

The Oklahoma Legislature  
2300 N. Lincoln Blvd  
Oklahoma City, OK 73105

March 16, 2022

Honorable Members of the Oklahoma Legislature,

Oklahoma communities are safer and more prosperous when people with a criminal record have robust opportunities for dignified work. Safe and constructive avenues for long-term employment for these individuals are often inhibited by overbearing occupational licensing rules. However, where occupational licensing decisions are based on clearly articulated safety risk, and mindful of rehabilitative progress made, more opportunities for success can be unlocked for Oklahomans with a criminal record. Our organizations request your support for SB 1691 to safely expand workforce eligibility and economic opportunity.

Access to a stable career path helps people to develop roots, provide for their families, and become contributing members of civic culture. Such opportunities should be extended to Oklahomans who have served their time and seek to build a new life. Consideration of safety risk in the workplace is a primary purpose of licensing agencies. However, automatic or unfair denials based solely on the existence of a criminal record are not well tailored to that goal and sideline otherwise eligible workers.<sup>1</sup> At the same time, businesses struggling with labor shortages and supply chain disruptions experience yet another hurdle in recruiting talent.

In 2019, Oklahoma took substantial steps toward better aligning occupational licensing restrictions in this area by requiring any disqualifying criminal offense to be substantially related to the duties of the occupation and pose a reasonable threat to public safety.<sup>2</sup> SB 1691 would build on that work, creating a system of focused individualized review that will open more doors for licensed employment while still permitting decision makers the discretion to issue denials based on public safety risk. In addition, SB1691 would provide due process protections for applicants and create data collection requirements that will provide insight into progress made toward safe and successful employment over time.

People with a criminal record should have robust opportunities to safely pursue careers, and their communities stand to benefit from their honest contributions. SB1691 is the next step in this effort, and in line with reforms recently passed in Texas, Arizona, Michigan, and Ohio.<sup>3</sup> We ask that you support and pass this legislation.

Respectfully,

Heather Rice-Minus  
Senior Vice President of Advocacy and Church Mobilization  
Prison Fellowship

Ivan Jaime  
Director – Government and Public Affairs, Texas and Oklahoma  
Walmart, Inc.

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<sup>1</sup> Nick Sibilla, *Barred from Working: A Nationwide Study of Occupational Licensing Barriers for Ex-Offender*, Institute for Justice (Aug 2020), <https://ij.org/report/barred-from-working/>.

<sup>2</sup> 59 Okla. St. § 4000.1.

<sup>3</sup> IJ, *State Occupational Licensing Reforms for Workers with Criminal Records*, Institute for Justice (2018), <https://ij.org/legislative-advocacy/state-occupational-licensing-reforms-for-people-with-criminal-records/>.