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SPEAKERS

Jose Sanchez, Selena Munoz-Jones, Jenn Tostlebe

Jose Sanchez 00:14

Hi everyone, my name is Jose Sanchez.

Jenn Tostlebe 00:16

And I'm Jenn Tostlebe

Jose Sanchez 00:17

And we're the host of the Criminology Academy where we are criminally academic. In today's episode we are speaking with CU Boulder doctoral students, Selena Munoz-Jones about reentry into communities and housing.

Jenn Tostlebe 00:30

Selena is a graduate student in the Department of Sociology at the University of Colorado Boulder. Her research focuses on social and collateral consequences of incarceration with an emphasis on public housing access for individuals with criminal records. She received her Bachelor's in sociology from California State University Sacramento in 2020. Welcome Selena, we are excited to have you on the Criminology Academy podcast today.

Selena Munoz-Jones 00:58

Hi, thanks for having me.

Jenn Tostlebe 01:02

All right. So our first question, you know, we've discussed reentry on the podcast before but just to give everyone a refresher, when we're talking about reentry, we're talking about when people are exiting prison or jail, some kind of form of incarceration, and returning to their communities. So Selena, can you tell us a little bit about some of the challenges people may face when getting released from incarceration?

Selena Munoz-Jones 01:31

Sure, so one that really comes to mind for a lot of people is employment, right? So being able to find stable employment, really difficult for a lot of people, a lot of employers still ask if people have criminal records. And that really hinders people's ability to achieve stable and secure employment. And kind of with that, housing is also another really big issue. So people who have been incarcerated do experience higher rates of homelessness, we also see because people aren't able to achieve employment, they also have difficulty finding things like private housing. And so housing is one of the really big issues, challenges that people face once they've been released.

Jose Sanchez 02:12

Alright, so you mentioned housing as a challenge when people get released out of prison. And that's sort of the main point of this episode. But before we get to that part, you know, let's make take it a little broader. And can you tell us a little bit more about issues with housing in the US more generally? So in other words, is housing an issue for the general population?

Selena Munoz-Jones 02:34

Definitely. I mean, we've kind of known, housing insecurity isn't a recent issue, it goes far back as like 1937 actually, the US passed like a US housing act 1937. So we acknowledge that housing for low income families and for people who are insecure has been a long standing issue, particularly for people who are low income or just at risk for other reasons. Housing insecurity is always a big topic. Currently, in the US, we have about 2 million people who utilize public housing in the US. And that's managed by over 3,000 housing agencies. COVID, particularly exacerbated a lot of housing insecurity for people. So this is a bigger issue than just people who have been previously incarcerated.

Jenn Tostlebe 03:20

2 million people? I didn't realize it was that many.

Selena Munoz-Jones 03:23

Yeah, 2 million people utilize public housing in the US, it's quite up and then it compasses a lot of people and that roughly now it's just people who are low income, but particularly anybody who is at risk of experiencing homelessness, for any reason, would be considered part of this group.

Jenn Tostlebe 03:39

So can you tell us about different types of housing that are available to people? I mean, the common ones, right, that may immediately come to mind are your traditional renting a home or an apartment or owning your own house? But can you describe what exactly public housing is, Section Eight housing and other types of assisted housing?

Selena Munoz-Jones 04:02

Sure, yeah. So Section Eight housing is what's commonly referred to as also known as something called Housing Choice Voucher. And it's a little less known of a name. Sometimes it's called tenant based housing. What essentially it does, is people who qualify for low income housing, do get, quote, unquote, a voucher, and they do get choices of where to live. And what I mean is, once a family or household receives a voucher, they're then able to choose where to live as long as either the private landlord or whoever owns the property accepts vouchers for public housing. So essentially turns private

units into like public housing. So that's Section Eight, or Housing Choice Voucher. It's different than traditional public housing, which also a lot of people might think of. That's like project based housing. So these are when people see like, a bunch of apartments together and people say, Oh, that's all public housing. That's usually what people think of that is the traditional public housing, we are seeing a lot more people utilize housing choice vouchers or the section eight program. And that's because we are like building buildings, takes a lot of time takes a lot of resources, not every city is able to do it. But with housing choice vouchers, you're able to already take existing private housing and turn it into public housing. So it kind of helps a little bit alleviate the amount of housing that like is available for people. So yes.

Jenn Tostlebe 05:28

So when you say like the public housing projects, those kinds of things, you don't need a voucher for those

Selena Munoz-Jones 05:34

No.

Jenn Tostlebe 05:35

Kind of clarify. Okay. Other ones, you would need the voucher and that could just be your normal apartment as long as they are accepting this voucher.

Selena Munoz-Jones 05:46

Exactly. Yeah. Okay.

Jose Sanchez 05:48

How easy it is for people with the vouchers to find housing like a pee like landlord open to these vouchers or the we see that really depends.

Selena Munoz-Jones 05:59

It really depends on the individual landlord because some landlords for example, they, they don't, maybe whatever neighborhood they're in, you know, they don't want people from public housing to live in their particular neighborhood because they don't want for some reason, their property just somehow seem devalued by other people in the neighborhood, but they might get pressured by neighbors to okay, if you're gonna rent your place, that's fine. Just don't rent it to like public housing, basically. But it is totally up to the landlord. Some landlords are known to rent to people who are Section Eight or public housing. Other ones, you can definitely tell Robert adamant, they will never do that. And it is up to them because they are private landlords. So it's really them opting into the program more than, you know, they're already in the program, they have to do it.

Jose Sanchez 06:43

So it really is just like, Okay, I have this voucher. I'm just gonna start, like, calling up whoever's renting a place and asking if they can, if they'll take this voucher, is this kind of how it works?

