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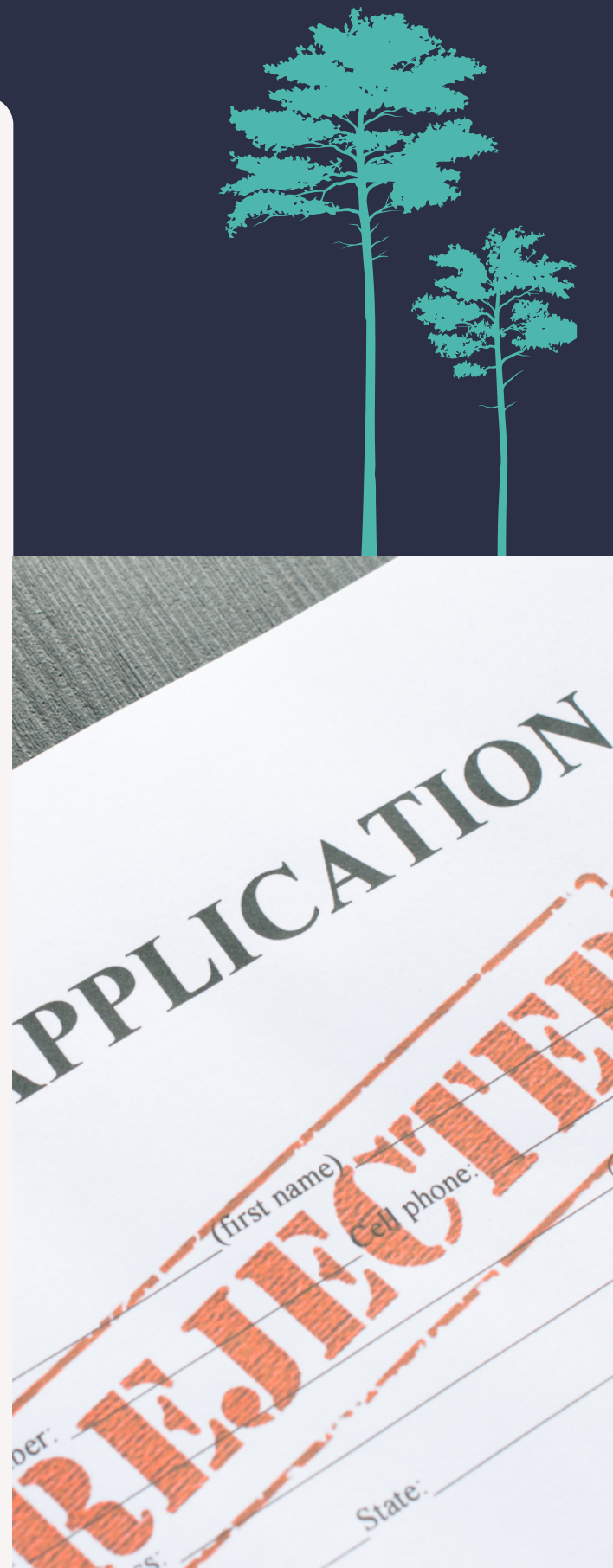
DeVoe L. Moore Center

**A COMPLETED SENTENCE, BUT  
ONGOING PUNISHMENT:  
How Past Criminal Convictions  
Bar Floridians from Occupational  
Licensing Opportunities**

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## EXECUTIVE SUMMARY

Florida's regulations governing occupational licensing for returning citizens are among the most stringent in the nation. State laws either impose a permanent bar, disqualifying period, or other restrictions like the "good moral character" standard for returning citizens who are pursuing an occupational license.

Florida heavily regulates occupations, and on average, it requires more training and orders higher fees to be eligible for licensing exams. In this report, Florida Policy Institute and the DeVoe Moore Center highlight various pieces of literature that have explored how over-regulation has stifled workforce development, the relationship between occupational licensing and recidivism (re-offending or returning to prison), and policy proposals that states can employ to reduce barriers to workforce development for those with past criminal records.

The authors also provide an in-depth look at the current landscape of occupational licensing laws in Florida, how the state Legislature has approached reform, and the lessons that can be learned from other states. Lastly, this report includes recommendations on how future research can expand on this topic.

