April 5, 2018

The Honorable David Chiu  
California State Assembly  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0017

The Honorable Evan Low  
Capitol Office  
P.O. Box 942849  
Room 4126  
Sacramento, CA 94249-0028

RE: AB 2138 (Chiu & Low): Reducing Barriers to Occupational Licensing - SUPPORT

Dear Assemblymembers Chiu and Low,

On behalf of my organization, Rise Together, I am writing in strong support of your bill, AB 2138. This bill reduces barriers to occupational licensing for individuals with prior convictions applying for licensure through the Department of Consumer Affairs.

Rise Together is a multi-sector initiative to disrupt the cycle of poverty by advancing equity and shared prosperity for all. We’re leveraging the power of 9 Bay Area counties to create economic opportunity and prosperity for all through collective learning and action, shifting systems that are no longer working and redefining what is possible for Bay Area residents.

California has nearly 8 million people living with criminal records, many of whom struggle to find permanent and stable employment after contact with the criminal justice system. Data has shown that employment is the single most important factor to reducing recidivism.¹ Across the nation, almost 30 percent of jobs require occupational licensing, and working in licensed occupations raises wages on average anywhere from 5 to 15%.² It is therefore incumbent on the state of California to develop stronger and fairer pathways into licensed professions for formerly incarcerated people and people with arrest and conviction records, as it will reduce recidivism.

increase public safety, and increase the economic security for millions of Californians with criminal records as well as the children and families they support. In California, applicants who seek an occupational license that is governed under the umbrella of the Department of Consumer Affairs must be cleared by an oversight board.

Currently, the Department of Consumer Affairs has overly restrictive policies that deny qualified people occupational licenses and allow for revocation or suspension of licenses because of prior arrests or convictions that are not directly and adversely related to the job. Further, many individuals are denied occupational licenses on the basis of judicially dismissed convictions. Even applicants who gained job-specific training while incarcerated are still barred from working in their occupational field due to licensing barriers.

AB 2138 will increase access to licensure by prohibiting the Department of Consumer Affairs from denying or revoking a license for the following reasons: a non-violent conviction older than five years, a dismissed conviction, or a non-conviction act that is not directly related to the qualifications or duties of the profession for which the application is made. Further, since many boards already run background checks through the Department of Justice, this bill prohibits boards from requiring applicants to self-disclose criminal history information. Finally, AB 2138 requires boards to collect and publish demographic data about the applicants who are denied a license or whose license has been revoked or suspended based on criminal history.

AB 2138 will remove barriers to occupational licensing for many Californians who have already paid their debt to society and have demonstrated rehabilitation. The increased ability to gain living wage employment will reduce recidivism rates and will make our communities safer and more productive. Thank you for leadership in co-authoring this important bill.

Respectfully,

Sincerely,

Megan Joseph, MA
Executive Director
Rise Together