Selena Munoz-Jones 06:56

More or less. I mean, there are some websites that will list landlords that had been accepting of Section Eight vouchers in the past. Or you also might hear from like past, like, just kind of word of mouth. You know, a lot of people in this neighborhood will accept these vouchers. A lot of people in this neighborhood probably won't. But yeah, it really is. Do you just basically have to ask the landlord, if they will accept it, it is really fully up to them if they will, or will not.

Jose Sanchez 07:19

Right? And I'm guessing there's something in it for the landlord, right? Like, are they getting something out of this?

Selena Munoz-Jones 07:24

Yeah, so the way section eight vouchers work is the tenant pays, it depends, like per county per city, but somewhere around like 30 ish percent of their income towards rent, and then section eight housing, or just basically the Housing Authority itself bigger, they pay the rest of the rent. So you know, if the rent is, let's say, \$1,500, you know, the person only pays 30% of their income in relation to that. And Section Eight covers the rest. And so, you know, the landlord is making sure that they are getting the full amount pretty much every month. So that is kind of guaranteed, but you know, they are still opting into public housing. And that obviously, just the term cares, a lot of stigma for a lot of people.

Jose Sanchez 08:05

Right. Okay. So moving into the reentry portion of this, how many people are released from incarceration in the US in a given year? And you know, how many people in the US have a criminal record?

Selena Munoz-Jones 08:20

Yeah, so I know Some estimates put it around like 60,000 people that will be released from state and federal prisons, with about like 9 million people who will then cycle through annually, so like county jails, things like that. But I also believe the current estimate for people with criminal records in the US is like one of three. So about, like 80 million people in the US have some sort of criminal record, I believe, is the current set for that. So you know, while we're only talking about like, you know, people who have been incarcerated, and people might think this is a smaller population, that's a lot of people. 80 million Americans is a lot of people, right, that affects like, people across the US. So yeah, it's quite a bit of people.

Jose Sanchez 08:56

Yeah. When you think one in three? Like, I mean, just in this podcast, like the odds are

Selena Munoz-Jones 09:01

Yeah, definitely.

Jenn Tostlebe 09:03

Not to say that any of us. Right.

Jose Sanchez 09:09

So you've mentioned that housing is a challenge for people coming out of jails or prisons? And can you tell us a little bit more about that, and some of the added challenges, because so it sounds like housing is a challenge in general for a lot of people in the US, but having this criminal record, is an added challenge. So can you tell us a little bit more about what that challenge is?

Selena Munoz-Jones 09:33

Yeah. So for a lot of people who have been released, you know, a lot of them try to achieve private housing, and that's kind of what Jen talked about earlier. You know, just living with someone who perhaps owns a house or rent a house or you know, it's an apartment or just, you know, what we typically think of, you know, the issue is, as we know, like, incarceration does affect, you know, family bonds, social bonds, right. And so people think, you know, they can often live with their family with friends, and they get released and, you know, family friends might take him for a little bit or might just say, you know, I don't know, we can't really do this, right? Or issues come up, especially if you incarcerated for a long time, you know, a lot of issues come up, private housing just may not be for you or rather just living with your friends and family may not be for you. A lot of people can also usually don't have incomes, you know, that are still there for them when they get released. So finding private housing on their own, very difficult, unless you have someone who's able to help you financially, or able to rent from somebody you already know, and they're willing to, you know, take you as you are, so to speak, right. So it's a lot of private and of course, like public, right? They do ask if you've been incarcerated. And usually that is something people consider, as an indicator of, you know, we may not want this individual to live, you know, in our neighborhood, in our apartment in our house, right, we don't want to cause any drama with the neighbors, things like that. Another issue, of course, is also transitional housing. So people may be more or less familiar with this. The common name for it is halfway houses, but we don't call it anymore. We call it like transitional housing. And these basically are places where people can live, if they're in between homelessness and achieving more secure housing, that's why they're called like transitional, they're kind of in the in between, the people can only live in them for up to 24 months to like two years, at the most, a lot of them have very long waitlist to be able to get in. So a lot of people just can't get into them, we do see a bit more than like faith-based, like kind of pop up every so often. But again, usually they have like five beds, you know, and that's usually not enough for the amount of people who are released every year, right? And just generally just having criminal records just lowers your chance. Because again, you're not usually seen by especially private landlords as a suitable tenant if you have, for example, a drug conviction, or you have a conviction on like robbery, for example, you know, you're just usually not seen as a good tenant. And also you don't, you may not have a good tenant history, because you've been incarcerated for most of the time. So if they look back the last five years, there's nothing really there. Right? And then also, it's kind of used against you. So.

Jenn Tostlebe 12:05

I just have one question to kind of clarify this. Yeah, mine, when you were talking about transitional housing, is that different from like the halfway houses that people would get sentenced to, instead of like jail or prison time, is that the same thing?

Selena Munoz-Jones 12:21

Nowadays, it's slightly different. Like, there are still programs that are like that, where, you know, you'll get sent to a set of jails, but the ones that we're really talking about for housing are ones that once you're released, you would be able to get into like, past that I've known some people who have been incarcerated and actually have to put their name on a waitlist, like a year before their sentence is over. Because they know it's gonna take that long to get on to it. And they still hope that once they are fully released, there will still be a bed available for them, and then it wouldn't be given to somebody else. So there's a lot there, all the things that you kind of have to do to guarantee a bed, you know, otherwise, it's like, what do you do if you're, you know, your friends or family or like, you know, we just can't do it this time, then what do you do? Right?

Jenn Tostlebe 13:06

Yeah. Or if while you're incarcerated, all of those social ties that you had, were kind of cut off, either by your incarceration or just the hardships of it? Because I know, I can't remember the statistic right now. But most people do rely on friends and family when they're released, like you were saying, so they don't have that.

Selena Munoz-Jones 13:26

Yeah. And what happens if, you know, let's say you've been incarcerated for like, 10 years, 15 years, you know, maybe people maybe you're also incarcerated in a state where you don't have a lot of friends and family in general, then what do you do? Right, you're not released to a different state released within that state? Okay, you're gonna try to get back to where your friends or family in a different state? You know, how does that look? Just there's a lot of things there.

