

## **NSPE Position Statement No. 09-200—Engineering Licensure for Individuals with Criminal Histories**

**Adopted: March 2019**

**Latest Revision: N/A**

**NSPE Contact: Committee on Policy and Advocacy**

**Professional Policy Supported: 09-Licensure**

**Position Statement:** It is the position of the National Society of Professional Engineers (NSPE) that state and federal laws and regulations should permit state engineering licensing boards to use their unbiased and objective knowledge, experience, and judgment to determine the best course of action regarding applicants with criminal histories. It is further the position of NSPE that state licensing boards should have the authority to determine whether an individual's specific criminal history would affect their ability to adequately protect the public health safety and welfare within their role as licensed Professional Engineers.

NSPE is not in support of Laws which call for automatic denial of applicants with criminal histories, or laws that remove this question from licensing applications altogether.

### **Background:**

Because over 30% of Americans have a criminal record<sup>1</sup> and studies have shown that gainful employment is a “critical aspect of reducing recidivism,”<sup>2</sup> it is the position of NSPE that one's criminal history should not be a cause for automatic denial of an engineering license. At the same time, NSPE believes that there may be certain instances where criminal act(s) bear on the ability of the individual to engage in the practice of engineering and therefore should be weighed as part of the state engineering licensure process.

NSPE encourages thoughtful consideration by state engineering licensure boards of factors such as the nature of the crime(s), how long ago the incident(s) occurred, whether and to what extent the applicant made restitution for the crime(s), and whether the past crime(s) are directly related to the duties and responsibilities that must be carried out by a professional engineer, and could consequently have a negative impact on public health and safety.

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<sup>1</sup> [http://www.ncsl.org/Portals/1/Documents/Labor/Licensing/criminalRecords\\_v06\\_web.pdf](http://www.ncsl.org/Portals/1/Documents/Labor/Licensing/criminalRecords_v06_web.pdf)

<sup>2</sup> *ibid*