## INTRODUCTION

Mass incarceration in the United States has led to more than 70 million Americans having a criminal record<sup>1</sup> — this number is roughly twice the population of Canada.<sup>2</sup>

Unsurprisingly, this national trend is also reflected in Florida. Due to tough-on-crime policies such as the elimination of parole and the implementation of mandatory minimums, and the criminalization of poverty and mental illness, Florida's incarcerated population grew by 265 percent from 1983 to 2018.<sup>3</sup> The latter has contributed to almost 1.5 million Floridians with a felony conviction, not including those with misdemeanor records and arrests without a conviction.<sup>4</sup>

Meanwhile, occupational licensing has increased dramatically at the state level, limiting job opportunities for those with criminal records. By some estimates, as much as 38 percent of the U.S. labor force is licensed or certified (compared to just 5 percent in the early 1950s).<sup>5</sup> Occupational licensure is the method by which governments regulate an occupation by establishing qualification requirements in order to practice a trade or professional occupation.<sup>6</sup> Consequently, the coupling of 1) the increased number of people with a criminal record and 2) the increased number of occupations from which people with criminal records were barred from entering birthed a workforce system that is particularly burdensome and even exclusionary of those with past criminal records.

Returning citizens are formerly incarcerated individuals who have returned to their communities. Because at least 95 percent of those who are incarcerated will ultimately be released,<sup>7</sup> having the opportunity to work and earn livable wages to afford housing and basic life necessities is supremely important. However, in Florida, the laws that govern workforce development, more specifically regulations surrounding professional licensing, render it difficult and sometimes impossible for those with a criminal record to pursue and obtain certain licenses that can help boost their financial standing. In many instances, having a criminal record in Florida is an ongoing punishment. Even if someone was not convicted or if years have passed since completing the full term of their sentence, state laws could bar them from pursuing a profession. It should not be this way. Florida lawmakers can enact data-driven and people-centered policies to reform occupational licensing possibilities for those with criminal records.

## RESEARCH POINTS TO OCCUPATIONAL LICENSING REFORMS AS PATHWAY FOR RETURNING CITIZENS TO SUCCESSFULLY RE-ENTER THEIR COMMUNITIES

Numerous studies have examined the effects of occupational licensing on low- and moderate-income occupations — jobs most likely to be available to formerly incarcerated individuals. For the most part, these studies show that while licensing may increase wages for those already in the profession, the number and availability of jobs is reduced by regulation. States that impose greater restrictions on occupations also experience lower levels of interstate migration.<sup>8</sup> Moreover, state laws impose significant barriers to entry by requiring resources in time and money without improvements in the quality of the services provided.<sup>9</sup> Indeed, the White House report *Occupational Licensing: A Framework for Policymakers* (2015) concluded: “Overall, the empirical research does not find large improvements in quality of health and safety from more stringent licensing. In fact, in only two out of the 12 studies [surveyed] was greater licensing associated with quality improvements.”<sup>10</sup> In one of those two studies, the increase in service quality — for licensing teachers — was inconsistent with five other studies that found no effect. For example, despite requiring 1,000 or more hours of formal training for barbering, little evidence

suggests this training affects the quality of the service provided.

Indeed, the lack of a connection between state-mandated training and quality led to the deregulation of hair braiding in Virginia in 2012. Prior to deregulation, hair braiders were required to obtain a cosmetology license. When economists Edward Timmons and Catherine Konieczny examined the employment effects of deregulating hair braiding, they found an 8 percent increase in the number of smaller beauty shops.

The relationship between occupational licensing, employment, and income, however, is complex. Most economists have found that occupational licensing increases incomes for those already covered by the licensing requirements. Moreover, these higher incomes are not necessarily associated with higher-quality services. On the contrary, existing professions use licensing barriers to reduce competition, allowing them to raise prices without increasing the availability or the quality of the services they provide.

This dynamic was evident when Alabama

licensed, de-licensed, and then re-licensed barbers.<sup>12</sup> Barbers were licensed by Alabama in 1973. (They were the last state to license barbers, but licensed cosmetologists in 1961). A sunset provision in the state licensing law, combined with concerns about mismanagement and inefficiency, led to the expiration and de facto de-licensing of barbers in 1983. During this period, the number of small barbershops increased. However, earnings appeared to decrease. At the same time, changes in consumer demand led to greater competition between cosmetologists and barbers as more people saw the professions as substitutes. As a result, the cosmetology profession led an effort to re-license barbers through a restructuring of the cosmetology licensing board. As a result, the number of small barbershops appeared to decline.