Jenn Tostlebe 13:48

Yeah, with your \$100.

Selena Munoz-Jones 13:52

Maybe like a blast voucher, maybe or I should I've heard nowadays, they might give them like an Uber or Lyft voucher I've heard for some prisons. Okay, well, that only really kind of you so far, right? Yeah. All right. So

Jenn Tostlebe 14:05

for this episode, to get more into housing policies, we're going to discuss a piece that Selena, co authored with Emily Widra from the Prison Policy Initiative. The article is titled "How your local public housing authority can reduce barriers for people with criminal records." It was published in February 2023, and is available on the PPI website. So kind of our first question is what was the motivation behind writing this piece? Or where did this idea come from?

Selena Munoz-Jones 14:39

Sure. So it's kind of a little bit of a long story, I would say to kind of give it very summed up. I've always been really aware of like the housing difficulties for people who have been incarcerated for a long time. I've actually always had an idea to do a project like this since like my early college career. I just finally had the time to do it in the more recent years and I had a particularly at one of the ASCs, a couple of years ago, I met Emily. And you know, she, I don't want to say excited, like she wasn't happy about the

issue, right? She wasn't happy about people being housing insecure. But she really wanted to know more about this, because she just hadn't really heard about it. You know, we've heard about employment. We've heard about, you know, things like that we just hadn't really heard about housing access before, like, not really on a bigger scale. And so I kind of decided to talk about this and to bring it to people's awareness, because we found that, you know, when we talk to people about a lot of people who, you know, before, we might think, oh, maybe just, you know, when we're apathetic towards the issue, I actually do care a lot about, like the housing insecurity and housing issues people have, especially when they've been released, just people just don't usually have a general knowledge on it, or just don't know where to start with the issue. Like they don't know where to look, they don't know what they can do. And that was really the motivation behind this piece, just really bringing this issue to the forefront of people's minds a little bit more than it was before. So.

Jose Sanchez 16:01

Okay, so when it comes to public housing, can you tell us more about what a public housing authority is, and what exactly the role is?

Selena Munoz-Jones 16:13

Sure. So kind of like if this was more of like a hierarchy and the very top of the hierarchy, we have the Department of Housing and Urban Development, so HUD, right, they're like, head honchos here, they're the top of the pyramid. And below that you have about 3,000 housing agencies or public housing agencies, PHAs, across the US. So typically, they either operate on a county level, sometimes they operate on a city level only if the city is particularly large. So I'm thinking of like Chicago and LA, they have city level PHAs, just because there's so many people within the city that the county can't keep up, right. Most of the time, they operate on a county level, a vast majority. PHAs actually are in rural areas. So they encompass like large areas. But basically what they do is they are there to maintain and oversee public housing units within the region. So whether it be a county or city, they carry out the guidelines outlined by HUD for executing public housing. Yeah, that's essentially what they do.

Jose Sanchez 17:15

And so you mentioned the HUD guidelines. Can you tell us a little bit more about those? And in this piece, you mentioned mandatory prohibitions and permissive prohibitions? Can you tell us a little bit more about those two?

Selena Munoz-Jones 17:27

Sure. So technically, for HUD, when it comes to criminal activity, there are only two types of criminal activity that warrant like a lifetime ban to public housing, and they're very specific. One is, you have to be a registered lifetime sex offender, so has to be for your lifetime. The second one, and this one, people always want to like why it's so specific. And I'm like, I don't know, it's just what HUD said. It's you have to be convicted of manufacturing methamphetamine within a public subsidized housing unit. So eventually, you have to be convicted of manufacturing meth. While you're already in public housing to warrant a lifetime ban to public housing. It's very specific. I don't know why it's so specific. But those are the only two bans at HUD does for criminal activity, universally. Everything else is really up to the discretion of the individual housing agencies. So when we're talking about like mandatory prohibitions,

and permissive the mandatory ones are the two that I mentioned, sex offenses, and manufacturing methamphetamine within a housing unit, those are the two mandatory for everything else, it's fully up to the discretion of the housing agencies with some limitations, but mostly all up to the housing agencies for what other kinds of criminal activities they might want a denial for. And that's kind of where that permissive prohibitions kind of come from.

Jenn Tostlebe 18:48

Okay, so public housing authorities have the HUD guidelines that they're supposed to follow. Does that mean that public housing authorities across the country work in a universal manner? Or is there variation, you know about these permissive prohibitions and how each public housing authority operates?

Selena Munoz-Jones 19:09

Well, there's definitely variation, they definitely don't operate the same. I hoped one day, they might all operate the same, but currently they don't. So the way it kind of works is you take an individual housing agency, and you know, of course, they follow the HUD guidelines, you know, okay, we're gonna say lifetime, you know, bans for those two, fine, okay, but they might also because they choose to, they have the discretion to and HUD allows them to have the discretion, very clearly they allow the discretion, they can then deny people based off of other things, like if you been engaging in drug activity, or violent criminal activity, or if you have been evicted from public housing before, or if you and here's where it kind of comes in and I'm gonna kind of do this verbatim because I want to make sure I said it correctly here, but it's "criminal activity that may threaten the health, safety, and right to a peaceful environment of the premises, residents, or persons residing in the immediate vicinity." What does that mean? Right? That's a lot of things that can encompass like a plethora of different things like, what kind of criminal activity we're talking about here. But I've seen this is like verbatim, I've seen it across like so many housing agency plans, where they have this in there kind of as a, you know, we will kind of look for drug activity, we will look for violent activity, we will also look for this activity, what's this activity? I don't know, right? But we'll look at that activity. And we can deny you on those reasons. And so all of this is not mandated by HUD whatsoever. It's solely an individual housing agency. That is like, we want to add these on, they're kind of, in my opinion, more as like, extra barriers. You know, they might phrase it as we may not deny you based on these things. Some people phrase it as we will deny you based on these things, people might also always, you know, kind of mentioned that, they will always look at something like mitigating factors. So they might see if it affects the family, how it's going to impact things, you know, whether or not they deny housing, even with those things considered. But yeah, it's I mean, it's you kind of hear, like, that's a very big statement, like, what does that mean, right? All this is up to the discretion of the individual housing authority.

