

BOARD POLICY – Criminal Disqualifications
Adopted November 1, 2019
Revision #1 Adopted April 20, 2023

I. Applicants for licensure as a Professional Engineer or Land Surveyor in the state of Oklahoma or currently licensed Oklahoma professional engineers or land surveyors who are applying to renew their professional license, shall be **permanently barred** from obtaining or renewing a license if that individual has pleaded guilty or nolo contendere to, or been found guilty of, any of the violent criminal offenses as described in Title 57 O.S., §571(2)a-aaa, by any court in the state of Oklahoma or of any similar offense by a court in another state or of any similar offense by a federal court, unless the conviction was lawfully sealed or otherwise pardoned or expunged:

A. Applicants for licensure as a Professional Engineer or Land Surveyor in the state of Oklahoma or currently licensed Oklahoma professional engineers or land surveyors who are applying to renew their license, **may be barred** from obtaining or renewing a license if that individual has pleaded guilty or nolo contendere to, or been found guilty of, any other criminal offenses listed in O.S. Title 21 other than the crimes specifically listed in I above, by any court in the state of Oklahoma or of any similar offense by a court in another state or of any similar offense by a federal court, unless the conviction was lawfully sealed or otherwise pardoned or expunged.

1. If applicable, applicants for professional engineering or surveying licensing or renewing a professional engineering or land surveying license shall submit a request in writing, including but not limited to:
 - a. Information about his or her current circumstances,
 - b. Length of time since conviction,
 - c. What has changed since the conviction,
 - d. Evidence of rehabilitation,
 - e. Testimonials or personal reference statements,
 - f. Employment aspirations,
 - g. Employment references since the offense was committed
 - h. Relevance of the offense to the professional license; and
 - i. Other evidence demonstrating that licensure of the applicant does not pose a threat to the life, health, safety, welfare or property of the citizens of the state of Oklahoma.
2. Further, the applicant shall include a copy of the person's criminal history record, including but not limited to:
 - a. An explanation of each conviction mentioned in the criminal history record, and
 - b. A statement describing each criminal conviction including the date of each conviction, the court of jurisdiction and the sentence imposed, and
 - c. The status of fulfillment of the sentence imposed.

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Effective: November 1, 2021

57 Okl.St. Ann. § 571

§ 571. Definitions

Currentness

As used in the Oklahoma Statutes, unless another definition is specified:

1. "Capacity" means the actual available bedspace as certified by the State Board of Corrections subject to applicable federal and state laws and the rules and regulations promulgated under such laws; and
2. "Violent crime" means any of the following felony offenses and any attempts to commit or conspiracy or solicitation to commit the following crimes:
 - a. assault, battery, or assault and battery with a dangerous or deadly weapon, as provided for in Sections 645 and 652 of Title 21 of the Oklahoma Statutes,
 - b. assault, battery, or assault and battery with a deadly weapon or by other means likely to produce death or great bodily harm, as provided for in Section 652 of Title 21 of the Oklahoma Statutes,
 - c. aggravated assault and battery on a police officer, sheriff, highway patrolman, or any other officer of the law, as provided for in Section 650 of Title 21 of the Oklahoma Statutes,
 - d. poisoning with intent to kill, as provided for in Section 651 of Title 21 of the Oklahoma Statutes,
 - e. shooting with intent to kill, as provided for in Section 652 of Title 21 of the Oklahoma Statutes,
 - f. assault with intent to kill, as provided for in Section 653 of Title 21 of the Oklahoma Statutes,
 - g. assault with intent to commit a felony, as provided for in Section 681 of Title 21 of the Oklahoma Statutes,
 - h. assaults with a dangerous weapon while masked or disguised, as provided for in Section 1303 of Title 21 of the Oklahoma Statutes,
 - i. murder in the first degree, as provided for in Section 701.7 of Title 21 of the Oklahoma Statutes,
 - j. murder in the second degree, as provided for in Section 701.8 of Title 21 of the Oklahoma Statutes,
 - k. manslaughter in the first degree, as provided for in Section 711 of Title 21 of the Oklahoma Statutes,
 - l. manslaughter in the second degree, as provided for in Section 716 of Title 21 of the Oklahoma Statutes,
 - m. kidnapping, as provided for in Section 741 of Title 21 of the Oklahoma Statutes,
 - n. burglary in the first degree, as provided for in Section 1431 of Title 21 of the Oklahoma Statutes,
 - o. burglary with explosives, as provided for in Section 1441 of Title 21 of the Oklahoma Statutes,
 - p. kidnapping for extortion, as provided for in Section 745 of Title 21 of the Oklahoma Statutes,
 - q. maiming, as provided for in Section 751 of Title 21 of the Oklahoma Statutes,

