

CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT (CQE)

2014 ANNUAL REVIEW



Ohio

Department of
Rehabilitation & Correction

John R. Kasich, Governor
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Effective September 29, 2012, a “Certificate of Qualification for Employment” (CQE) was created under Ohio Revised Code 2953.25. The Department of Rehabilitation and Correction (DRC) adopted rules in accordance with this chapter for the implementation and administration of the CQE process and generated forms for a petition for as charged under the statute. These rules and forms were submitted for review and were adopted on February 18, 2013, after which the DRC and Common Pleas Courts were able to accept petitions either directly (where permitted by local rule) or online. The DRC developed and maintains the online petition site at www.drccqe.com.

Outreach Efforts to Educate Citizens and Community Partners

Continued efforts are made to educate our community partners and the ex-offender population on the CQE process and the benefits of receiving a CQE. While a CQE petitioner receives individualized consideration when seeking a job or state licensure, many do not know that the CQE also carries the added benefit of legal protection for employers against claims of negligent hiring practices.

Joann Sahl from the University of Akron, as well as her law students, has played a vital role in communicating awareness regarding the CQE in that they have been providing monthly clinics to assist petitioners in filing the online paperwork. By utilizing student involvement, those seeking the CQE not only are made aware of the benefits of the CQE, they have access to legal expertise to aid them in completing the CQE on-line petition process.

Professor Sahl has been holding monthly clinics in Summit County since July of 2013. In 2015, she will be expanding to other metropolitan areas to assist in the creation of CQE clinics in their areas. The areas that will be impacted are Cleveland, Toledo, Youngstown, and Columbus.

Employability of those with the CQE

In addition to the CQE clinics that are being held for the ex-offender population, Joann Sahl has agreed to partner with DRC in 2015 to follow up with petitioners who have had their CQE petitions approved. The goal of this project is to determine how many petitioners have been able to find employment after their CQE was granted and where they are employed. Joann Sahl and her team will be compiling a report with their findings.

Possible Website Enhancements

DRC is tasked with maintaining the CQE website and currently pays \$4,800 annually to maintain this website.

In speaking with local Clerk of Courts, we have identified some features of the CQE website that could benefit from potential updates. One such update would be the development of a “parking lot” location in the site that would enable clerk of court staff to move petitions out of open tasks when those petitions have been reviewed by DRC staff but not filed with the clerk of courts in a timely manner. Additionally, the update would also allow the court to move a petition out of the “parking lot” if the petitioner filed at a later date (if the court chooses to do so without having the petitioner file a new petition). Ideally, the system would automatically move these petitions after the designated time and automatically notify the offender prior to the move. Another potential update would include the ability to permanently delete a petition that is in “process status” (i.e. it was never submitted for DRC review) or is in “information needed” status (i.e. the petition was returned to the petitioner for corrections/further information and was not resubmitted to DRC for review) after a designated time. Again, an automatic email notification could be sent to petitioners prior to any deletions, advising them to act on the petition.

In addition to the above mentioned system enhancements, it has been suggested that when a CQE petition is approved, when the petitioner prints a copy of his or her petition, a fact sheet for employers could also be made available to print. This fact sheet would be a brief one page document highlighting the benefits to employers who hire those with an approved CQE.

Approved CQE list

DRC maintains a list of all CQE approvals on the DRC website. This list is updated 2 times a month and can be located at <http://www.drc.ohio.gov/web/cqe.htm>. While this list is compiled directly from reports generated by the CQE website, it is important to for potential employers to also check a person's criminal history if the person is relying on the validity of the CQE. If the named individual was convicted of any felony offense after receiving the certificate, the certificate should be presumed to be revoked.