Notably, reducing access to job opportunities at entry-level points in the labor market may have significant spillover effects on other areas of neighborhood development. Thomas Snyder and Saliou Outtara examined the effects of occupational licensing on property crime.<sup>13</sup> They found a “robust” relationship between higher occupational licensing requirements and property crime rates. In fact, effective occupational licensing outweighed other variables such as education levels, population density,

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and spending on police. The authors attribute these effects on property crime to the lower labor force participation rates, particularly among inexperienced and teenage youth.

Looking at the intersection of criminal justice and regulations, these next studies detail the various barriers that licensing laws impose on those with criminal histories and offer some specific provisions that states can adopt to alleviate the harmful effects of occupational licensing requirements on formerly-incarcerated people.

In her research, "Sanctioned Unemployment: The Impact of Occupational Licensing Restrictions on Ex-Offenders," Annie Zhang explored the history of occupational licensing laws and the legal challenges they have faced for over a century.<sup>14</sup> Moreover, she proposed three policies that states should adopt that would help maintain public safety and foster rehabilitation. Using a legal lens, she laid out several arguments, one of which was a challenge to licensing laws under

the 14th Amendment (either through equal protection or due process clauses).

Zhang recommended these policy reforms:

- Licensing boards should consider rehabilitation factors in assessing applicants with past criminal convictions.
- Denial of licensure should be based upon a direct relationship between the conviction and the occupation.
- Returning citizens who participated in prison vocational training programs should be allowed to receive a “presumption for licensure.”

In the 1995 article, “The Character Component of Occupational Licensing Laws: A Continuing Barrier to the Ex-Felon's Employment Opportunities,”<sup>15</sup> Bruce May described how the character requirements of occupational licensing laws serve as barriers to entry for those with a criminal record and suggested reforms that would lower these barriers and lessen recidivism. He identified five categories of occupational licensing laws: 1) “criminal convictions” statutes set a complete ban on people with past criminal histories from obtaining licenses, 2) “good moral character” laws establish good moral character requirements, 3) “reputable character” statutes impose reputable character as a criterion for qualification, 4) “honest and trustworthy” statutes require

an honest and reputable character, and 5) “no character component” laws do not list any character requirement.

May also raised the constitutional arguments people with past criminal records have brought against these licensing standards and described why the courts have rejected those arguments. Lastly, he explored three pathways to reduce barriers in the labor market. The first solution, which uses California as an example, is for states to amend their licensure statutes such that licenses “can be denied only if there is a ‘direct’ or ‘substantial’ relationship between a prior conviction and the occupation to be licensed.”<sup>16</sup> The second solution is for licensing boards and legislatures to allow for evidence of full rehabilitation to overcome either de facto or de jure disqualifications. Finally, he urged states to incorporate anti-discrimination statutes (such as those in Wisconsin, Hawaii, and New York) “that prohibit employment and licensing discrimination based on criminal convictions.”<sup>17</sup>

Having sustainable employment with livable wages is one of the strongest deterrents of recidivism.<sup>18</sup> Empirical studies have shown that returning citizens who are gainfully employed are less likely to recidivate.<sup>19</sup> In addition to promoting rehabilitation, expanding occupational licensing for those with criminal records



yields significant fiscal benefits for states in two major ways. First, a decrease in recidivism rates means that states will spend fewer taxpayer dollars on re-incarceration costs, thus contributing to financial savings that can be invested in public goods such as transportation and parks. Additionally, increasing access to professional opportunities helps to bolster states' economies. Nationally, the loss of human capital, due to laws that exclude people with criminal records from the workforce, was estimated to be between \$78 billion and \$87 billion annually.

In a deeper look at Florida's licensing laws and their effect on reducing recidivism,

Vittorio Nastasi and Samuel Staley — in their 2016 brief “Bridging the Divide: Licensing and Recidivism”<sup>20</sup> — found that re-arrest rates for formerly-incarcerated people could drop by roughly 5 percent if Florida lawmakers deregulated 10 percent of its licensed occupations. This positive relationship remains as their analysis showed that a 25 percent decrease in the number of licensed occupations would drop the state's re-arrest rates by approximately 16 percent.

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## FLORIDA'S OCCUPATIONAL LICENSING LANDSCAPE: WHAT ARE THE CURRENT PROVISIONS THAT ARE HINDERING FLORIDIANS WITH A CRIMINAL RECORD FROM PROCURING PROFESSIONAL LICENSING?

