

GETTING A PROFESSIONAL LICENSE WHEN YOU HAVE A CRIMINAL RECORD

▶ WHAT YOU SHOULD KNOW

You can still obtain a professional license in New Jersey even if you have a conviction or criminal record. Individuals with criminal histories often go on to make valuable contributions to the workforce. New Jersey law permits professional boards to consider your criminal past when you apply for a professional license. In some cases, having a criminal history means that you have to provide information to the board. This document provides guidance on how to do that.

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In deciding whether to grant a professional license to an applicant with a criminal history, professional boards apply the standard set forth in New Jersey law. In particular, they ask:

- (1)** whether the crime or offense has a “direct or substantial relationship” to the profession, and
- (2)** whether granting the license would be “inconsistent with the public’s health, safety, or welfare.”

In deciding whether to grant your application, a board considers a few things. First, it looks at the nature and seriousness of the crime—what was the offense and how serious was it. Second, they look at how much time has passed since the crime or offense; the relationship of the crime or offense to the profession; and evidence of rehabilitation.

When an applicant indicates that they have a criminal history, the board may ask for the materials described below. It is best to provide these documents up-front with your application. If you are not able to provide all of the documents described below, please submit as many of them as you can. Submitting the most comprehensive application possible will reduce delays and improve your application. This includes submitting **(1)** arrest, disposition, and sentencing documents; **(2)** evidence of educational and professional achievement; and **(3)** evidence of rehabilitation.

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ARREST, DISPOSITION, AND SENTENCING DOCUMENTS:

In considering the application of someone with a criminal record, a board will consider the nature of any arrests, charges, or convictions and the circumstances surrounding them. The board will want to review certain documents, discussed below. If the police department, law enforcement agency, or clerk of the court cannot provide any of these documents, ask them for a letter on official letterhead explaining the reason(s) why. For each arrest, charge, or conviction, you should provide the board with the following:

- 1. Arrest Records:** Ask the police department or law enforcement agency where you were arrested for your arrest records, including the police report, with all supporting statements. If you need to review your New Jersey arrest history, you can contact the **New Jersey State Police Criminal Information Unit (“CIU”)** for instructions on how to submit a “Personal Record Request.” You can contact the CIU at **(609) 882-2000, ext. 2302**, and you can find more information about this process at <https://www.njsp.org/criminal-history-records/>. If you need to review your arrest history for federal crimes or crimes committed outside New Jersey, you can request an “Identity History Summary” from the **Federal Bureau of Investigation (“FBI”)**. You can find more information about this process here: <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

Note that many of the boards conduct their own criminal background checks, for which applicants are required to pay a fee. The boards will not accept records that applicants obtain on their own as a substitute for the boards’ own background checks, but you should still include all records you obtain with your application.

- 2. Charging Documents and Dispositions:** Ask the clerk of the court where your case was heard for a copy of the charging document (for example, a complaint, indictment, or accusation), and a copy of the disposition (for example, a conviction, plea agreement, or order of dismissal).
- 3. Sentencing Documents:** Ask the clerk of the court where your case was heard for any documents that relate to your sentencing, including a transcript of the sentencing hearing. If your sentence involved the payment of restitution, fines, or penalties, you should provide documentation regarding your satisfaction of those obligations. If you are on a court-ordered payment plan, for example, you should provide documentation that you have made your scheduled payments. If you have missed any of your scheduled payments, you should submit a statement to the board explaining why. You may still receive a license even if you have not satisfied the monetary terms of a sentence. The board may, however, want to understand the reasons why you have not satisfied those terms before deciding on your application.
- 4. Certificate of Relief from Bars to Professional Licensure:** In some cases, a judge or the State Parole Board may issue a certificate that removes any bar to public employment or professional licensure that the conviction would otherwise have imposed. If you have received such a certificate, make sure you submit it to the board. *continued*

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WHAT YOU SHOULD KNOW

EDUCATIONAL AND PROFESSIONAL ACHIEVEMENT:

In addition to fully understanding your criminal record, the board will want to learn about any accomplishments you wish to highlight. For instance, you may be excelling at your job or in an educational program. If applicable, you should submit the following with your application:

- 1. Letters of Recommendation:** Seek out recommendation letters from supervisors or teachers who can speak to your contributions to the workplace or the classroom.
- 2. Academic Transcripts:** Request an academic transcript from your college, vocational school, GED program, or other academic institution. If the transcript does not indicate whether you have completed the program, ask whether your academic institution offers a certificate of completion or a similar document.
- 3. Recognition of Success:** If you have been formally recognized for your job performance or academic success, ask your employer or your academic institution for documentation. This might include employee-of-the-month awards, awards for maintaining a certain GPA or for your performance in a particular course, or for your general contributions to your workplace or academic program.
- 4. Job Training:** If you have participated in a job training program, submit documentation to the board and ask your supervisor or instructor for a recommendation letter that speaks to your progress.

EVIDENCE OF REHABILITATION:

Evidence of rehabilitation can boost your chances of receiving a license or certificate. This might include the following:

- 1. Drug or Alcohol Counseling:** If your criminal history involves drug or alcohol abuse, the board will want to know whether you have taken steps to address your substance use. If you have participated in a recovery program, or if you are seeing a counselor or therapist for your substance use, you should make that clear to the board. If you have completed a program, ask the program director for a certificate of completion or a letter certifying that you have completed the program.
- 2. Mental Health Treatment:** If you have received mental health treatment that has helped you overcome issues that contributed to your criminal history, you should note this in the statement you submit with your application. You can also ask your therapist or counselor to write a recommendation letter if you are comfortable with it. The boards respect the confidentiality of mental health treatment. *continued*

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WHAT YOU SHOULD KNOW

EVIDENCE OF REHABILITATION:

- 3. Community Service:** If you are involved in your community, you can provide evidence of your involvement to the board. If you perform community service, coach a team, counsel or tutor kids, sit on a local governing body, participate in a civic organization, or play a key role in your religious congregation, you can tell the board about it in the statement you submit with your application. If you have a supervisor for any of these activities—for instance, the leader of a community service group or an authority figure in your religious congregation—you can ask them to write a recommendation letter that explains your role in the organization.
- 4. Parole or Probation:** If you have a parole or probation officer, you can ask them to write a letter that speaks to your compliance with your parole or probation conditions. Depending on the license or certificate for which you are applying, the board may also ask you to provide documentation of compliance with the specific conditions of your parole or probation—for instance, drug screenings, mental health or substance abuse evaluations, therapy or counseling, or payment of restitution.
- 5. Good Behavior While Incarcerated:** If you have been incarcerated, and you demonstrated good behavior while you served your sentence, you can ask the warden or another corrections official who can speak to your contributions to write a recommendation letter. This might include participating in an educational or job training program or performing jobs within the prison, such as cooking or cleaning.

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If you have questions about which records you should submit with your application or about how you should go about obtaining them, please contact the relevant board or committee. You can find the contact information by clicking on the board or committee under the “Boards & Committees” tab on the Division website, **NJConsumerAffairs.gov**. We have seen countless applicants with criminal histories go on to serve the public and enrich their professions. For many applicants, the struggles in their past help them empower others to avoid the same mistakes. Don’t let your past deter you from pursuing a profession.

Start preparing your application today.



800-242-5846 ■ www.NJConsumerAffairs.gov