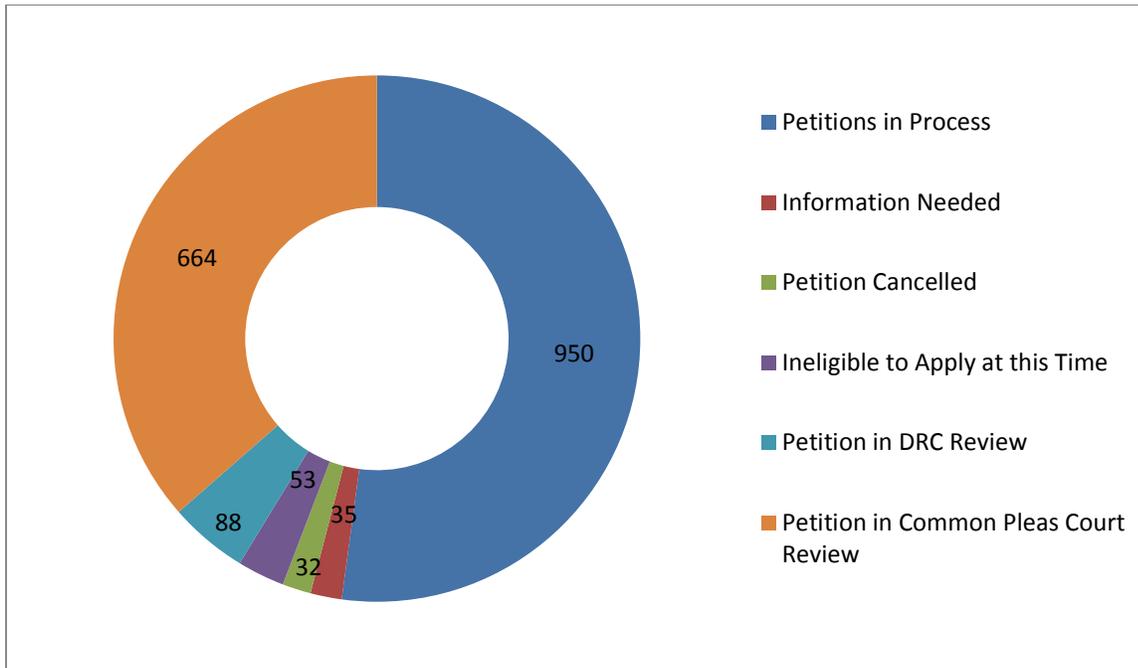
In addition to the above mentioned list, other information pertaining to the CQE is provided on DRC's website including general information and a link to the CQE website. Additionally, the contact information for all of the Justice Reinvestment Officers is available on this page as well as a map that indicates the region that each officer covers.

Feasibility Study

DRC continued to track data provided in the online petition. As courts decided on granting petitions, they were simultaneously surveyed about costs, fees, and workload. That amount of information has improved greatly since the previous annual report, as information was limited at that time due to the minimal number of petitions that had been approved. The data provided from DRC as a part of this study and report is from the electronic database as of December 31, 2015.

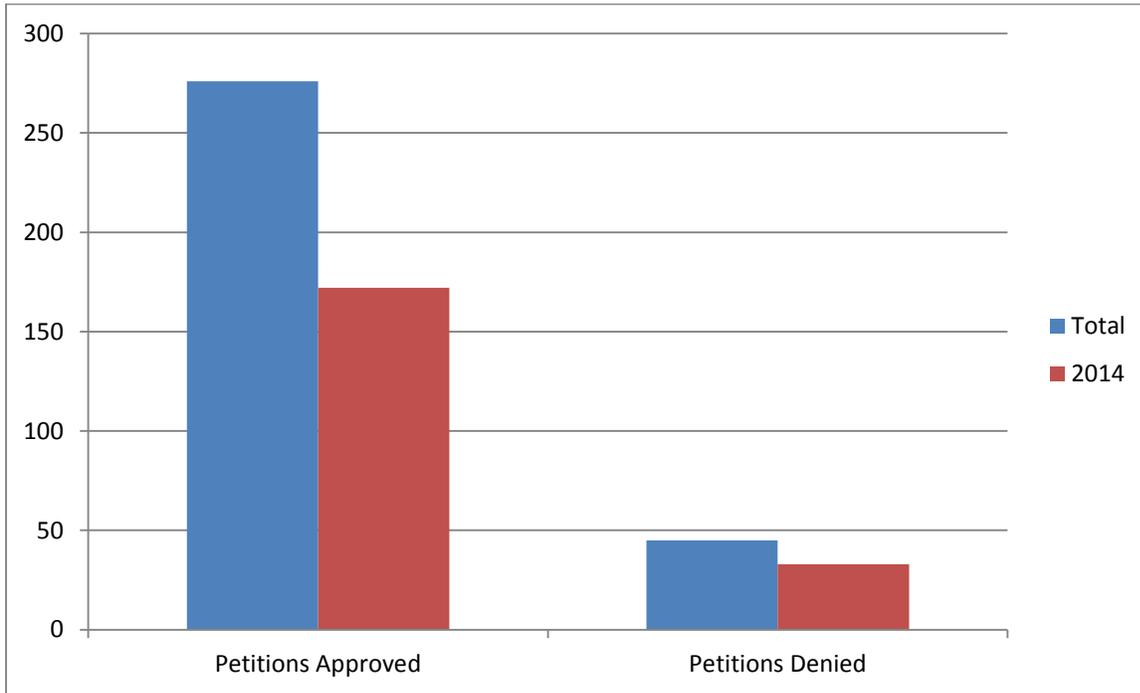
As noted in this report, there are still varying amounts being charged in fees and court costs; however, over 50% fell in the range of \$50-\$100.

