsidy receiving it. Therefore, Senate Bill 37 would allow for the development of a state program with the goal of helping people obtain federal rental vouchers and providing state-funded help in the meantime. This would provide an additional safety net for those who are already unhoused while also allowing more elderly adults who are at risk of homelessness to stay in their homes.⁷⁰

69 Kurtzman, Laura. "Older Homeless People Are At Great Risk of Dying." UCSF, 29 August 2022, <https://www.ucsf.edu/news/2022/08/423551/older-homeless-people-are-great-risk-dying>. Accessed 27 June 2023.

70 Ibarra, Ana B., and Erica Yee. "Homeless seniors: California's numbers surge." CalMatters, 10 February 2023, <https://calmatters.org/health/2023/02/california-homeless-seniors/>. Accessed 27 June 2023.



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IV. City Vacancies as a Solution



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According to the 2022 San Francisco Point-in-Time Count (PTC) report, twenty-three percent of unhoused survey respondents spent at least one night in jail or prison within the previous 12 months. Thirteen percent (13%) of chronically homeless survey respondents reported being on probation or parole at the time of the survey, while 11% reported being on probation or parole at the time they became homeless.⁷¹

We believe that San Francisco can implement a cost-effective, spatially conscious solution to the current lack of available housing for those with felony convictions by converting city-owned vacant parcels of land scattered across the city into modular tiny home communities or small-scale, urban infill housing.

Defining Vacancy and its Impact on San Francisco:

According to the United States Census Bureau, year-round vacant units are defined as “those intended for occupancy at any time of the year, even though they may not be in use year-round,” while “other vacant” units are a term used by the census to define units that are neither on the market, held for future occupancy, nor used only seasonally.

City vacancies have skyrocketed since the Great Recession, but have the capacity to transform into vital community assets. The United States Census Bureau reveals San Francisco has an office vacancy rate of almost **30% vacancy rate**, with 61,473 vacant units in San Francisco as of 2021.^{72, 73} According to national trends reflective of a well-functioning market, this is indicative of a moderately high vacancy rate; thus, reflecting quasi problematic vacancy in San Francisco. Many of these properties have been vacant for at least the last two years if not longer. Left vacant, these properties and lots, according to the San Francisco Department of Building Inspection, not only serve no beneficial purpose to its surrounding communities but also become “community eyesores,” attract illegal behavior and threaten public safety. Furthermore, year-round vacant units, though plausibly well-maintained and not intrinsically a “problem property,” still play major roles in the available housing-population deficit, thus perpetuating the city’s housing crisis. Looking at the landscape of San Francisco and current available ethnographic data, vacancy in all its forms poses a major issue to the city, creating problems that explicitly affect the aesthetics of its neighborhoods and the well-being of its residents. Despite this urban

71 “SAN FRANCISCO HOMELESS COUNT AND SURVEY.” SF HSH, <https://hsh.sfgov.org/wp-content/uploads/2022/08/2022-PIT-Count-Report-San-Francisco-Updated-8.19.22.pdf>. Accessed 13 June 2023.

72 “Commercial Real Estate | City Performance Scorecards.” City of San Francisco, <https://sfgov.org/scorecards/economy/commercial-real-estate>. Accessed 12 June 2023.

73 Leahy, Garrett. “20,000 More Homes Were Vacant in 2021 Than Before Covid.” The San Francisco Standard, 20 October 2022, <https://sfstandard.com/politics/housing-vacancy-election-survey/#>. Accessed 12 June 2023.

decay, such vacancy is, however, also indicative of spatial availability which could further serve to address the desperate housing situation formerly incarcerated face today.⁷⁴

Existing Initiatives to Address Vacancy and Housing:

