Returning citizens lack the time and money needed to navigate the licensing process, but they are often needlessly prohibited from obtaining an occupational license based on their criminal history, making it even harder to find meaningful employment and refrain from decisions and behavior that could lead them back to incarceration.

Statistics reveal that one in six Ohioans has a prior arrest or conviction on their record of which equates to 1.9 million people. Licensing prohibitions likely affect a sizable share of the workforce. [1]

Licensing laws target individuals with a criminal record in two primary ways.

First, Ohio Revised Code of Collateral Sanctions contain some blanket bans which, for example, prohibit anyone with a criminal conviction from obtaining an occupational license, regardless of whether the offense is relevant to the practice of the occupation or poses a substantive risk to public safety.

The Ohio Revised Codes has 843 collateral sanction entries restricting justice involved persons from obtaining a professional license or having a license reinstated.

Second, licensing laws often contain "good-character" provisions that grant licensing boards broad discretion to deny applications due to an applicant's criminal history, including convictions for minor offenses and sometimes even arrests that never led to a conviction.[2]

Crimes of moral turpitude are often the basis for which a license is denied by the state licensing board. The restrictions need to be reexamined because theft, of which is not a violent offense is on the moral turpitude list along with murder, manslaughter, arson, robbery, rape, prostitution, and others.

Returning citizens and others with a record risk investing considerable time and money training for a license only to later be disqualified. And to find out, they may have to wait six months to a year while a state board conducts a criminal history review.[4] This daunting and uncertain process can discourage many from even trying to enter a licensed occupation, effectively closing off avenues to employment and entrepreneurship.

Limiting employment opportunities not only hurts those with criminal records, it also puts communities at risk by making it tempting for former offenders to fall back into crime.[5] Indeed, research has found a relationship between higher rates of recidivism and heavy licensing burdens, such as good character provisions, high license fees, extensive training and experience requirements, and multiple license exams.

Reducing licensing burdens could make considerable strides toward reducing recidivism rates by putting former offenders back to work and helping them reintegrate into society.

Licensing barriers for former offenders also act as a drag on the economy. In 2014 alone, employment barriers faced by people with felony convictions—including occupational licensing and other challenges, such as lower levels of education and job skills—were associated with a reduction in the overall employment rate amounting to a loss of at least 1.7 million workers from the workforce and a cost of at least $78 billion to the economy.[7] And occupational licenses also prevent many former offenders from starting their own businesses within a licensed industry, stifling entrepreneurship and new business creation.[8]

No one should be kept out of a job without good reason to believe that granting an occupational license would pose a significant threat to public safety. And there is no evidence to suggest that criminal history is associated with poor job performance.[9] Without such evidence, continuing to punish people who have already served their time by preventing them from earning a living in their chosen occupation only leads to worse outcomes for former offenders and for society at large.

Revising the occupational license restrictions for criminal offenders by passing of HB263 will open up many doors for career opportunities and pathways of success for returning citizens.