Certificate of Qualification for Employment (CQE) Summary Data

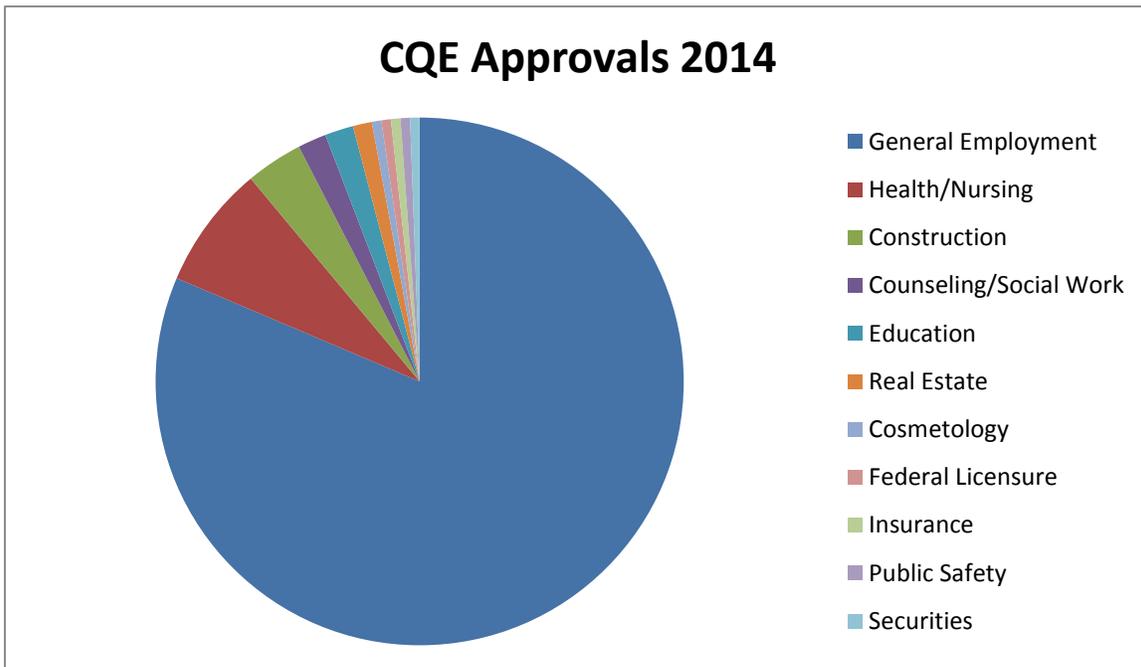


Petition Status	Total	Petition Status Key
Petition in Process	950	Petitioner registered in system; Petition has not been submitted
Information Needed	35	Petition sent back to petitioner for additional information
Petition Cancelled	32	Petition cancelled by petitioner; duplicate petitions likely cause
Ineligible to Apply at this Time	53	Petition submitted; determined by DRC staff that the petitioner is ineligible to file due to time constraints from last conviction/supervision period
Petition in DRC Review	88	Petition submitted and is awaiting review by DRC staff
Petition in Common Pleas Court Review	664	Petition submitted and reviewed by DRC staff; submitted to the Court for review (does not indicate if a petitioner has actually filed with the Court)
Petition Denied	45	The Court has ruled on the petition and denied the CQE; Petition Process Complete
Petition Approved	276	The Court has ruled on the petition and approved the CQE; Petition process complete
Total	2143	