Jenn Tostlebe 21:20

It feels like it could be very individualized, like, there's this big broad blanket statement and if we just think you could be an issue, we're going to not allow you to live here kind of thing.

Selena Munoz-Jones 21:34

Basically, you know, so we're talking about variation. You know, I've seen some housing agencies that have very explicitly said in their plans, you know, we're only going to go off of what is mandatory by

HUD, in terms of denials, and they put like excerpts in their plans that say, we acknowledge that, you know, a lot of housing agencies, you know, ourselves included in the past, you know, had made policies that have been basically additional barriers, people who have criminal records from achieving housing, and we don't want to contribute to that issue, like I've read those. So people are very aware of it, like even its own housing students, like a lot of them are aware of it. And then other ones, you know, for whatever reason, they will choose to, like put these additional barriers, you know, and the whole point of HUD allowing this discretion is because housing agencies are supposed to, are rather aren't, I don't wanna say are supposed to, but are able to change the policies based off of like, what fits their county or their city, you know, there's supposed to be a lot of discretion of power that is allowed. So that is often what happens, but it's definitely something that the health agencies choose to do. It doesn't just kind of happen.

Jose Sanchez 22:42

Okay, so now we want to get into these five questions that you encourage people in your article to look for, with their local PHAs policies. And so we want you to kind of briefly walk us through them. And so we'll just go sort of one by one, and starting with the prohibitive actions and behaviors. And you kind of start to talk about this a little bit. But can you tell us more about the actions and behaviors that can exclude someone from public housing, because it's not just like, whatever they want to see as a crime, right, or whatever is considered criminal behavior? Like there's more to it than that.

Selena Munoz-Jones 23:21

Yeah. So like, over the last, especially the last, I would say, 10 years, while HUD is typically more hands off, they have put more like memos out towards PHAs. They're saying, hey, you can't look at this anymore. Hey, you can't use this against people anymore. And so one things that have changed is technically housing agencies aren't able to be like, Oh, you have a criminal record, that's it. Right? So they've been limited. They used to call it like blanket prohibitions, right? You can't just be eliminated, just because you have a criminal record, you can only be denied, if you have, if you exhibit behavior that might threaten the well being of the community. So typically, that's why it's usually drug related activity, and violent criminal activity. Because those two you can justify as like this would be a threat to the neighborhood, the community, the safety, etc. Right? That's also why they have a super vague statement of, you know, we mentioned, you know, drug related to violent, but also any criminal activity that threatens the well being, you know, we may deny on that we probably will, right. But yeah, they can't deny you just because you have like a minor offense, you know, that had something really, really small, like shoplifting, for example, right? They probably wouldn't be able to do the case, because how would like one case of like shop lifting, would you say when you're 18, really dictate, like, I'm going to be a threat to this community? Right? You they wouldn't really be able to justify that. And so that's really what has changed is, PHA's do have to justify it and say that it is a threat to the safety and the well being that the community to be able to deny people based on like specific if they're talking about specific criminal convictions. They have to be able to do that. Yes.

Jenn Tostlebe 24:59

So it's like I applied, I'm assuming it's an application process like the individual would apply. And if they are going to deny me, it's like a formal process that is reviewed, or is it not reviewed, and it's just like you're denied, move on.

Selena Munoz-Jones 25:14

So it kind of depends, most of the time it is going to be a formal review process, it depends on the reason you're being denied. So if the reason you're being denied, falls into, like a mandatory prohibition, then, you know, we'll send you a letter, this is why you're denied, you can't appeal it, like it's those are kind of like set in stone. But if you're denied for, you know, if we're talking about permissive, let's say, a drug related activity, you're denied for that, then you would get a letter or some type of like written thing that says, you know, you're denied, these are the reasons why, you know, this is what we found, etc. And then you are able to appeal it, or go to hearing if you'd like, I don't know, like, how many people actually do it, because the process is kind of long and tedious. And I don't know, if people want to do it, you know, also, waitlists are also just also pretty long, too, for public housing. And so by the time you get public housing you need don't get you may not want to, you know, try to reapply the next couple years or, you know, you may not be able to wait like it was an emergency like, in your families facing or you yourself are facing like homelessness, you may not be able to wait the two weeks or however much time before your hearing, you need housing today. So but yeah, people can appeal, you can do it, they do have a process for it.

Jenn Tostlebe 26:32

All right. So next you discuss look back periods that are mandated by public housing authorities by HUD, but PHAs can also set their own look back periods. So can you tell us what these are? And how PHAs follow the mandate, but also then make their own look back periods?

Selena Munoz-Jones 26:53

Sure. So look, back periods are essentially like timeframes, where behaviors will be evaluated for determining eligibility for public assistance. So often, the way this is phrased in documents is, you know, like going back to, let's say, violent criminal activity, they'll say, you know, if you've engaged in violent criminal activity within the last, let's say, three years, you know, we will deny you housing that three years, four years, five years, one year, that all varies. I've seen some as low as 12 months. So one year, I've seen some as high as 10 years, but there's no cap on it. 10 years is kind of extreme, you know, I don't see that often usually is three to five years on average. But point is there's no, either guidance from HUD or from anyone, for what would be the cap because like, 10 years, like that's a lot, right? There's also no, it's very vague, there's no explanation of like, well, when does for example, the three years start? You know, so for example, say I've been incarcerated for five years, I get out there looking for the past three years? Well, that's a funny thing, past three years clip incarcerated for five years. So will they not find anything? Like how does that work? Like, it's never clear on exactly how that works. Or if it would be more, in a case like harmful for people have shorter sentences than longer sentences. It's not clear in the guidelines, so it's kind of it's one of those things where I'm like, I'm not quite sure how they're looking at this. But another look back, for example is, and this actually falls under like a mandatory prohibition is, you're not able to offer people housing, if they've been evicted from public housing already within the last three years. And then the three years is the minimum that HUD sets, they do say that it is three years for evictions for public housing, but I've seen a lot of PHAs that are like three years, at the minimum, let's bump it up to five years. So just to be safe, right? So they go beyond what is also set by HUD. And again, that is fully up to their discretion to do they are fully able to do that. So yeah, it definitely varies.