Historically, Florida ranks fifth among the 50 states and the District of Columbia with the most burdensome requirements for occupational licensing.<sup>21</sup> This means that in terms of the average mandated hours of training, fees, and the percentage of occupations that are regulated, Florida's laws have proven to be extremely strenuous. Due to the state's stringent

regulatory practices, many Floridians with a criminal history are unnecessarily excluded from professional opportunities. Florida released 93,014 people from prison between fiscal year (FY) 2015 and 2018, and at least 40 percent were convicted of crimes that could potentially disqualify them from pursuing certain occupational licenses for 15 years.<sup>22</sup> It is important to

note that licenses are not only issued by the state; other levels of government like the federal government, cities, and municipalities can also create and enforce their own licensing laws.<sup>23</sup>

Per the National Inventory of Collateral Consequences of Conviction (NICCC), Florida has 1,110 provisions that establish employment-related “collateral consequences” — laws and regulations that restrict or ban people with past convictions from accessing certain social and economic opportunities.<sup>24</sup> Three hundred seventy-nine of these consequences are related to occupational licensing for people with criminal convictions in Florida.<sup>25</sup> Florida is one of the six states that doesn’t explicitly ban licensing agencies from considering pardon and expunction during the application review process.<sup>26</sup>

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State statutes limit access to professional licensing in a variety of ways. For example, for professions in the financial services industry like insurance agents, Florida laws impose a lifetime ban for those who have been convicted of a felony of the first

degree such as a capital felony and felony involving money laundering.<sup>27</sup> This ban is regardless of adjudication, guilty pleas, or no contest (not admitting guilty and contesting the charges) pleas. Other forms of restriction include disqualifying periods. For certain occupations, lawmakers have established arbitrary time limits for those convicted of certain crimes. Florida has a 15-year disqualifying period for people who have been convicted of felonies with “moral turpitude,” such as grand theft and larceny, burglary, and robbery.<sup>28</sup> These time limits are enforced irrespective of the character or behavior of the individual involved or their likelihood to recidivate. For professional licenses in the construction and beauty industries, statutes set time limits for when a criminal conviction may be considered by licensing boards. Present laws prohibit licensing authorities from considering certain past criminal convictions of more than five years as a basis for denial for professions like barbers, cosmetologists, and contractors.<sup>29</sup>

Additional policies that have adversely impacted those with a criminal history when pursuing an occupational license in Florida are “good moral character” and “moral turpitude” requirements and court fines and fees. Florida’s licensing laws contain a “good moral character” clause that essentially bestows licensing boards with broad discretionary power to



disqualify applicants with a criminal past based on their perceived moral character; statutes, however, fail to offer any parameters on how to define an applicant's good moral character.<sup>30</sup>

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For certain occupational licenses, especially those that are in the financial service industries, applicants must pay all legal financial obligations — court costs and fees, and court-ordered restitution — before they can be issued an occupational license.<sup>31</sup> Fines are the cost paid for an offense as a punishment, and fees are the additional charges levied to assist government operations. Full payment of court fines and fees as a requirement for licensing can be an insurmountable challenge for applicants with past convictions.

Due to the ubiquity of fines and fees in Florida’s legal system, the vast majority of people who have been convicted of a

crime in Florida end up with some form of legal financial obligation. For example, there is a mandatory \$225 fee on all felony convictions, a \$50 application fee for those who cannot afford an attorney,<sup>32</sup> and assessed daily subsistence fees of several dollars for people in jails.<sup>33</sup> In 2021, more than 700,000 Floridians may have had past felony records or outstanding fines and fees that ranged from \$580 to \$59 million.<sup>34</sup> Adding further complications, many of those with legal financial obligations are unsure of how much they actually owe due to the fact that Florida does not have a central database that houses those records.<sup>35</sup> For applicants with past criminal convictions, the cost of training and applying for a license is already a source of financial strain. Therefore, being obligated to pay all fines and fees only exacerbates their financial hardships.

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## FLORIDA'S LUKEWARM RECEPTION TO OCCUPATIONAL LICENSING REFORMS

Research consistently demonstrates how certain licensure requirements are harmful to workforce development. Requirements such as extensive training, application fees, and moral character have disproportionately impacted those with past felony convictions by keeping them out of occupations that can help pave the way to a greater financial standing and social rehabilitation.

