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FACT SHEET 2017

CSHB 1426

Reduce Barriers to Economic Opportunity for Rehabilitated Individuals
CSHB 1426 will allow Texans to become self-sufficient, taxpaying members of the workforce through Certificates of Relief.

LIMITS ON OCCUPATIONAL LICENSES

Approximately 4.7 million adults in Texas have a criminal record,¹ all of whom may face difficulty getting an interview for a position with a Texas employer. In fact, more than 25 percent of occupations in Texas require state licensure, and a criminal history serves as an automatic bar for most licenses.²

Such prohibitive licensing policies limit opportunities for people who have fully served their time and who want to become contributing members of society. This has significant consequences: Previously incarcerated individuals who are unemployed are more likely to re-offend than those who are employed,³ creating more instability for returning individuals and their families, as well as for the Texas workforce.

IN SHORT

CSHB 1426 will expand Texans' ability to get occupational licenses and contribute to the workforce.

KEY FINDINGS

- Licensing authorities frequently see any criminal background or arrest record as being "directly related" to the duties and responsibilities of the licensed occupation, and therefore deny a license to a person who is otherwise qualified.⁴
- Over one-third of working-age men are unemployed because of their criminal background.⁵ Using \$53,707 as the state's per-capita GDP,⁶ Texas loses over \$3 billion in GDP annually due to employment.⁷

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT CSHB 1426 BY REPRESENTATIVES ALLEN AND WHITE

Texas should establish Certificates of Relief to help individuals who have completed community supervision become responsible, contributing members of the community. Specifically, such Certificates should provide applicants with a restoration of the rights and abilities related to employment that were forfeited as a result of their criminal conviction.

A person's arrest history should not be the exclusive trigger for denying a professional license. Under CSHB 1426, individuals who want to be on a productive path will have the opportunity to contribute to the Texas workforce.

CSHB 1426 will open the door to safe, stable employment, thereby reducing recidivism and further strengthening the Texas economy.

Citations on reverse.

Citations

- ¹ Helen Gaebler, “Criminal Records in the Digital Age: A Review of Current Practices and Recommendations for Reform in Texas,” The University of Texas School of Law, 2013, 2, <https://law.utexas.edu/wp-content/uploads/sites/32/2016/08/criminalrecords-1.pdf>.
- ² National Employment Law Project, “The Consideration of Criminal Records in Occupational Licensing,” <http://www.nelp.org/content/uploads/TheConsiderationofCriminalRecordsinOccupationalLicensing.pdf>.
- ³ Mark Berg and Beth Huebner, “Reentry and the Ties that Bind: An Examination of Social Ties, Employment, and Recidivism,” *Justice Quarterly* 28, no. 2 (2011): 397, <http://www.pacific-gateway.org/reentry,%20employment%20and%20recidivism.pdf>.
- ⁴ Section 53.021(a), Texas Occupations Code.
- ⁵ Kaiser Family Foundation/New York Times/CBS News, “Non-Employed Poll,” <http://kff.org/other/poll-finding/kaiser-family-foundationnew-york-times-cbs-news-non-employed-poll/>.
- ⁶ Department of Numbers, “Texas GDP,” <http://www.deptofnumbers.com/gdp/texas/>.
- ⁷ Bureau of Labor Statistics, “Employment Status of the Civilian Noninstitutional Population by Sex, Race, Hispanic or Latino Ethnicity, Marital Status, and Detailed Age, 2015 Annual Averages,” <https://www.bls.gov/lau/table14full15.pdf>.