Jenn Tostlebe 28:55

So another thing you touch on is this definitional thing of the term current versus currently, and how PHAs define those. At first glance, that kind of looks like a distinction without a difference. Can you elaborate on this issue of current versus currently?

Selena Munoz-Jones 29:18

Yeah, so you know, when I kind of talked about this, people are like, okay, yeah, like, what's the difference between these two terms, but it really makes a difference when it comes to like the policies like it means a lot more than it seems. And that's because there is a particular phrase that is in every part of PHA plan. And it is people who are currently engaging in like illicit activity. And the bottom half of that sometimes phrase slightly different, but always phrases as currently engaging in and the issue is that phrase as part of like the mandatory prohibitions as well. So meaning that if you get denied on because you were deemed currently engaging in, very little chances of appealing that like, at all, if you're going to deal with anyway, and what is current mean, I can actually ask you two what does current mean in and you might give me different timelines, you know, currents in the last few days currently in the last two months, right? And the issue is how PHAs defined currently. So some define it within the last six months, you have to be, you know, using illicit drugs, for example, to be defined currently, some define it within the last five years is a current period, like, you know, like, some, you know, do 12 months, some do three years, like, it does vary a lot. But the issue is, okay, there's no universal definition of currently, but like, being currently engaged in does hold a lot of power, because it is a mandatory prohibition, right. So is kind of up there. And the things that if you are denied, it's very difficult to kind of overturn that. So while it seems kind of like a throwaway phrase, oh, just currently engaged in the timeline that they set does significantly impact people. And if you know, it's going to be an automatic denial right away, or if it's going to be a denial, like, and, you know, reapply in three years, you know, so you're no longer currently engaging in criminal activity. So, yeah, it's definitely one of those phrases that like, when I explain it, people are like, what is that? Like, really? And it's like, yeah, it's, it's, it really varies, and it's really significant phrase.

Jose Sanchez 31:21

And so is there a difference between like the word current and currently?

Selena Munoz-Jones 31:26

not particularly so much is how the defined is the difference. So like, it's all used within that phrase. What really matters, though, is like the amount of time that the PHA themselves define as current, you know, so and they'll put a definition, oh, well, sometimes they won't, though. Sometimes they'll say, you know, if you are currently engaged in, you know, drug activity, you know, we will deny you. Okay, well, what's current?

Jenn Tostlebe 31:54

That means, like, right now, like, what am I doing in this day? Yeah. Not five years ago? Not to me. That's crazy.

Selena Munoz-Jones 32:04

Yeah. So it really depends, you know, like, I mean, like, I can even understand it, reading it if people were like, 60 days, three months, even. Okay. Right. But like, it's usually probably at a minimum of six months. And again, at the most probably, like I've seen, I think in like, five years or something. And that's obviously on the very high end, you know, most fall somewhere probably between 12 months to 24 months, but it's like, is one year current? I don't know, you know, lock can happen in one year. I don't know if that's necessarily like current. I know, if I did something last summer. And you know, it's still July like, is that current where it was a year ago, I don't know, apparently to a PHA might be so.

Jose Sanchez 32:43

Alright, so the next question is one about evidence. No, one would assume that in order for a PHA to deny someone, especially because of prohibited action and behavior, that they would need some form of evidence, right, like a criminal record. But can you tell us a little more specifically about what can and cannot be used by the PHA as evidence as simply having just a criminal record enough? And you've kind of touched on that that's not necessarily the case?

Selena Munoz-Jones 33:13

Yes. So you know, if it's one of the like, if the criminal record, you know, is something that, you know, again, threatens the safety, well being of society, you know, they will use that they do use convictions, you know, they are weighed more heavily than other things. But they can also use eviction notices, they can also use that, they can also use arrests to some degree. So, arrests are like a really interesting thing here. There's a lot of loopholes with them. I'm, personally I'm so confused on like, why they, because there's so many loopholes, like, why even look at them? And you'll kind of get one explain it. So, again, HUD is typically hands off, but heads sometimes will say, You can't do this? Right. One of the things they said recently, they can't dom people cannot use arrests as sole evidence against somebody, just because I was arrested for a drug charge and like never convicted. They can't use that as evidence that I'm engaging in drug related activity, not an arrest by itself. Now, if I get arrested, they can then say, well, because you were arrested that triggered an investigation into your other behaviors. And you know, oh, look, you have a past conviction on you know, manufacturing methamphetamine, or you have a past conviction on this, and then you've also been evicted. And wow, look at all this right, like you have so much more, you know, we only really looked at it because your arrest triggered it. So now we're looking at all this. So they can't be used by themselves, but they can be used in conjunction with other things. So of course, like I personally think there's issues using arrest right, just because you're arrested is an indication that you actually engaged in criminal activity, especially there's no conviction from it. Like I just think they're poor indicator overall, I think because they're so specific and because you can't use them in certain circumstances that why even look at arrests period like why even have a thing about it? but those are the things that you can be used as evidence can also be used as evidence because a lot of PHA's will kind of do, in a sense, almost like a cost benefit kind of scale. So the look at, like, How many things have go against you and where things go for you. So they'll also look at if you are currently like enrolled in like a rehabilitation program or completed a program, you know, they'll look at that a lot of times, if you have completed one, or if you've done one, you know, they'll take that as like, okay, you know, you have an arrest and a conviction on this, but you did do this. So, you know, we're willing to think that you change and we're willing to think you're not a threat, you know, to the community anymore, that can be used as evidence in a good way. But there's a lot of things.