The legislative proposals that have been introduced are tightly aligned with the tenants of research. In recent years, two remarkable bills — HB 953<sup>36</sup> and HB 1259<sup>37</sup> — aimed to bring effective reforms such as eliminating the moral character requirement, reducing the waiting period for certain occupational licensing, allowing credits that formerly incarcerated people earned while in prison to be applied towards their license educational requirement when it's applicable, and the automatic expungement of certain criminal records. However, the Legislature's lukewarm approach to enacting groundbreaking policies that would radically expand returning citizens' access to the job market has caused most of the introduced reform bills to fail.

Florida, in its efforts to mirror some of the criminal justice reforms at the national level, passed its own version of the "First-Step Act" in 2019 (SB 7125).<sup>38</sup> Signed by then-President Trump, the federal First-Step Act included a list of provisions such as shortening federal sentences and improving the living conditions of those who are in federal prisons.<sup>39</sup> Although Florida's version of the First Step Act was relatively less progressive than the federal version, it is one of the smartest criminal justice bills enacted to date. It included the most comprehensive changes to licensing laws for those with a criminal record. The following are some of the provisions that SB 7125 codified for occupations in the beauty and construction industries: 1) it allowed incarcerated people to apply for a license, 2) it prohibited the applicable licensing boards from considering criminal convictions that occurred more than five years before the application unless it's specifically related to the profession or the crimes committed were a forcible felony or sexual predator, 3) it mandated applicable licensing boards to publish a list of crimes that can disqualify applicants and as well as the crimes that do not, and 4) it required applicable licensing boards to work with the Department of Corrections to allow applicants who are incarcerated to either physically or virtually attend license application hearings. While these changes offered a much-needed relief to many citizens, they are indeed a first step.

## NATIONAL SNAPSHOT: HOW OTHER STATES ARE USING RESEARCH TO HERALD IN OCCUPATIONAL LICENSING REFORMS FOR RETURNING CITIZENS

Efforts to reduce barriers to professional licensing opportunities are gaining momentum across the country. Texas, North Carolina, and New Mexico explicitly prohibit licensing boards from considering non-conviction records.<sup>40</sup> This is a meaningful change because a mere arrest can have lifetime collateral consequences. Many employment applications often include the question: “Have you ever been arrested?” The stigma that is associated with an arrest, even without a conviction, can influence licensing boards and prevent employers from expanding workforce access to those who have an arrest record.

“Ban the box” laws, often referred to as “fair chance” policies, are part of a national movement to limit criminal histories and the use of self-reported criminal histories unrelated to employment qualifications. These policies help combat these stigmas and limit their influence on licensing boards and employers. According to the National Employment Law Project, 37 states, including North Carolina, Ohio, and Louisiana, and more than 150 cities have adopted these laws for public sector jobs and government contractor employment.<sup>41</sup>

Although Florida has not incorporated any statewide “ban the box” reforms, several cities have.<sup>42</sup> Notably, “ban the box” laws can be regarded as a way to “get a foot in the door” for applicants with a criminal record: these policies do not prohibit employers from ever asking or considering applicants’ criminal record; instead, they delay *when* employers can inquire about an applicant’s criminal history until a conditional offer has been made. Researchers have found that these policies have increased the hiring chances for applicants with criminal history for public sector jobs; however, these improvements are not duplicated in the private sector.<sup>43</sup>

Heeding what researchers such as Bruce May (1995) have prescribed on the harmful effects of vague language such as “good moral character” and “moral turpitude” that grants licensing entities virtually unlimited discretionary power to deny applicants, states like Texas, Oklahoma, North Carolina, and West Virginia have fully implemented policies that ban denial based on vague and undefined terms.<sup>44</sup> Moral character and moral turpitude clauses can be described as a catch-all tool

*“Moral character and moral turpitude clauses can be described as a catch-all tool that licensing boards can deploy to deny applicants even if all other factors are favorable.”*

that licensing boards can deploy to deny applicants even if all other factors are favorable. For example, a licensing board in a state where non-conviction arrests cannot be grounds for denial can still rely on the moral character requirement to deny applicants even if all conditions of their application are favorably met. Given the broad nature of these clauses and how they can override the benefits of other reforms, moral character requirements can arguably be described as one of the most oppressive barriers to procuring a professional license for people with a criminal record. Eliminating these laws would categorically ameliorate the experiences of those who have been involved with the justice system.

