

**To the Members of the Senate Committee on State, Veterans and Military Affairs
February 24, 2021**

Written Testimony of Maureen Cain
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**Testimony In Support of SB21-040 - Use of a Person's Driver's History Record to Make
Decisions that Concern the Practice of an Occupation - by Senator Scott**

Madam Chair and Members of the Committee:

Over the last decades, the impact of a criminal conviction has become significantly greater than the number of days in prison or the number of dollars fined. Hundreds of federal, state, and local laws create additional consequences for people convicted of crimes, many of which remain in effect far beyond any judicially-imposed sentence. Unlike incarceration and fines, however, those additional consequences are frequently unknown to the individuals whose lives they profoundly affect.

In response to this problem, in 2014 and then again in 2019, the Office of the State Public Defender prepared a 100 plus page publication attempting to document the true impact of a criminal conviction in Colorado. The document outlines consequences that arise under Colorado law that are not included in the sentence imposed by a judge at the conclusion of a criminal case, including the effect upon professional licensure. This publication is available on our web site.

Additionally, in recent years, the Office of the State Public Defender has supported and collaborated with other community groups to attempts to expand the ability of citizens to eliminate or mitigate the negative and unnecessary impacts of collateral consequences. Our office has supported significant changes to Colorado's sealing statute, a program allowing for certificates of collateral relief to be issued by the courts and much-needed changes to juvenile expungement statutes.

SB21-040 is another step in the right direction. It prohibits the use of older traffic offenses as a basis to reject licensure by Department of Regulatory Agencies -- pursuant to its authority under Title 12 or Department of Revenue -- pursuant to its authority under Title 44. Professional licenses provide persons with the ability to work and make a decent wage to support their families. Traffic offenses should not block professional licensure unless driving is the primary element of the job.

All too often, traffic or criminal offenses are used to define a person in our society and their ability to work or be productive. While limited in scope, SB21-040 recognizes that state government should not be using these older traffic offense to rob citizens of licensure.

Thank you for your attention to our concerns and we look forward to working on this bill if there are concerns/ changes to be made and supporting this bill to passage.

