



Testimony for the House Judiciary Committee
February 27, 2018

TONI HOLNESS
PUBLIC POLICY DIRECTOR

**HB 1597 Occupational Licenses or Certificates - Application Determinations -
Use of Criminal History**

FAVORABLE

The ACLU of Maryland urges a favorable report on HB 1597, which would prohibit certain departments from denying applications for occupational licenses or certificate on the basis of criminal history if at least five years have passed since an applicant's conviction for *any* crime.

Studies show that employment opportunities can reduce recidivism rates. Yet, for far too many Marylanders, a criminal record—regardless of how minor the offense, can be a bar to opportunities for success. The collateral consequences reach far beyond employment—a criminal record may compromise one's eligibility for tuition assistance and stable housing. Moreover, these collateral consequences are particularly stark for communities of color.

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

MAIN OFFICE
& MAILING ADDRESS
3600 CLIPPER MILL ROAD
SUITE 350
BALTIMORE, MD 21211
T/410-889-8555
or 240-274-5295
F/410-366-7838

WWW.ACLU-MD.ORG

COLEMAN BAZELON
PRESIDENT

SUSAN GOERING
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

Criminal records exclude individuals from a range of opportunities, including employment

Under current regulations, even a misdemeanor conviction in Maryland may result in the denial, suspension, or revocation of myriad business licenses, including: a barber license, a cosmetology license, an electrician license, professional engineer license, a landscape architect license, an interior designer certificate, and countless others.

Criminal convictions also serve to exclude persons from educational opportunities. A recent study found that a majority (66%) of colleges collect criminal justice information as part of the admissions process.

HB 1597 is a common sense measure to allow Marylanders who have been entangled with the criminal justice system to access a broader range of employment opportunities.

Criminal convictions disparately disadvantage individuals, families, and communities of color

The over-criminalization of communities of color—largely due to the 'war on drugs'—has produced the startling result that one in three Black men born today can expect to go to prison in their lifetime, compared with one in six Latino men, and one in seventeen White men. In addition to facing higher imprisonment rates, racial minorities, once arrested, are more likely to be convicted, and once

convicted, are more likely to face longer sentences than their White counterparts. With higher conviction rates, persons of color necessarily and unfairly bear the brunt of collateral consequences stemming from criminal convictions.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 1597.

AMERICAN CIVIL
LIBERTIES UNION OF
MARYLAND