

RHODE ISLAND PUBLIC DEFENDER

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TESTIMONY OF THE RHODE ISLAND PUBLIC DEFENDER (RIPD)

IN SUPPORT OF 2020--S 2824 & 2020--H 7947 Substitute 'A'

- The RIPD is proud to lend its support to this important and thoughtful piece of legislation (popularly called "The Fair Licensing Law") that would ease the transition of ex-offenders to becoming productive members of society by removing artificial barriers to employment created by Rhode Island's current professional licensing laws.
- In achieving its worthwhile goals the legislation does the following:
 - states that an individual cannot be denied an occupational license or have their licenses revoked solely or in part because of a conviction, unless that conviction is directly-related to the occupation
 - provides a thoughtful and readily workable definition of directly related that includes and takes into consideration
 - 1) the state's legitimate interest in equal access to employment for individuals who have had past contact with the criminal justice system
 - 2) the relationship of the crime or crimes to the purposes of regulating the occupation for which the license is sought; and
 - 3) the relationship of the crime or crimes to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the position of employment or occupation.
 - defines the type of criminal record that can be used during the license application process
 - creates a consistent and transparent process for issuing denials and instructing applicants about how to appeal decisions
 - requires that licensing entities track how many licenses are denied or revoked each year because of criminal convictions.
- Despite popular misconceptions, the legislation does not:
 - force licensing boards to grant occupational licenses to all applicants with criminal records

Administration	Appeals	Felony Division	Misdemeanor/PAC	Licht VOP Unit	Family Court	Investigations
222-1511	222-1510	222-1540	222-1520	222-1312	222-1530	222-3492

- prevent revocation of someone's license if they are convicted of a crime
- infringe upon the discretion of licensing boards to make decisions regarding revocation
- It has been the experience of the RIPD that sensible removal of barriers to education, housing, and employment that result from a criminal conviction promote both public safety and the successful rehabilitation and re-entry of offenders back into society as productive members. The RIPD believes that there is great wisdom in removing unnecessary barriers placed in the way of offenders as the result of a criminal conviction, as this legislation does.

QUESTIONS? CONCERNS? PLEASE CONTACT:

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