

Renter Protection Ordinance: Criminal History

The Problem with Criminal History:

- As many as one-third (1/3) of adults in the United States have a criminal history.ⁱ
- Nearly half of U.S. children have at least one parent with a record.ⁱⁱ
- By year-end 2017, the imprisonment rate for sentenced black males (2,336 per 100,000 black male U.S. residents) was almost six times that of sentenced white males (397 per 100,000 white male U.S. residents).ⁱⁱⁱ
- By year-end 2017, the rate for black females in prison per 100,000 black females in the population was almost double that for white females (92 per 100,000 black female U.S. residents compared to 49 per 100,000 white female U.S. residents). The imprisonment rate was 66 per 100,000 Hispanic females.^{iv}
- Sociological research suggests that criminal history does not provide reliable information about the potential for housing success.^v
- Studies on recidivism demonstrate the risk of a new offense by someone who has committed an offense in the past declines significantly over time.^{vi}
- Research shows that stable housing reduces the incidence of future criminal activity.^{vii}

How the Ordinance Addresses Criminal History:

- Limit the amount of time a property owner/manager can consider misdemeanor and felony convictions.
- Prohibit property owners from considering arrests that did not result in convictions, or resulted in successful completions of stays.
- Alternatively, property owners may conduct an individualized assessment, considering supplemental information provided by the applicant that explains negative items related to criminal history.

ⁱ Crime and Delinquency, *Enduring Risk? Old Criminal Records and Short-Term Predictions of Criminal Involvement*, March 2006

ⁱⁱ National Employment Law Project, *Research Supports Fair-Chance Policies*, August 2016.

ⁱⁱⁱ Bureau of Justice Statistics, *Prisoners in 2017: Summary*, April 2019.

^{iv} Id.

^v NYU Journal of Legislation and Public Policy, *Tenant Screening in an Era of Mass Incarceration: A Criminal Record is No Crystal Ball*, March 3, 2015.

^{vi} American Society of Criminology, *Redemption in the Presence of Widespread Criminal Background Checks*, May 2009.

^{vii} Id. at *Tenant Screening in an Era of Mass Incarceration*.