More recently, city public officials have taken broad steps to address the problems these vacancies present to the community through the introduction of various legislative proposals. As of March 2019, District 1 Supervisor Sandra Lee Fewer had successfully implemented an ordinance to combat the city's commercial vacancies, influenced by an unenforced ordinance from 2014. Eliminating the 270-grace period present in previous legislation, Fewer's proposed ordinance requires building owners to pay a \$711 fee within 30 days as a noncompliance penalty and a \$2,844 non-registration fee as its primary enforcement mechanism. Building owners must also have annual building inspections to keep their buildings fit for occupancy. Fewer's ordinance was unanimously passed with the intent to confront San Francisco's ongoing vacancy issue while also making up for the often inaccurate and ineffective vacant registry and housing inventory in the city. In addition, District 3 Supervisor Aaron Peskin introduced a vacancy tax for certain commercial spaces kept vacant 182 days or more per year. Under his proposal, owners of commercial properties in NCDs, Named Neighborhood Commercial Districts, could be fined based on their property's street frontage, starting at \$250 per square foot in the first year, \$500 in the second year, and \$1,000 in the third year.⁷⁵ Supporters of the tax claim that it will, in effect, push rental prices up while also serving as a partial resolution for tax losses in the city; but according to Peskin "this is not supposed to be a revenue generator for San Francisco." While this vacancy tax intends to discourage owners and landlords from leaving habitable space vacant, it could be months if not years before vacancy in San Francisco is adequately addressed, assuming this tax will have its intended effect.⁷⁶

While such tax reform proposals work to reduce the vacancy rate in the city, such proposals focus primarily on privately owned property, which **inherently limits government action moving forward**. Furthermore, neither Fewer nor Peskin include a clear plan of action concerning the vacancy tax revenue within their tax reform plan. These tax reform initiatives, however, potentially offer funding solutions to future public housing projects to address both vacancy and public housing. This would then coincide with Mayor

74 Brinklow, Adam. "San Francisco considers taxes, fees for constantly empty storefronts [Updated]." Curbed SF, 6 March 2019, <https://sf.curbed.com/2019/3/4/18249604/san-francisco-vacant-storefront-fee-registration>. Accessed 15 June 2023.

75 "Commercial Vacancy Tax (CVT)." Treasurer & Tax Collector, <https://sftreasurer.org/business/taxes-fees/commercial-vacancy-tax-cvt>. Accessed 13 June 2023.

76 "San Francisco May Propose a Vacant Property Tax," Ktvu, January 23, 2019, <http://www.ktvu.com/news/san-francisco-may-propose-a-vacant-property-tax>.

London Breed's campaign to end the housing crisis. Recently, Mayor Breed has launched the Housing For All Plan to eliminate restrictions that prevent housing from being built on public lands and proposed a \$500+ million affordable and homeless housing development general obligation bond for Voter approval in November of 2024.⁷⁷

Mayor Breed aims to open up hundreds of government-owned parcels for 100% affordable housing projects while also signing the San Francisco Housing Element, a strategy through which 82,000 new homes will be built in the next eight years, 46,000 of which will be designated affordable.⁷⁸ As with current tax reform policies, however, Mayor Breed's housing resolutions are faced with the remaining question as to how the bond revenue will be apportioned.

The San Francisco Housing Authority has also made significant progress in their goal to reduce vacant units and provide housing through the implementation of their five-year housing solution plan in congruence with their Hope SF housing criteria proposition. According to annual update reports, the San Francisco Housing Authority has successfully reduced its vacant unit count in the city by over 100 and has announced their ongoing mission to advance the accessibility of housing units and services throughout the city. Despite these efforts, one cannot ignore the dire housing situation that exists during a time in which all waitlist applications for Section 8 Housing Choice Vouchers, Project Based Vouchers, Rental Assistance Demonstration (RAD), Public Housing, and other housing assistance programs are currently closed due to maximum capacity. With thousands of people undergoing housing insecurity in the city, this is **suggestive of the need to implement more effective solutions so as to ensure the human right of all people to seek out proper housing.**

In a city with tens of thousands of vacant properties and land, including additional short-term housing projects would not only expedite the process of vacancy reduction but would also serve as a means to assist a demographic with a history of housing exclusion and marginalization. While the city has taken steps in the right direction in addressing the housing crisis, the city has the ability to combine its reform policies to increase vacancy reduction rates and housing development simultaneously by taking full advantage of its accessible vacant parcel lots that may serve as a platform for future supportive transitional housing development projects.⁷⁹

77 Redmond, Tim. "Breed's solution to affordable housing crisis: require less affordable housing - 48 hills." 48 Hills, 7 February 2023, <https://48hills.org/2023/02/breeds-solution-to-affordable-housing-crisis-require-less-affordable-housing/>. Accessed 27 June 2023.

