



D.C. POLICY
CENTER

PUBLIC HEARING ON

B23-0440, the “Removing Barriers to Occupational Licensing
for Returning Citizens Amendment Act of 2019”

Before the Committee on the Judiciary & Public Safety

Councilmember Charles Allen, Chairperson

January 29, 2020 9:30 AM

John A. Wilson Building

Testimony of Dr. Yesim Sayin Taylor

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D.C. Policy Center

Good morning, Chairman Allen and members of the Committee on the Judiciary & Public Safety. My name is Yesim Sayin Taylor and I am the Executive Director of the D.C. Policy Center, an independent, non-partisan think tank committed to advancing policies for a strong and vibrant economy in the District of Columbia. I thank you for the opportunity to testify on Bill 23-440, which addresses how occupational licensing boards consider criminal accusations or convictions in the licensing process.

The burdens of getting an occupational license—exams, fees, training and experience requirements—may constitute too high a hurdle for those seeking jobs that do not require a professional degree. For returning citizens who cannot be considered for a license because of criminal justice system involvement that is not connected to the occupational requirements, occupational licensing is a definitive roadblock.

According to the city’s own reporting, its licensing boards have licensed 12 percent of all private sector employment—a exceptionally large number in a city of law firms, consultants, and non-profits. Altogether, nearly 69,863 workers in the District are in occupations regulated by a professional licensing board. The Department of Regulatory Affairs (DCRA) regulates 125 occupational and professional categories organized under 18 different boards under its Occupational and Professional Licensing Administration (Table 1). This is in addition to 20 other boards that are responsible for the licensing over 50 health and mental health occupations.

Most of the licensing under DCRA impact middle- or low-wage jobs that are attractive to low-skilled District residents who do not have high levels of education or formal training. The D.C. Policy Center has identified 59 different occupations in D.C. that do not require significant post-secondary credentialing—such as those required for doctors, counselors, social workers, or teachers—but require licensing by DCRA (Figure 1). Among these occupations, 42 pay below the median salary in the region and above minimum wage.

This is especially relevant because relatively few returning citizens have college degrees, let alone the advanced degrees necessary to compete for the high-paying professional jobs that proliferate in D.C. A 2017 report of individuals in DOC custody found that 38 percent of those in custody did not have a high school diploma, 24 percent had a G.E.D., and 33 percent had a high school diploma; fewer than one percent had any college experience, and just 5 percent had attended a technological or trade school.¹ Typical

¹ “District of Columbia Custodial Population Study: Seeking Alignment between Evidence Based Practices and Jail Based Reentry Services Justice Research and Statistics Association,” by Shawn M. Flower, Ph.D. The Moss Group, Inc., September 2017. Page 6. <https://www.jrsa.org/pubs/reports/jrsa-dc-custodial-pop-study-9-2017.pdf>.

education opportunities commonly available inside prisons may often focus on G.E.D. completion, or on providing specific skill courses.² Meanwhile, D.C.'s employment opportunities are concentrated in high-skill, high-paying jobs, and offers few opportunities for workers without professional degrees. The relative lack of opportunities for residents without college degrees—especially those who are returning citizens—makes the impact of these occupational licensing barriers all the more worrisome.

Denying returning citizens the opportunity to enter into an occupation on the basis of an irrelevant criminal conviction or other involvement with the criminal justice systems represents yet another barrier for residents who already face many hurdles to stable employment. As such, this legislation is an important first step to reducing collateral consequences for D.C.'s returning citizens. Going forward, I also urge the Council to address the broader sweep of licensing barriers that can also prevent these residents from entering many middle-wage professions, and which further reduce constrain opportunity in District of Columbia.