Additionally, states are modifying their laws to permit pre-application decisions; applicants can petition licensing boards to determine whether their criminal history is a disqualifying factor. Twenty states, including Texas, Mississippi, North Carolina, and Tennessee, have already incorporated this reform,<sup>45</sup> which

inherently bears remarkable benefits for returning citizens. It extends the chance for those with a criminal history to make an informed decision about their chances of being approved or denied. One of the barriers to pursuing occupational licensing for returning citizens is the cost associated with licenses such as education and training, application, and other related fees.<sup>46</sup> Since returning citizens are less likely to be employed and are paid 40 percent less than their counterparts without past convictions, these costs can effectively block them from seeking a professional license.<sup>47</sup> Therefore, those who are able to overcome this barrier and make the investment in training and education should have the utmost certainty of how their criminal record will be judged.

Most states have adopted a version of procedural protection that mandates licensing entities to produce a written explanation of the specific reasons for a conviction-based denial. Nine states, including Ohio, Tennessee, North Carolina, and Arkansas, have fully implemented this policy.<sup>48</sup> Twenty-two states have partially expanded this law, which means that licensing bodies are only required to provide a written explanation, but not the specific conditions for denial.<sup>49</sup>

## REPLICATING OCCUPATIONAL LICENSING REFORM SUCCESSIONS IN FLORIDA AND OTHER SOUTHERN STATES: OPPORTUNITIES AND CHALLENGES

Some of the provisions noted above could be easily replicated in Florida. To achieve this, lawmakers would have to be more committed to reforming the state's onerous licensing laws. Florida could potentially enact provisions prohibiting non-conviction arrests from being considered by licensing boards and supplying applicants with a written explanation for the specific grounds for denial. These measures would likely be approved by the Legislature, as they do not deviate too far from past legislation that lawmakers on both sides of the political aisle have warmly embraced.

Other states can look to Florida's latest efforts to deregulate certain professions, as seen by the passage of HB 1193, which reduced unnecessary roadblocks such as the mandated hours of training for some occupations like barber and nail specialist and lifted regulations for make-up artists, timekeepers, hair braiders, and more.<sup>50</sup> Although the state's approach is not particularly focused on criminal justice reform, it indirectly yields benefits for those whose criminal records have made it difficult to enter those fields. By deregulating occupations like hair braiding

and body wrapping, people with a past criminal history who are interested in entering these fields get to bypass all the barriers that were the products of regulation. For other states like Arizona, California, and Nevada that lead the nation with burdensome licensing laws,<sup>51</sup> enacting some of the provisions from HB 1193 would undoubtedly remove certain hurdles for people with criminal records and increase their chances of earning livable wages. All of which have proven to boost the state's economy and promote public safety and rehabilitation.<sup>52</sup>

### Opportunities for Additional Research

Studies on the effects of occupational licensing on workforce development have been around for decades. A few of the studies that are highlighted above were written almost 30 years ago during a time when the United States was embroiled in its "war on drugs." The nation's failed experiment with mass incarceration has resulted in millions of Americans with criminal records, and studies have evolved to include how regressive occupational licensing laws intersect with those who

have been involved in the criminal justice system. Although many Legislatures across the country are responding to some of the research findings, the current scope of literature fails to zoom in on the lived experiences of those most impacted by overly restrictive occupational licensing laws. Future research should center the voices of those who are directly impacted and their loved ones to capture a more comprehensive picture of how criminal records have influenced their lives. Contouring empirical research with the personal narratives and policy recommendations from returning citizens would help strengthen legislative advocacy efforts by equipping lawmakers and advocates alike with not only the numbers and theories but also their real-life manifestation.

*“The nation’s failed experiment with mass incarceration has resulted in millions of Americans with criminal records, and studies have evolved to include how regressive occupational licensing laws intersect with those who have been involved in the criminal justice system.”*

Another reason for research to be inclusive of the experiences of those who are directly impacted is that it would help to assess the disparate effects of a criminal

record as it relates to employment opportunities at the intersection of race. Black Floridians are historically overrepresented in the state’s prison system; in 2021, they constituted almost 50 percent of the state’s incarcerated population while making up only 17 percent of Florida’s overall population.<sup>53</sup> This also translates to more Black Floridians in proportion to white Floridians facing the various collateral consequences of a criminal record. Further, given their layered identities, those who are Black and with a criminal record are likely to endure more challenges in pursuing employment opportunities than their white counterparts. Even without a criminal record, Black people generally faced more discrimination when seeking employment; studies have revealed that Black applicants with “Black names” are less likely to receive a call back from employers compared to white applicants.<sup>54</sup> Compounding this with the fact that returning citizens, on average, are paid 40 percent less annually places more hurdles on the path of Black returning citizens.<sup>55</sup> Being incarcerated reduces the total earnings of white males by 2 percent, Hispanic males by 6 percent, and Black males by 9 percent.<sup>56</sup> Future research should step in this new direction. It would potentially help to identify policy solutions that would reduce and lessen the weight of a criminal record on Black Floridians.



