

**Madison Brame**

From: Michelle Elliott
Sent: Friday, December 16, 2022 7:16 AM
To: IRRC
Subject: Fw: LPP's Comments on 16A-66 (Consideration of Criminal Convictions)

From: Frank Stiefel <frank@lastprisonerproject.org>
Sent: Wednesday, December 14, 2022 4:43 PM
To: RA-STRegulatoryCounsel@pa.gov <RA-STRegulatoryCounsel@pa.gov>
Cc: Michelle Elliott <melliott@irrc.state.pa.us>
Subject: LPP's Comments on 16A-66 (Consideration of Criminal Convictions)

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The Last Prisoner Project (LPP) is a national nonprofit focused on the intersection of cannabis and criminal justice reform. The LPP policy team provides nonpartisan technical assistance to jurisdictions seeking to redress the harms of the historically unjust prohibition of cannabis. We work to advance evidence-based policies that provide retroactive relief for those criminalized by cannabis namely automatic record clearance and resentencing.

LPP was disappointed to see the regulations for Act 53, otherwise known as occupational licensing reform, that were proposed by Pennsylvania's Department of State. There are numerous collateral consequences that are associated with having a criminal record. Obtaining employment is one of the most damaging of these collateral consequences and it appeared as though Act 53 would help to address this issue by increasing employment opportunities for Pennsylvanians with a criminal record. We are dismayed to see that the Department of State, along with its boards and commissioners, have proposed over-inclusive lists of "directly related" offenses that will limit the applicant pool of those eligible for occupational licenses. Limiting employment opportunities for individuals with a criminal record hurts Pennsylvania's economy. [Research shows](#) that the lack of employment opportunities for individuals with a criminal record excludes 1 in 4 Americans from the job market, resulting in an estimated \$70 to \$80 billion in lost output, accounting for inflation.

Further, the lack of time limits for the "directly related" offenses that are listed in the proposed regulations by the Department of State will create a lifelong ban for those impacted. The stigma associated with a criminal record stands in stark contrast to [research on recidivism and desistance](#), which finds that people with criminal records who have remained crime-free are no more likely than the general population to commit a new crime.

We hope that the Department of State will take these issues into consideration and rework the proposed regulations to: 1) narrow the list of "directly related" offenses that lead to people with old and unrelated criminal records being presumed unfit for licensure; and 2) create time limits to ensure that people are not presumed unfit for licensure for their entire lives.

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Frank Stiefel
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