



SENATE TRANSPORTATION, COMMERCE & WORKFORCE COMMITTEE – Proponent
Testimony, HB 263 Wednesday, September 23, 2020

Chairman McColley, Vice Chair Johnson, Ranking Member Antonio, and members of the committee, thank you for holding this hearing and for the opportunity to provide testimony.

My name is Jeff Dillon, and I am the Legislative Director for Americans for Prosperity – Ohio. As one of the largest grassroots organizations in the country, Americans for Prosperity (AFP) is driving long-term solutions to some of the country's biggest problems. Our organization, and its thousands of activists across Ohio, are dedicated to breaking barriers that stand in the way of people realizing their full potential. Removing these barriers, in whatever forms they take, helps move our society toward one of mutual benefit, where people succeed by helping others improve their lives and by transforming their communities. Accordingly, I urge you to support House Bill 263, the Fresh Start Act, legislation in which two tremendously important public policy areas intersect: criminal justice reform and occupational licensing reform, both of which are among AFP's highest priorities nationwide, and certainly here in Ohio.

Why does this legislation matter? One of the pillars of AFP's mission, our organization's Vision, is the concept of equal rights, equality under the law that respects the dignity of all people. As Rep. Koehler explained in his sponsor testimony, sections of current law in Ohio presuppose that simply because a person has been convicted of a crime that the state should disqualify them from obtaining or possessing an occupational license that would allow them to make a living in their chosen field. House Bill 263 would change the law so our government is not making this assumption, and instead would require licensing authorities to engage in a thoughtful, deliberate review process and adopt a specific list of disqualifying offenses, which relate only to the work that would be done by a licensee under their purview. After a person has paid their debt to society, they should be able to engage in whatever line of work they choose, as long as that line of work doesn't directly correlate to their past criminal behavior.

Perhaps the most important provision in House Bill 263 is contained within the fourth bullet point of the bill analysis:

“Prohibits a state licensing authority from refusing to issue an initial license to an individual based solely on being charged with or convicted of a criminal offense or a nonspecific qualification such as “moral turpitude” or lack of “moral character”.”

Assuming a person with a criminal record lacks character simply because they have a criminal record, and therefore should be barred from working is stereotypical, prejudicial, and counterproductive. Not all crimes are created equal, and neither are the circumstances under which those crimes are committed. A person may commit a crime not necessarily because they are a bad, evil person, but maybe because they simply made a mistake. Attitudes toward rehabilitation are changing from the “tough on crime” era of the 1980s and 1990s.

Policymakers, researchers, and the public are recognizing that it is mutually beneficial for both former offenders and society alike to allow for second chances when they have been earned. Putting an end to the practice of painting all crimes and offenders with an overly broad brush, wherever and whenever we can, is highly important.

Lastly, I would like to remind the committee of something House Bill 263 *does not* do. Nothing in the bill stops licensing authorities from disqualifying those with criminal records who pose a direct threat to public safety from working in certain occupations. AFP would not support the bill if it did. Public safety remains one of the most, if not the most, important functions of government. But when a person has been punished for their crime, paid their debt to society, and is struggling to get back on their feet, our public policy and those who guide it should look for solutions that would get as many barriers as possible out of that person’s way. House Bill 263 is definitely a step in the right direction.

House Bill 263 passed the House with a vote of 90 – 1, has the support of an ideologically diverse coalition, and will help Ohioans in a truly meaningful way by removing key barriers to economic opportunity.

Thank you again, Mr. Chairman, for the opportunity to testify today on this important legislation. I’m happy to answer any questions at this time.

Americans for Prosperity (AFP) exists to recruit, educate, and mobilize citizens in support of the policies and goals of a free society at the local, state, and federal level, helping every American live their dream – especially the least fortunate. AFP has more than 3.2 million activists across the nation, a local infrastructure that includes 36 state chapters, and has received financial support from more than 100,000 Americans in all 50 states. For more information, visit www.AmericansForProsperity.org.