## THE IMPACT OF OCCUPATIONAL LICENSING LAWS ON DIRECTLY-IMPACTED COMMUNITIES

The current policy landscape in Florida has considerably harmed returning citizens. For many, being approved for a professional license can be one of the strongest determinants of whether they will successfully reintegrate into their communities or re-offend and face the possibility of returning to prison.

Without the insights and input from directly impacted individuals, there remain critical gaps in gaining a full understanding of the process and experience of pursuing and obtaining licensure, including:

1. **Pre-application and application process:** Taking a more in-depth analysis of the factors that compel returning citizens to pursue a professional license and how they navigate the pre-application (costs of training, transportation to and from classes, internet access for virtual courses) and application process.
2. **Denial of licensure:** Fleshing out the alternatives returning citizens seek out when they are not approved for a professional license and the potential economic tradeoffs that may come with pursuing a different career path as a result of being denied.
3. **Approval of state licensure:** Exploring the additional roadblocks to securing an occupational license that is not necessarily codified in securing a job. Local governments (counties, municipalities, and special districts) have the authority to impose their own set of regulations that can also pose barriers to entering the job market.
4. **Social and economic consequences:** Examining how current licensing regulations interact with the social well-being of returning citizens and their families, and the potential collateral effects on social choices such as housing, family, and criminal activity.

## CONCLUSION

Studies have consistently shown that restrictive licensing laws are detrimental to those with a criminal record. These policies have severely limited or kept out those who have been involved in the criminal justice system. The consequences of these burdensome laws are massive: they stifle economic growth and jeopardize the social rehabilitation of returning citizens by making it harder for them to be gainfully employed and more likely to return to prison. Studies have been clear about the solutions that can sustainably reform this ineffective system. Many states have already implemented some of these solutions, and some are prioritizing the need to do so. The current landscape of occupational licensing for people with past criminal convictions in Florida is a direct byproduct of misguided policies, and it will require enacting comprehensive and data-based policies to change the system. With a stronger commitment to reform, Florida's Legislature can help reduce the various barriers that are highlighted throughout this paper and even transform them into pathways. Making it easier for people with past criminal histories to be qualified for a licensed occupation, have a stable income, and have the necessary means to provide for themselves and their family is imperative to ensuring a successful re-entry process, safer communities, and a stronger and more diverse workforce.

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- <sup>7</sup>Nathan James, “Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism,” Congressional Research Service, 2015, <https://sgp.fas.org/crs/misc/RL34287.pdf>.
- <sup>8</sup>Janna E. Johnson and Morris M. Kleiner, “Is Occupational Licensing a Barrier to Interstate Migration?” *American Economic Journal: Economic Policy*, Vol. 12, No. 3 (August 2020), pp. 347-373.
- <sup>9</sup>S. David Young, writing on “Occupational Licensing” in the *Concise Encyclopedia of Economics*: “Occupational regulation has limited consumer choice, raised consumer costs, increased practitioner income, limited practitioner mobility, and deprived the poor of adequate services—all without demonstrated improvements in the quality or safety of the licensed activities,” August 30, 2022, <https://www.econlib.org/library/Enc1/OccupationalLicensing.html>.
- <sup>10</sup>See Table 2 in Matthew Laird, Adrian Moore, and Samuel Staley, “Occupational Licensing in Florida: Unnecessary Licenses Are Killing Jobs,” Policy Report no. 131, Reason Foundation, February 2016. The second study that showed increased quality from licensing was for dentistry.
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- <sup>14</sup>Annie Zhang, “Sanctioned Unemployment: The Impact of Occupational Licensing Restrictions on Ex-Offenders,” *Washington University Journal of Law & Policy* 57 (2018): 251-274.
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- <sup>16</sup>May, “The Character Component of Occupational Licensing Laws: Continuing Barrier to the Ex-Felon's Employment Opportunities.”
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