



December 12, 2022

To: Pennsylvania Department of State

Re: Proposed regulations to implement the occupational licensing reform law, Act 53 of 2020

To Whom it May Concern:

On behalf of the Justice Action Network, the nation's largest organization supporting effective, data-driven criminal justice policies, I write to you today in opposition to the proposed regulations to implement the occupational licensing reform law, Act 53 of 2020.

This legislation, which was approved *unanimously* by both chambers of the Pennsylvania legislature, and signed into law by Governor Tom Wolf, sought to ensure that individuals with certain criminal records were given the opportunity to receive occupational licenses. Far too often, byzantine occupational licensing systems stand in the way of those with the skills and expertise for licensed professions, with little or no public benefit. The authors of this legislation sought to create a system that continued to protect public safety, while doing away with irrelevant or unnecessary government red tape.

Unfortunately, the proposed regulations directly contradict the intent of the authors of the legislation and the entire legislature. The legislation directed licensing boards to identify crimes directly related to the professions they regulate; the proposed lists included in the proposed regulations are overbroad and unreasonable. A crime is "directly related" only if it bears on the ability to perform a duty that is "necessarily related" to the professions regulated, as directed by the legislation. Further, the proposed regulations do not limit the length of time that an offense may be considered, creating lifelong bans from productive work for skilled workers with no public safety benefit and no opportunity for individuals to rectify or address this lifelong inhibition.

I object to the proposed regulations, and urge you to amend these proposed regulations to create lists of offenses that are actually "directly related" to the underlying offenses, and be time limited. This was the intent of the bill authors and the entire legislature. Furthermore, given the impending "workforce crisis of 2030," wherein a federal agency has predicted that employers will add 11.9 million new jobs by 2030, but only 8.9 million new entrants to the labor force, alongside a lower labor force participation rate that keeps declining, we simply cannot afford to allow the government to stand in the way of willing, able, and skilled workers who can safely and effectively perform critically-needed roles.

I thank you for your time and consideration, and eagerly anticipate amendment of these proposed regulations to align with the intent and will of the legislature.

Sincerely,

A handwritten signature in black ink, appearing to read "JB", with a long, horizontal flourish extending to the right.

Jeanette Bottler

Justice Action Network