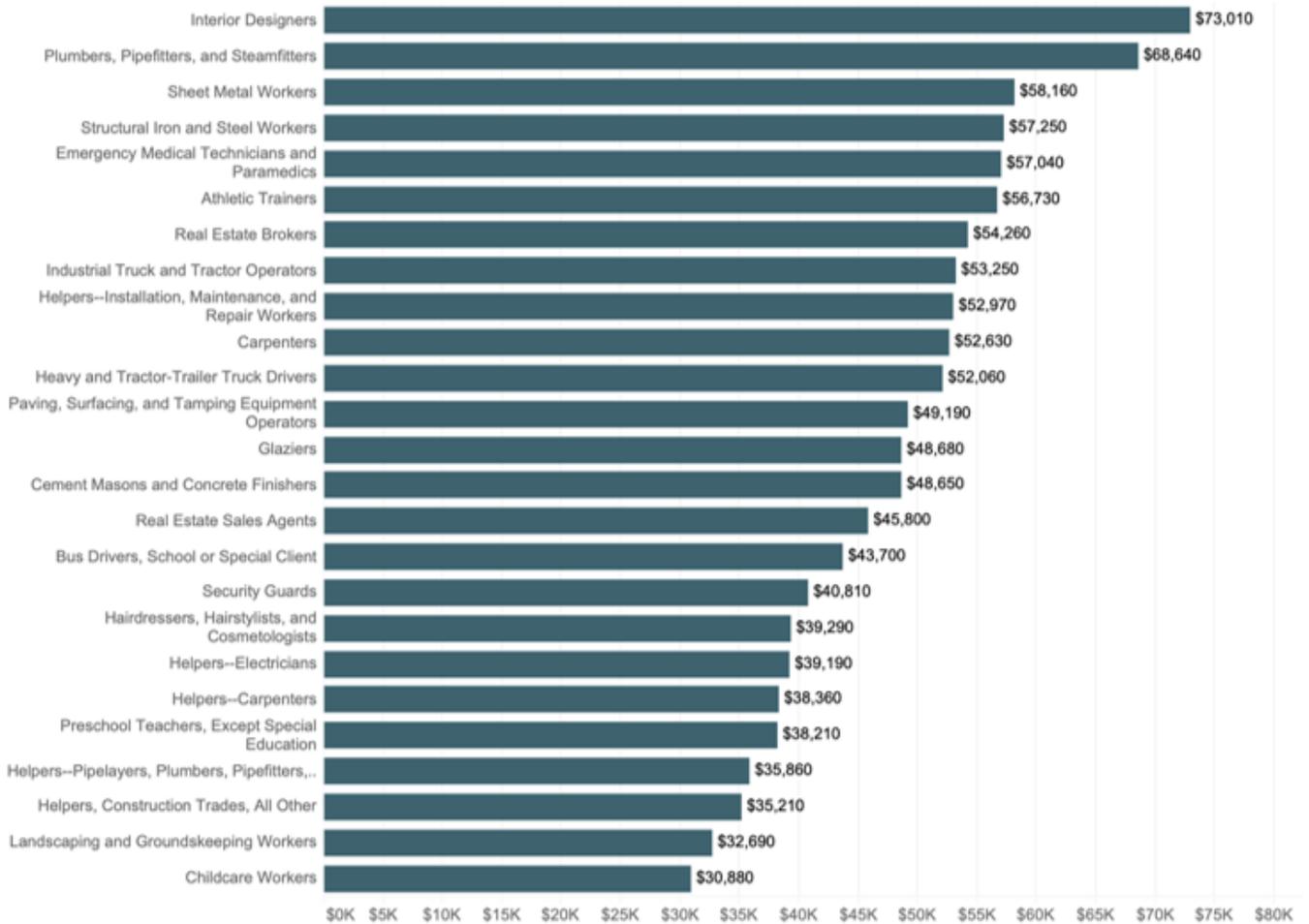
Thank you for the opportunity to testify. I am happy to answer any questions you might have.

² For more, see “Obstacles to employment for returning citizens in D.C.” by Robin Selwitz, published by the D.C. Policy Center, August 2018. <https://www.dcpolicycenter.org/publications/barriers-to-employment-for-returning-citizens-in-d-c/>.

Figure 1 – Annual median wages for occupations that require professional licensing in the District of Columbia

Annual median wages for occupations that require professional licensing in the District of Columbia

Of the 59 occupations licensed by DCRA for which there is data available, 42 are those with middle-wage jobs (defined as those that pay below the regional median salary but above minimum wage).



Source: Bureau of Labor Statistics, May 2018 Occupational Data
 D.C. Policy Center | dcpolicycenter.org

Table 1 – D.C.’s licensing boards and the number of licensed workers

| Roughly 70,000 workers in D.C. are required to meet occupational licensing requirements | |
|--|-----------------------------------|
| D.C.’s licensing boards and the number of licensed workers | |
| Licensing board | Number of licensed workers |
| Board of Security | 16,004 |
| Board of Industrial Trades | 15,503 |
| Real Estate Commission | 14,391 |
| Board of Barber & Cosmetology | 6,794 |
| Board of Engineering | 6,794 |
| Board of Architecture, Interior Design, and Landscape Architecture | 3,853 |
| Board of Accountancy | 3,074 |
| Tour Guides | 1,670 |
| Board of Real Estate Appraisers | 778 |
| Board of Boxing and Wrestling | 611 |
| Board of Funeral Directors | 382 |
| Athlete Agents | 9 |
| Total | 69,863 |
| Source: Occupational and Professional Licensing Board and Commission, 2017 Annual Report. D.C. Policy Center dcpolicycenter.org | |

Appendix: About the data

While there is little available public data on who is licensed by DCRA, information from the 2017 Annual Report from the Occupational and Professional Licensing Administration provides data for 12 of the 18 boards under DCRA.³ This shows that nearly 69,863 workers in the District are in occupations regulated by a professional licensing board, accounting for nearly 12 percent of private sector employment in the city.

Using data from the Occupational and Professional Licensing Administration, the Institute for Justice,⁴ and the National Conference of State Legislatures,⁵ the D.C. Policy Center then identified 59 different occupations in D.C. that do not require significant post-secondary credentialing—such as those required for doctors, counselors, social workers, or teachers—but require licensing by DCRA. Comparing this data to national occupation wage data from the Bureau of Labor Statistics shows that among the 59 occupations licensed by the District, 42 are occupations with middle-wage jobs—paying below the median salary in the region and above minimum wage.

³ Available at <https://www.dcopla.com/bpe/wp-content/uploads/sites/17/2018/06/OPLBC-Annual-Report-2017-Final.pdf>

⁴ “License to Work,” 2nd Edition. *District of Columbia Profile*, by Dick M. Carpenter II, Ph.D., Lisa Knepper, Kyle Sweetland and Jennifer McDonald, Institute for Justice, 2018. <https://ij.org/report/license-work-2/ltw-state-profiles/ltw2-d-c/>.

⁵ *The National Occupational Licensing Database*, by Suzanne Hultin, NCSL, accessed in 2018. <https://www.ncsl.org/research/labor-and-employment/occupational-licensing-statute-database.aspx#Database>