
FACT SHEET – Barriers to Successful Re-Entry of Formerly Incarcerated People

Every year, nearly 700,000 people are released from American prisons, and an estimated 9 million are released from jail.¹ According to the National Institute of Justice, almost two-thirds of them are arrested again within three years. Once released, formerly incarcerated people face a myriad of barriers to successfully re-entering society. They are not allowed to vote, have little access to education, face scant job opportunities, and are ineligible for public benefits, public housing and student loans. These obstacles have profoundly negative effect on millions of American families and make it practically impossible for millions of people who are returning home to be the engaged, responsible citizens we say we want them to be.

Barriers to successful re-entry include:

Employment

- Of the 262,000 offenders that were released from federal prison between 2002 and 2006, 50 percent of those who could not secure employment during the time of their supervised release committed a new crime or violated the terms of their release and were sent back to prison.²
- Ninety-three (93) percent of those who were able to secure employment during the entirety of their supervised release were able to successfully reintegrate back into their communities and not return to prison.³
- More than 90 percent of companies use background checks in their hiring decisions, putting jobs further out of reach for the one in three adults who are living with a criminal record.⁴
- Eighteen (25) states and more than 150 cities and counties have embraced ban the box and other fair-chance policies. Major corporations like Target, Bed Bath & Beyond, Walmart, Home Depot, and Starbucks have also chosen to ban the box.⁵

Education

- Access to higher education for formerly incarcerated individuals has been severely curtailed. In 1994, the Omnibus Crime Bill included a provision that blocked Pell Grants for incarcerated people. The next year, the number of incarcerated individuals able to access higher education fell by 44 percent.⁶
- Nearly 40 percent of incarcerated individuals over 18 years old have not graduated from high school.⁷

¹ <http://csgjusticecenter.org/nrrc/facts-and-trends/>

² <http://www.justice.gov/usao-sdal/programs/ex-offender-re-entry-initiative>

³ *ibid*

⁴ http://www.nelp.org/content/uploads/2015/03/65_Million_Need_Not_Apply.pdf

⁵ <http://www.nelp.org/content/uploads/Ban-the-Box-Fair-Chance-Fact-Sheet.pdf>

⁶ <http://www.urban.org/research/publication/classroom-community>

⁷ http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_09_1YR_S2601B&prodType=table

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- Numerous studies conducted over several decades have shown that the more education an incarcerated person receives, the less likely he or she is to return to prison.⁸ However, in 2005, the Bureau of Justice Statistics reported that only 35 percent of prisons were providing some sort of access to higher education.⁹

Housing

- Since 1975, federal regulations have instructed public housing authorities to consider the criminal history of applicants for public housing as it relates to criminal acts that could affect the welfare of other tenants. Consequentially, most public housing authorities have adopted blanket screening policies that reject applicants with criminal backgrounds.¹⁰
- Federal law mandates a public housing ban for people with certain types of specific convictions—such as methamphetamine production. However, for the vast majority of crimes, federal statute gives public housing agencies broad discretion to deny or evict anyone with a history of criminal activity.¹¹
- Under the U.S. Department of Housing and Urban Development’s 1996 One Strike policy, public housing agencies have the authority to evict or deny an entire household if the agency has reasonably determined that any member or guest of the household is engaging in illegal drug use or other criminal activities.¹²
- Due to limited work histories and low incomes, most individuals released from prison cannot afford to buy or rent housing in the private market.
- Many landlords are unwilling to rent to formerly incarcerated people. An estimated four out of five landlords employ background checks to screen out prospective tenants with criminal records.¹³
- Due to such housing barriers, one in five people who leave prison will become homeless.¹⁴

Voting Rights

- 6.1 million Americans are prohibited from voting due to laws that disenfranchise citizens convicted of felony offenses.
- Each state has its own laws regarding the deprivation of the right to vote after a criminal conviction, resulting in a confusing patchwork of laws across the country.
 - Thirty-four (34) states prohibit voting by people who are either in prison, on parole or probation, and post-sentence.
 - Twelves (12) states permanently disenfranchise people who have completed their sentences in their entirety. Individuals in those states make up 50 percent of the entire disenfranchised population.

⁸ <http://www.dllr.maryland.gov/adulted/aeimpactprisoned.pdf>

⁹ <http://www.bjs.gov/content/pub/pdf/csfcf05.pdf>

¹⁰ An Affordable Home on Re-entry. National Housing Law Project. <http://nhlp.org/resourcecenter?tid=86>

¹¹ Ibid.

¹² <http://www.nelp.org/publication/advancing-a-federal-fair-chance-hiring-agenda/>

¹³ <https://cdn.americanprogress.org/wp-content/uploads/2014/12/VallasCriminalRecordsReport.pdf>

¹⁴ http://www.endhomelessness.org/pages/re_entry

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- Fifteen (15) states prohibit voting by people in prison.
 - Two (2) states have no restrictions on voting.
- Persons currently in prison or jail represent a minority of the total disenfranchised population. In fact, 77 percent of disenfranchised voters live in their communities, either under probation or parole supervision or having completed their sentence.
- Disenfranchisement laws have a disproportionate impact on African Americans.
 - Nationally, one out of every 13 African-American men are disenfranchised, a rate more than four times greater than for non-African-American men.¹⁵
 - In some states in the Deep South, about one quarter of African-American men can't vote.¹⁶ In total, 2.2 million black citizens are banned from voting.
- Research suggests that formerly incarcerated individuals who vote are less likely to be rearrested. According to a report by the Florida Parole Commission, the overall three-year recidivism rate based on all released inmates was 33.1 percent, while the recidivism rate for released prisoners who were given their civil rights back and were allowed to vote stood at 11 percent.¹⁷

¹⁵ <http://sentencingproject.org/doc/publications/AR%202012%20FINAL.pdf>

¹⁶ http://www.sentencingproject.org/doc/file/fvr/fd_losingthevote.pdf

¹⁷ <http://www.thecrimereport.org/archive/2011-08-a-solution-to-recidivism-let-ex-offenders-vote>