

# GAO Highlights

Highlights of [GAO-18-429](#), a report to the Chairman, Committee on the Judiciary, U.S. Senate

## Why GAO Did This Study

HUD has encouraged PHAs to balance resident safety with the housing needs of persons with criminal records when administering its rental assistance programs. PHAs are responsible for screening program applicants. The HUD OIG and the FBI implement the Fugitive Felon Initiative to identify and apprehend wanted persons receiving rental assistance.

GAO was asked to review HUD's criminal history policies and the Fugitive Felon Initiative. This report examines (1) federal requirements for PHAs' criminal history policies, (2) HUD guidance and monitoring of these requirements, and (3) implementation of the Fugitive Felon Initiative. GAO reviewed federal statutes and regulations and interviewed officials from HUD, the HUD OIG, and the FBI; analyzed Fugitive Felon Initiative data from 2013 through 2017; and interviewed staff at a nongeneralizable sample of 10 PHAs (selected based on size and other factors).

## What GAO Recommends

GAO is making seven recommendations, including that HUD update PHA guidebooks and improve monitoring procedures; that the HUD OIG assess more comprehensive information on the implementation of the Fugitive Felon Initiative; and that the HUD OIG and the FBI consistently share information on the initiative's results and update their memorandum of understanding to reflect current responsibilities. HUD and the FBI generally agreed. The HUD OIG did not agree with two of our recommendations. GAO maintains the recommendations, as discussed in the report.

View [GAO-18-429](#). For more information, contact Daniel Garcia-Diaz at (202) 512-8678 or [garciadiazd@gao.gov](mailto:garciadiazd@gao.gov) or Gretta L. Goodwin at (202) 512-8777 or [goodwing@gao.gov](mailto:goodwing@gao.gov).

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## RENTAL HOUSING ASSISTANCE

### Actions Needed to Improve Oversight of Criminal History Policies and Implementation of the Fugitive Felon Initiative

## What GAO Found

**Federal requirements for public housing agencies.** Federal statutes and Department of Housing and Urban Development (HUD) regulations require public housing agencies (PHA) to conduct criminal history checks on individuals applying for rental assistance under HUD's public housing and Housing Choice Voucher programs and deny assistance for six types of offenses. Mandatory denials include convictions for producing methamphetamine on the premises of federally-assisted housing and lifetime sex offender registrants. Otherwise, PHAs generally have discretion in establishing their criminal history policies and may deny assistance for other offenses or factor in mitigating circumstances.

**HUD monitoring of public housing agencies.** From 2011 through 2016, HUD issued new guidance to PHAs on criminal history policies, but these changes are not reflected in HUD's program guidebooks for PHAs. These guidebooks serve as key reference tools, but have not been updated in over 15 years. Updating them would help HUD more accurately communicate its criminal history policies. While HUD officials said their current efforts to update the guidebooks will reflect recent criminal history policy notices, documentation provided by the agency on these updates did not specifically address criminal history guidance. In addition, HUD's compliance reviews of high-risk PHAs do not address some criminal history policy requirements, such as the prohibition on using arrest records as the basis for determining eligibility. Further, these reviews are largely limited to examining PHAs' written policies and do not cover how PHAs implement those policies. More comprehensive compliance reviews would improve HUD's ability to identify areas of noncompliance with criminal history policy requirements.

**Fugitive Felon Initiative.** From fiscal years 2013 through 2017, the HUD Office of Inspector General (OIG) and the Federal Bureau of Investigation (FBI) shared data through the Fugitive Felon Initiative, which led to the apprehension of more than 1,200 wanted persons who may have lived in HUD-assisted housing. However, GAO found that the HUD OIG had not defined its regional office responsibilities under the initiative and that four of the seven HUD OIG regions did not participate from 2012 through 2016. The HUD OIG revised its procedures for the initiative in April 2018 to include regional office responsibilities, such as coordinating with law enforcement agencies. According to HUD OIG officials, regional offices are now required to coordinate with law enforcement agencies on a priority list of investigative leads, which include warrants for violent felonies, sexual assault, and narcotics distribution. However, the HUD OIG does not plan to assess regional office implementation of several requirements. Collecting and assessing more comprehensive information on regional office activities would help the HUD OIG determine the extent to which regions are undertaking required activities. In addition, the HUD OIG and the FBI have not consistently shared information on the initiative's results—such as apprehension statistics and program savings—which could help evaluate the effectiveness of the initiative. Further, the HUD OIG's and the FBI's current activities to implement the initiative differ in some areas from the agreed-upon responsibilities listed in their 2012 memorandum of understanding. Updating the memorandum to reflect current responsibilities under the initiative could help improve collaboration between the agencies and improve implementation.