Jenn Tostlebe 35:42

It sounds very, I don't know what the right word is, I guess, like they're trying to put barriers up to prevent people, especially with the arrest stuff, triggering an investigation into something. I think we feel the same about arrest in this context. So that's yeah.

Selena Munoz-Jones 36:01

Yeah, I mean

Jenn Tostlebe 36:02

it sounds very complicated and hard for people to know if they can even get into public housing.

Selena Munoz-Jones 36:08

So it is, and a lot of things are really vague. You know, a lot of times, you know, PHA's won't say like, we're gonna deny you because of XY and Z, you know, they don't usually phrase like that, sometimes they do. But most of the time, you know, they'll say, well, we might consider these things, you know, we will consider these things right? You know, we also know that housing is really difficult to achieve. We also know there's a lot of stigma still. So you know, like, while there are a lot of things, saying, you know, we will consider what this looks like in practice, I don't know, right? You know, are these things actually considered? Or is it just, you know, you fit these boxes, we're not even going to really consider these things. I'm not quite sure. But there's a lot of vagueness and a lot of different policies. So it does make kind of by looking at these as a whole, and really trying to just one issue difficult, because there's just so much variation.

Jose Sanchez 36:54

OK finally, you mentioned that people should try and see who are the decision makers and determining if someone gets approved for housing. And when I got to this part of the article, I thought this was interesting, because I think I'm probably not alone in this, I just assumed that all PHAs had, like some structure of a, like a board or a committee, is not the case. Like is there variation, and, like, who's actually making these decisions within PHAs?

Selena Munoz-Jones 37:23

It's not super clear. So especially when we're talking about PHAs. So I mean, obviously, like many people might have even seen, like, you know, I know, there's a public health agency within my city or county, you know, they might even see in a building. That is the case for a lot of them. But when we're talking about like, really rural areas, there's not even a building, there's it all goes through like town hall or like City Hall, and there's like one person managing, like a quote unquote, like a PHA, right. It's like, basically to director maybe, like some like a secretary of some type. But that's basically it. Right? So you know, when it comes to who makes the decisions? Well, if we're talking about really big, like, for example, laLA huge county, right, a lot of housing assistance there. There's caseworkers there, or like I know another really big one, like Oakland, which is also in California. So obviously, you can tell I'm from California, because I know this one, one's a really big one. There's caseworkers there individually, because there's so many people that like housing director themselves can't go through every single case, right? It's gonna be through like a case person. For some PHAs, they only have a housing director there, because there's not enough people, there's not enough resources, there's not enough,

you know, even units, that's like, it's not considered necessarily burden, because there's not that many. So it's only through a director, also, again, and the really rural ones, if there's not a director, or they're in between directors, and might even be a board, you know, who kind of looks at this. So it's not super clear on like, the structure because it doesn't seem like it's not always the director, the same way it's not always a caseworker, or always a board of people, right, there seems to be a little bit of like, changes, they're just based off of how it's been how the particular agencies organized the time.

Jenn Tostlebe 39:00

So it can fluctuate and change.

Selena Munoz-Jones 39:02

Yeah, basically. Feel like all of this is kind of seems like.

Jose Sanchez 39:07

yeah, it's kind of well, that something as important as, like, housing, can just be determined by Joe Schmo, who just like landed in, like, doesn't even have an office. Yeah.

Selena Munoz-Jones 39:18

Yeah. I mean, you know, it's like, what happens when the discretion gets passed, like from caseworker to caseworker, you know, you and I might look at the same case differently. You know, I might say, you know, I don't know, this person doesn't seem like a good fit. And you might say, well, you know, it should be fine, right, if you do in the case, like because a lot of discretion is just that discretion. So, you know, you get to kind of choose, and, you know, again, while people can appeal, like, it's a long process, and not a lot of people do it. So, you know, a lot of people just kind of take the denial at face value and are like, Well, I gotta find other means, you know, to cheap housing.

Jenn Tostlebe 39:54

Alright, so after these five questions that you mentioned, everyone's to look at in their public housing authority policies, you also make five recommendations. Can you just briefly tell us what your recommendations are?

Selena Munoz-Jones 40:11

Yeah, well, one thing I do recommend is that like, if people are interested, that a lot of these policies do go, now, I wouldn't say they're always updated annually. A lot of the times they are, not always sometimes they're upgraded, like every couple years or so. But a lot of for example, counties will put their plants up for comment for public comment public reviews. So I would encourage people in the article to, you know, if there's something that you care about, you know, pay attention to when your local county puts theirs up, if they do or ask them, hey, are you going to put it up for public Comix? I would like to look at it before it gets finalized. You know, a lot of times they sometimes they have an open forum, you can do questions, you can talk about concerns, you know, if you're concerned like, hey, you know, you put three years, you know, for this, I just found out what currently means here, you know, you put three years for that, are you sure we should put three years for that? Like, I don't know, right? And you can do that as like a private citizen, some other recommendations. I mean, they're mostly things that I hope to happen in the future, you know, we'll kind of see if they do is, you know, I