78 "Mayor London Breed Signs San Francisco Housing Element to Begin Ambitious Plan that will Allow 82,000 New Homes in Eight Years | San Francisco." City of San Francisco, 1 February 2023, <https://sf.gov/news/mayor-london-breed-signs-san-francisco-housing-element-begin-ambitious-plan-will-allow-82000>. Accessed 21 June 2023.

79 "Mayor Breed Announces Five-Year Strategic Plan that Sets Bold Goals to Address Homelessness in San Francisco | San Francisco." City of San Francisco, 14 April 2023, <https://sf.gov/news/mayor-breed-announces-five-year-strategic-plan-sets-bold-goals-address-homelessness-san>. Accessed 27 June 2023.

A Framework to Maximize the Use of Vacant Lots:

While accounting for government city officials' separate initiatives to address vacancy and housing in San Francisco, it remains clear that affirmative measures still need to be taken to ensure access to assisted housing amongst vulnerable marginalized groups; specifically, those formerly incarcerated.

The City's Facility System of Record (FSR) discloses more than **1,912 vacant city-owned parcel lots** existing in San Francisco; thus, revealing a blatant issue of underutilized abandoned land in a city desperately in need of more housing. In looking at this availability of land, this proposal will look into a strategically selected city-owned site in Supervisorial District 10 as a test subject to propose the spatial and financial capacity to implement larger scale micro-home community development projects as a solution for more short-term assisted housing for at-risk communities.

This proposal looks at **82 Delta Street** - a city-owned lot located in Supervisorial District 10, which has the second highest reported homeless population according to San Francisco's 2022 Point-in-Time Count (see Figure 3). 82 Delta Street was reported as vacant to the DBI on September 9th 2020, and there is no evidence to suggest that the local government has any plans to build on this lot anytime soon.



Image of 82 Delta St. external taken from Google Images



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The city's FSR shows that **82 Delta Street** measures 2996 gross square feet, just over the average size of a family home, and stick frame micro-homes can comfortably shelter an individual when measuring out as small as 100 square feet. The available building space provided by this particular site, in conjunction with the minimum to average sizes of stable and sufficient stick-frame micro-homes, provides a basic foundational framework to develop high-density modular stick-frame micro-homes along city-owned parcel units. Overall, this would equate to introducing at least **15 to 30 housing** units, given the total square footage of available space and of a single micro-home. A modular design, in this case, would serve the purpose to maximize the limited spatial capacity of the site and nearly double the number of units available when considering the minimum to average square footage measurement of a micro-home or tiny home. The following equation omits the modular design option and approximates the maximum number of single housing units to be built given the provided space:

$$2996 \text{ ft}^2 / 100 \text{ ft}^2 \text{ (average size of micro-home)} = 29.96 \text{ units}$$

This numerical value is intended to provide a very rough estimation of the feasible units a micro-home community may potentially provide in a limited space of **2996 square feet**. That said, this number is expected to fluctuate in relation to the variation of development factors including, cost, materials, safety code requirements and acquisitions (etc.). Ideally, these communities would include on-site security, resources and services to assist incoming residents with community reentry and permanent housing. Therefore, useful on-site facilities might include a communal computer room with internet access, as well as the availability of support-service liaison workers.

Additionally, 82 Delta Street is zoned P for Public, and this zone applies to properties of federal, state, county and city governments that are typically used for public facilities, including community centers, cultural institutions, libraries, public hospitals, public utilities, and public schools. The principal uses permitted for public lands include 100% affordable housing, and public lands can also be used for any temporary use if approved by the Board of Supervisors, the Recreation and Parks Commission, or the Municipal Transportation Agency Board of Directors with jurisdiction over the property for a renewable period of 3 years. Therefore, the zoning regulations of public lands are ideal for affordable housing projects, and vacant properties zoned P can be used to supply affordable homes to marginalized groups; specifically, the elderly homeless population and those formerly incarcerated.