- r. robbery, as provided for in Section 791 of Title 21 of the Oklahoma Statutes,
- s. robbery in the first degree, as provided for in Section 797 et seq. of Title 21 of the Oklahoma Statutes,
- t. robbery in the second degree, as provided for in Section 797 et seq. of Title 21 of the Oklahoma Statutes,
- u. armed robbery, as provided for in Section 801 of Title 21 of the Oklahoma Statutes,
- v. robbery by two or more persons, as provided for in Section 800 of Title 21 of the Oklahoma Statutes,
- w. robbery with dangerous weapon or imitation firearm, as provided for in Section 801 of Title 21 of the Oklahoma Statutes,
- x. child abuse, as provided for in Section 843.5 of Title 21 of the Oklahoma Statutes,
- y. wiring any equipment, vehicle or structure with explosives, as provided for in Section 849 of Title 21 of the Oklahoma Statutes,
- z. forcible sodomy, as provided for in Section 888 of Title 21 of the Oklahoma Statutes,
- aa. rape in the first degree, as provided for in Section 1114 of Title 21 of the Oklahoma Statutes,
- bb. rape in the second degree, as provided for in Section 1114 of Title 21 of the Oklahoma Statutes,
- cc. rape by instrumentation, as provided for in Section 1111.1 of Title 21 of the Oklahoma Statutes,
- dd. lewd or indecent proposition or lewd or indecent act with a child under sixteen (16) years of age, as provided for in Section 1123 of Title 21 of the Oklahoma Statutes,
- ee. use of a firearm or offensive weapon to commit or attempt to commit a felony, as provided for in Section 1287 of Title 21 of the Oklahoma Statutes,
- ff. pointing firearms, as provided for in Section 1289.16 of Title 21 of the Oklahoma Statutes,
- gg. rioting, as provided for in Section 1311 of Title 21 of the Oklahoma Statutes,
- hh. inciting to riot, as provided for in Section 1320.2 of Title 21 of the Oklahoma Statutes,
- ii. arson in the first degree, as provided for in Section 1401 of Title 21 of the Oklahoma Statutes,
- jj. injuring or burning public buildings, as provided for in Section 349 of Title 21 of the Oklahoma Statutes,
- kk. sabotage, as provided for in Section 1262 of Title 21 of the Oklahoma Statutes,
- ll. criminal syndicalism, as provided for in Section 1261 of Title 21 of the Oklahoma Statutes,
- mm. extortion, as provided for in Section 1481 of Title 21 of the Oklahoma Statutes,
- nn. obtaining signature by extortion, as provided for in Section 1485 of Title 21 of the Oklahoma Statutes,
- oo. seizure of a bus, discharging firearm or hurling missile at bus, as provided for in Section 1903 of Title 21 of the Oklahoma Statutes,
- pp. mistreatment of a mental patient, as provided for in Section 843.1 of Title 21 of the Oklahoma Statutes,
- qq. using a vehicle to facilitate the discharge of a weapon pursuant to Section 652 of Title 21 of the Oklahoma Statutes,
- rr. bombing offenses as defined in Section 1767.1 of Title 21 of the Oklahoma Statutes,
- ss. child pornography or aggravated child pornography as defined in Section 1021.2, 1021.3, 1024.1 or 1040.12a of Title 21 of the Oklahoma Statutes,
- tt. child prostitution as defined in Section 1030 of Title 21 of the Oklahoma Statutes,
- uu. abuse of a vulnerable adult as defined in Section 10-103 of Title 43A of the Oklahoma Statutes,
- vv. aggravated trafficking as provided for in subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes,
- ww. aggravated assault and battery upon any person defending another person from assault and battery, as provided for in Section 646 of Title 21 of the Oklahoma Statutes,
- xx. human trafficking, as provided for in Section 748 of Title 21 of the Oklahoma Statutes,
- yy. terrorism crimes as provided in Section 1268 et seq. of Title 21 of the Oklahoma Statutes,

zz. eluding a peace officer, as provided for in subsection B or C of Section 540A of Title 21 of the Oklahoma Statutes, or

aaa. domestic abuse by strangulation, domestic assault with a dangerous weapon, domestic assault and battery with a dangerous weapon, or domestic assault and battery with a deadly weapon, as provided for in Section 644 of Title 21 of the Oklahoma Statutes.

Such offenses shall constitute exceptions to nonviolent offenses pursuant to Article VI, Section 10 of the Oklahoma Constitution.

Credits

Laws 1984, c. 97, § 2, eff. April 4, 1984; Laws 1984, c. 275, § 1, eff. May 31, 1984; Laws 1993, c. 276, § 10, emerg. eff. May 27, 1993; Laws 2001, c. 437, § 30, eff. July 1, 2001; Laws 2007, c. 358, § 10, eff. July 1, 2007; Laws 2008, c. 3, § 29, emerg. eff. Feb. 28, 2008; Laws 2015, c. 397, § 1, eff. Nov. 1, 2015; Laws 2018, c. 117, § 4, eff. Nov. 1, 2018; Laws 2019, c. 152, § 1, eff. Nov. 1, 2019; Laws 2020, c. 28, § 1, eff. Nov. 1, 2020; Laws 2021, c. 121, § 2, eff. Nov. 1, 2021.

57 Okl. St. Ann. § 571, OK ST T. 57 § 571

Current with legislation of the Second Regular Session and First and Second Extraordinary Sessions of the 58th Legislature (2022)

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