kind of hope that public housing agencies won't do anything past the HUD guidelines. So if HUD says, you know, these are the mandatory, I would like one day that PHA's in their discretion, choose not to like put on added barriers there and just keep it as if it was good enough for HUD, it's good enough for us, right? We don't need to put any extra on there, we're good. So you know, again, that's like a faraway dream, I don't know if it ever happens. So what I'm also wishing for is just some caps on things. So like, look back periods, what's the cap on that, let's say, you know, people are still allowed discretion, you can still put a time period you want as long as it doesn't go up past three years, for example, or currently engaging and that whole phrase, okay, you know, you can do whatever time period you want, let's just not have it past, I don't know, 24 months or something. Right. So kind of putting caps on that. So those are kind of like the biggest recommendations I have. It's really like, kind of look at, you know, your own housing plans. If you're interested, you know, through public comments, you know, and I hope things will change, and we are seeing things change a lot, especially this last year, a lot of the plans, I think in theory will change. I should also say like, a lot of the plans that I've looked at, in my own research, are plans that I couldn't be able to see, right are ones that were said to me does not necessarily always indicate how they're practicing in behavior, right. So I haven't studied practice what they're actually doing, they can be also using, you know, I have one from 2020, you know, 2023. Now, maybe they're using a very different policy, I have no idea because it's not publicly available, you know, like, I have no idea what they're using. So you know, there could be some changes already there. But like kind of going more universal. So there's not so much discretion or tapping that just question, it would kind of be what I would advocate for the future.

Jenn Tostlebe 42:52

Yeah, cuz you said right now, they're, like, minimums that HUD provides, right? But

Selena Munoz-Jones 42:59

Some, if HUD provides a minimum at all, there are some it's like, there's just a lot of power here that I don't think many people really like, realize, and I'm not necessarily trying to take away everyone's power, but like, you know, at least just if you're gonna say, you know, currently is engaged in 12 months, or 24 months, okay, what's the justification between the differences between those two? I feel they're kind of big, it's not a short distance between those two, like, that's significant that is, Can I apply for housing today? Or do I have to wait a year? And where will I be in a year? You know, like, what does that look like? So lots of things there.

Jenn Tostlebe 43:36

Yeah. I just one last question on kind of your recommendation. So there are these public forums, are any of these public housing authority policies, things that people can actually like vote on? Or is it more you just go and express how you feel and hope that they take that into consideration?

Selena Munoz-Jones 43:58

Yeah, yeah. No, it's more. Yeah, it's more the latter. It's more of you know, like, I mean, it would be interesting if, like, people could vote on it. But it really is just, this is our policy for, you know, this year we revised it, you know, if you have any questions or comments or any concerns, you know, let us know, you know, we're open to hearing it. And then, nope, no one said anything, or, you know, we got a few, okay, we're gonna submit it to HUD for approval, and then we're done. And then like, that's

basically, you know, our policy for the next usually next year or something, it would be interesting to people voted, again, like I don't think that like every PHA or like every housing director is like sitting there thinking, how do we make this more difficult, right for people with criminal like, they're not doing it maliciously, by any means whatsoever, and, you know, there have been also like other studies who have like, even looked at this issue and looked at like house managers are aware of these things. And, you know, it's not something that they necessarily want to do. They don't wake up and they're like, how do I make this policy really difficult for people with criminal convictions? But you know, there's also some, like, there's actually like a culture around it, I guess amongst, like, housing directors like, just because also just a culture of like, communities, you know, there are certain communities that are very much like, we are very punitive. We don't want these people here. So, you know, some house agencies kind of feel like because they have the power to, they need to reflect the greater like, I don't wanna say beliefs, but you know, like, greater kind of like, feel the community, you know, they're more punitive, you know, we might want to make these little punitive kind of fit the community. So my main point is like, I don't think I don't think everyone's malicious here by any means. But I do think there are certain things that, you know, if you're going to put them in your policy, I think they should be justified, if they're going to be justified, I think they need to be capped, you know, if you don't have a good reason for it, like, cap it, then, because I don't think that, you know, you should be able to go like 10 years, and another housing agency, and maybe a county right next to yours only does it for two years. I don't really see the justification there.

Jenn Tostlebe 45:53

Yeah, I mean, I would assume, or I guess, hope that their main reasoning for these kinds of policies is all about public safety, and the community and those kinds of things and not the malicious stake. But yeah, having some kind of justification seems important.

Jose Sanchez 46:13

So this article was a little more policy and practice oriented. I know you had your recommendations that were in that vein, but do you have any recommendations for researchers and the gaps that you think that us academics should be addressing with research?

Selena Munoz-Jones 46:31

Yeah, so I think kind of like, really examining, which is something that I haven't done before, which is really examining, like, why does such like variation occur? Right? So you know, I kind of talked about how I don't think of like, it's malicious, like malicious intent there. But even so like, what is it exactly? You know, I mentioned like some things about culture, but it's been very scarcely researched these 10 areas, it's whole research. It's all areas like very undersaturated. So you know, really looking at, like, why, like, if you are going to put additional barriers, and you do acknowledge that you're doing that, why you're doing that, and not just like one individual person here, but just like, is it a cultural thing? Is it because the demographics of a county or a city is out there is the influences the decision to kind of put these so like in terms of academic kind of really focusing on that, and also, maybe even studying like, Okay, how does this play out in terms of like, when people are able to achieve like housing, so you know, talk about the policies, but let's ask a bunch of people, let's interview a bunch of people, let's follow people, you know, between when they apply when they actually receive housing, and then once they receive housing, like, for example, if they receive housing voucher, how long does it take them to

then find someone who's willing to take that, right? That hasn't really been studied, like what that looks like. And I think that's like plenty to I think there's tons of things there that, you know, we can kind of look at as academics, but that's what I would kind of encourage, and I was hoping to also myself, kind of go into in the future.

Jenn Tostlebe 47:54

Yeah. So speaking of that, we just want to spend the last couple of minutes of our time talking about some of the work you're currently doing. And we know that the Prison Policy Initiative article stemmed from some of the work you're doing around public housing yourself. And you've presented some of this work at the American Society of Criminology annual meetings, can you give our listeners some more information on your own research on public housing, and what you're currently doing?