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Other variables this proposal does not go into, but may also be taken into consideration for future duplicate projects include the space's proximity to public transit lines, grocery stores and other reentry support service organizations. Coalition building and stable partnerships with city developers and nonprofit organizations would be essential assets in the execution of such development projects. The partnerships between city government actors, city developers and nonprofit organizations would thoroughly expedite this process.

City developers like the Universal Paragon Corporation may be an effective resource, and nonprofits devoted to improving the lives of the homeless and formerly incarcerated including **Root & Rebound, Lava Mae, California Reentry Program, and Community Housing Partnership** could provide the necessary resources and human capital needed for the establishment of on-site support.⁸⁰

Budgeting and Funding:

This proposal approximates a draft budget for the micro-home capital expenditure to be considered for early stages of development. After accounting for the average budget size for community development projects, a modular micro-home development structure in vacant property reflects a much more cost-effective option.

Using similar projects as a budget modeling tool including Seattle's public/private partnership models for Transitional Villages (which will be further explored in the following section), the following chart breaks down the estimated projected cost of construction and early development for a modular micro-home community on a city owned parcel at a given location.

Set-Up Cost Variables:	15-30 Housing Unit Project Cost Breakdown:
Acquisition Costs	n/a
Demolition Costs	\$0 (already empty lot)
Site Preparation Cost (<i>gravel, landscaping, and grading depending on the site</i>)	< \$30,000
Tiny Home Construction Costs	\$400 - \$4,500 each
Electrical Installation	\$28,000
Plumbing Installation for Water and Sewer	< \$30,000

⁸⁰ San Francisco Housing Department, "Five-Year Strategic Framework," City and County of San Francisco Department of Homelessness and Supportive Housing, October 2017, <http://hsh.sfgov.org/wp-content/uploads/2017/10/HSH-Strategic-Framework-Full.pdf>



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Total Hygiene Center Cost: \$120,000 - \$180,000

Additional Miscellaneous Add-on Spending (on-site staff service offices, amenities, home appliances, communal structures etc.): \$60,000

Projected Total Cost: \$400,000 - \$500,000

Projected Total Cost:

(Note: This projected total cost is not absolute given the elusive nature. Instead, this chart intends to provide a rough maximum cost, and is therefore expected to fluctuate upon execution depending on the inclusion of other cost variables such as building materials and inter-organizational coalition for a particular project) The adoption of SB 731 would also bring an addition \$689 million dollars to San Francisco, allowing for the additional offsetting of any incurred costs.

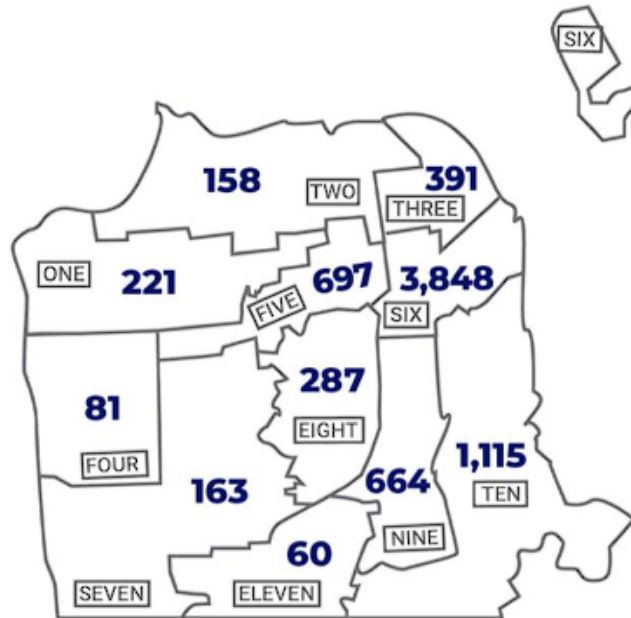
As proposed in the chart above, a single micro-home housing project can potentially be implemented with a budget as low as \$400,000, a small fraction relative to the **18% of a \$239 million budget** already going towards temporary shelter provisions in the city. This alone could fund the development of roughly 70 additional micro-home housing projects throughout the city, introducing an estimated total of 1,400 housing units for those in need. Furthermore, through the implementation of new vacancy tax-reform policies, a portion of the collected revenue can go towards the expansion of the city's current housing project budget. Already, this cost estimation reflects a far more favorable budget given that the average general cost associated with an apartment building with twelve units measures out to about **\$64,575 to \$86,100 per unit** upon completion (excluding the cost to acquire land).⁸¹

