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Economic Matters Committee

Subcommittees

Alcoholic Beverages

Banking, Consumer Protection,
and Commercial Law

Worker's Compensation



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THE MARYLAND HOUSE OF DELEGATES
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**Written Testimony – HB 175 – Occupational Licensing and Certification – Criminal
History – Prohibited Disclosure and Predetermination Review Process**

February 7, 2024

Good afternoon, Chairman Wilson, Vice Chair Crosby, and members of the Economic Matters Committee.

For the record, I am Delegate Andrea Fletcher Harrison, and I am here today to introduce HB 175.

I have brought forth this piece of legislation to reduce barriers to re-entry for persons who have been formerly incarcerated. It is important to me that people have second chances to lower chances of recidivism, encourage successful re-entry to society and our communities, and to help support Maryland businesses.

HB 175 creates a pre-clearance process for individuals with criminal records. That would require licensing agencies, if requested, to provide binding guidance as to whether an individual's criminal record would be prohibitive for licensure. That pre-clearance process would require the board to provide individualized consideration of the applicant's criminal record, including evidence of rehabilitation, and places limitations on considerations of irrelevant records or actions taken by law enforcement, like arrest records. Simply put, this bill would require licensing agencies to conduct honest and fair reviews of criminal records before returning citizens invest their valuable time and money pursuing a desired profession.

HB 175 is crucial because of its many societal and economic benefits. Current policies do not promote an equitable workforce. The Prison Policy Initiative, a nonprofit, nonpartisan research group has conducted studies about hiring previously incarcerated people. Their 2018 study shows that previously incarcerated people are 27 times more likely to be unemployed, which is higher than the unemployment rates during the Great Depression. This is especially true among marginalized groups.

Their study also showed that non-violent ex-offenders are willing to work. However, they struggle with getting a job for up to three years after their release, the most crucial years for successful re-entry. After years of struggle, the recidivism rate increases which stunts the rehabilitation progress and creates public safety risks due to the rising likelihood of recidivism. Unfortunately, their record acts as a collateral consequence for years to decades later, no matter

their qualifications or years since the offense happened. This prejudice impedes Marylanders from creating successful lives, communities, and families. With HB 175, we can unlock the 19 percent of Maryland jobs that require licensing and certificates while increasing public safety and encouraging reintegration.

The Society for Human Resource Management has a study that shows CEOs, managers, and workers are willing to hire and work alongside persons who have been formerly incarcerated. If the public is open to working with non-violent persons who have been formerly incarcerated, so should licensing authorities. Persons who have been formerly incarcerated can utilize the plethora of skills they had before prison, learned in prison, or after. This is especially true when their prior offenses do not hinder their ability to work or don't affect the safety of the people around them.

Everyone has a past, and it's our responsibility as lawmakers to show that the past doesn't define anyone. Change and progress are always possible; together, we can keep improving the quality of formerly incarcerated people in Maryland and the families, communities, and businesses affected by the structural barriers presented by licensing.

With that, I will turn it over to the rest of our panel, which will further explain why this is an important issue. Thank you for your time, and I urge a favorable report on HB 175.