Selena Munoz-Jones 48:25

Yeah, so what I'm currently doing is I've been following public housing agency plans now for the last three years. So I've been seeing how they change over the last three years, I've been observing that specially because we've seen a greater social, like awareness of housing as a collateral consequences for incarceration for people. So we have seen some policy changes, which is reflected like not just like, housing agency policy change, but like HUD changes that then get reflected on our PT level. And so, you know, I really been following these things. I've also been trying to kind of study like, Why does, like, you know, we talked about variation a lot, why does variation occur? You know, what's kind of the reason, you know, I'm finding kind of like a couple different things, but like, that's really what I'm focusing on, I do hope to kind of build upon this and, you know, do kind of go into the questions that I asked earlier, which is like, you know, okay, well, now now this what does this actually look like? You know, in terms of, you know, I've looked at the policies, I've seen how they change over the last three years, for example. Now, let's talk to like housing directors. Now let's talk to people who are applying for housing, you know, and like, what does that look like? So that's kind of like the next steps in terms of like my own research. So it's one a really, really big project that I keep building on to kind of get more of like a larger understanding here of public housing in the US.

Jenn Tostlebe 49:46

Hello, dissertation idea.

Selena Munoz-Jones 49:48

I know. I know. It's certainly like a really big project. It's you know, I've been working on it for a while now. You know, I am really passionate about this. I do like feel really passionate about this. And I do think it is important. And so you know, I'm just glad that you know, I'm like in grad school, and I'm able to kind of study this, and I have the resources to be able to do it in the time. And so yeah.

Jose Sanchez 50:10

Yeah. And now the world, we'll get to share your passion with it, or for it. And then the last thing that we wanted to sort of ask you, and I know, you and Jenn have been working on a project together, can you tell us a little more like what this project is? And maybe when we can hope to see it?

Selena Munoz-Jones 50:30

Yeah. When you hope to see it? Yeah. So Jen and I are doing our project, I'm looking at the new couple of different things. One things we're doing is we're looking at the public availability of prison health care policies across like DOCs, you know, across the states. So we're looking at, for example, you know, like, Are there medical policies that we can publicly access? You know, are there policies on how to handle a death of an incarcerated individual, you know, we're looking at those things. We're also looking at, you know, if broadly, like, if death information is available, so not only is their policy, but do they list or put public somehow the amount of people who, you know, die in prison, you know, is there a cause of death things? That's kind of broadly I mean, Jenn can edit into that, like, that's kind of an a very broad stroke, kind of what we're doing when we expect to do it. I mean, we're submitting it for a chapter. I assume the chapter will be available, maybe November when the meeting is I'm not sure when it'll be available. Jenn might know, not sure.

Jenn Tostlebe 51:33

I think it kind of varies from year to year, sometime, probably between November and early next year, would be my guess.

Selena Munoz-Jones 51:40

Okay. Yeah. So you know, yeah. All right. It's been a fun Onnanoko chance for a year. I think it's been a fun project, I think we found some really interesting stuff on it. So you know, it's been kind of exciting to write about and kind of look at, but it's just more policy stuff. It's kind of what I do. It's kind of I do.

Jenn Tostlebe 51:57

Yes. And Selena has done the bulk of the work on finding these policies within the state prisons. So you're the expert at finding policies. So if anyone needs help, I'm just kidding. Leave her alone. She's got plenty to do.

Jose Sanchez 52:14

All right. Well, those are all the main questions that we had for you. Thank you so much for taking time out of your day to talk to us, even though we are in the same department. We so appreciate it. No, thank you for having me. Just for the record, we did not coerce her.

Selena Munoz-Jones 52:30

No. Absolutely did it. I said yes. On my own volition.

Jenn Tostlebe 52:38

No coercion occurred!

Jose Sanchez 52:43

Is there anything you'd like to plug? I know, we just talked about your chapter that should be coming out in this handbook. Is there anything else we should be on the lookout for? I know, you just mouthed no, but let's hear it.

Selena Munoz-Jones 52:54

No, not really. I mean, you know, we have the chapter, I'll be presenting more this work, you know, our next ASC meeting. So maybe I'll see people at ASC in November. But other than that, you know, I'm just chugging along here. So

Jenn Tostlebe 53:08

everyone can wish you luck currently studying for comps right now. Yes. Coming up for you.

Selena Munoz-Jones 53:14

That's true. I will take any good vibes or any good things here as like, he chugging along with that, too. I will take that. Yeah.

Jose Sanchez 53:24

All right. And when can people find you? You are kind of on the Twitter?

Selena Munoz-Jones 53:31

Kinda, yeah, I'm on the academic Twitter, kind of I don't go super often. But yeah, you can find me on there. Yeah. Or you can email me I don't know. I'm not really on a lot of things. I should probably get on more things.

Jenn Tostlebe 53:44

Like Twitter tag, does it call it Twitter tag? Handle? Yeah.

Selena Munoz-Jones 53:51

I definitely know that by heart. That is, I'm definitely not looking it up as we speak right now.

Jose Sanchez 53:59

It's okay. So I have to look, I have to see one minus every now and then even though it's just like a J and my last name, and

Selena Munoz-Jones 54:06

that's what mine is. It's just s and then Munoz Jones all one word. And then that's it. So you'll find me my very academic picture on there. And you'll see that I never post anything or tweet I guess tweet is the word for Twitter. We're butchering the Twitter. I know. So bad here.

Jose Sanchez 54:28

So is Elon, that's fine. Well, thank you against the lynah. We thank you. It's fun, and we'll see you around.

Jenn Tostlebe 54:37

We'll see ya. Hey, thanks for listening.

Jose Sanchez 54:39

Don't forget to leave us a review on Apple podcasts or iTunes. Or let us know what you think of the episode by leaving us a comment on our website, thecriminologyacademy.com.

Jenn Tostlebe 54:49

You can also follow us on Twitter, Instagram and Facebook @thecrimacademy.

Jose Sanchez 55:01

or email us at thecrimacademy@gmail.com

Jenn Tostlebe 55:06

Til next time!