Additionally, with the implementation of SB 731, an additional 689 million dollars is projected to be recovered, which covers the cost of constructing multiple properties.⁸²

81 Team, C. (2023, February 19). Apartment complex construction costs: Calculator + guide for investors. Multifamily Loans. <https://www.multifamily.loans/apartment-finance-blog/multifamily-construction-costs-an-investor-guide>

82 Schmitt, John, and Kris Warner. "Revamping the Economy by Removing Past Records." Californians for Safety and Justice, <https://safe-andjust.org/wp-content/uploads/GettingBacktoWork-3.2.2021.pdf>. Accessed 19 June 2023.

Figure 3. UNSHELTERED AND SHELTERED POINT-IN-TIME COUNT RESULTS BY DISTRICT

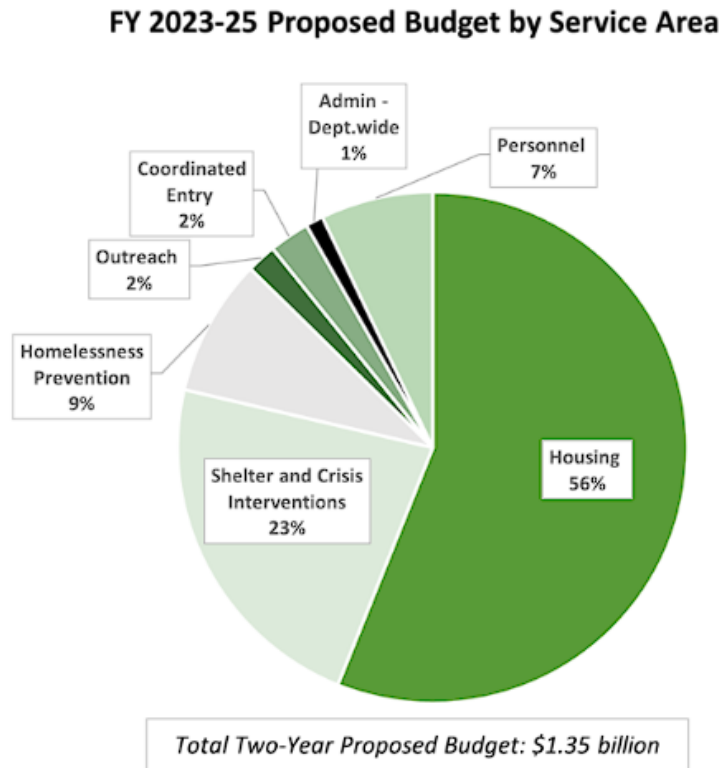


Note: An additional 69 persons were residing in confidential or scattered site sheltered locations in San Francisco on the night of the Point-in-Time Count.

Note: The map displays data per 2012 Supervisorial District lines.

see next page for Figure 4

Figure 4: HSH FY23-25 Operating Budget by Use (Proposed)⁸³



Conclusion:

After release, the formerly incarcerated population is at greater risk of gaps in healthcare services and homelessness. Often bound by unfair parole conditions, these individuals face discrimination when attempting to find and maintain housing, resulting in an ongoing cycle of injustice. Additionally, the elderly homeless population faces disproportionate exposure to violence, substandard medical care, and risk of developing chronic illnesses. With reference to this comprehensive case study of San Francisco’s felony housing crisis and the resulting risk to public health, we have presented the use of current vacant city properties as a solution to the injustices faced by formerly incarcerated individuals and the senior homeless population. Housing not only provides shelter but allows an individual to benefit from the sense of belonging strengthened and sustained by communities.

⁸³ HSH Budget - Proposed 2023-2025. SF HSH. (n.d.). <https://hsh.sfgov.org/about/budget/>