



Oregon

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To: Senate Judiciary and M110 Implementation Committee

From: Dr. Reginald Richardson, Executive Director, Alcohol and Drug Policy Commission

Date: February 2, 2022

RE: Testimony in support of SB 1512

In early 2020, the Alcohol and Drug Policy Commission submitted a Strategic Plan for Substance Use Services to the Governor and to the Legislature. The plan was approved by both, and it is now known as Oregon's Strategic Plan. Among the strategies contained in the plan is one focused on reducing barriers to employment, particularly for people with criminal histories.

It can be very difficult for people with criminal histories to find a job, particularly if the job they are seeking requires an occupational license. Many licensing agencies are given broad discretion in determining whether to approve an applicant or licensee and can take into account a past criminal history even when that criminal history is old or has little relationship to the current job's duties and responsibilities. The result is that some people with criminal histories are needlessly prohibited from obtaining an occupational license. Given that approximately one in three adults has a prior arrest or conviction on their record, this employment barrier could affect a sizable share of Oregon's workforce.

SB 1512 addresses this problem by narrowing how licensing agencies can consider criminal histories and giving direction on what a crime that "substantially relates" to the job means. Other states recognize the value of reducing barriers to employment and are implementing similar legislation regarding licensing agencies:

- Certain licensing boards in **Delaware** may not consider pending charges or convictions more than 10 years old as "substantially related" if there have been no intervening convictions.
- **Mississippi** passed a law that states no one may be disqualified from engaging in any licensed occupation "solely or in part because of a prior conviction of a crime, unless the crime for which an applicant was convicted directly relates to the duties and responsibilities for the licensed occupation."
- **Nevada** now requires licensing agencies to develop and implement a process by which a person with a criminal history may petition for a preliminary determination whether that history will disqualify them from obtaining a license from the regulatory body; if the agency proposes disqualification, it may advise the person what can be done to qualify.

Steady employment is an essential ingredient for achieving and maintaining recovery, and reducing barriers to employment is an integral strategy in Oregon's Strategic Plan. Other states have taken actions to alleviate some of the barriers people with criminal histories face when seeking employment in a licensed profession. SB 1512 is needed, is fully consistent with Oregon's Strategic Plan, and will help Oregonians.