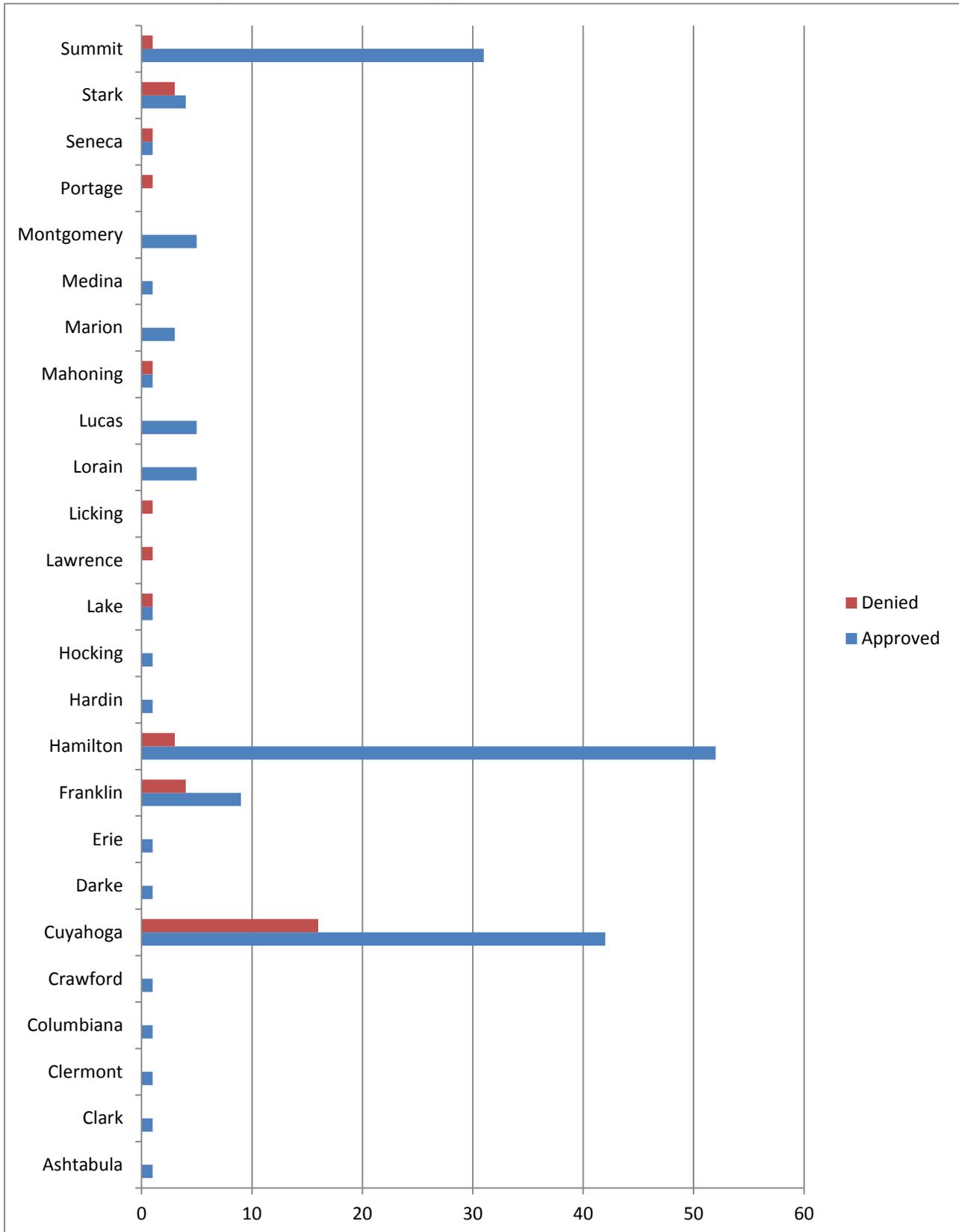
CQE Approvals and Denials



2014 Approved CQEs by Type (General Employment/State Licensing Board)



County Breakdown of Approved/Denied Petitions 2014



County Breakdown*	Petitions	Approved	Denied	In DRC Review	In Court Review	In Progress (Not Submitted)	Other Status
Butler	9	0	0	0	5	4	0
Clermont	6	1	0	0	1	2	2
Cuyahoga	226	42	16	0	45	112	11
Fairfield	6	0	0	0	1	3	2
Franklin	57	9	4	0	9	29	6
Hamilton	189	52	3	0	37	91	6
Huron	4	0	0	0	0	4	0
Lake	11	1	1	0	2	7	0
Lorain	19	5	0	0	2	11	1
Lucas	36	5	0	0	9	19	3
Mahoning	12	1	1	0	4	5	1
Marion	6	3	0	0	1	2	0
Medina	6	1	0	0	4	1	0
Montgomery	35	5	0	0	10	18	2
Portage	6	0	1	0	3	1	1
Richland	4	0	0	0	2	2	0
Stark	22	4	3	0	8	7	0
Summit	324	31	1	0	217	64	11
Trumbull	5	0	0	0	0	3	2
Total	983	160	30	4	360	385	48

***List consists of large metropolitan counties and those with the most petitions in the system. Remaining counties not listed have four or fewer petitions in the system.**

Feasibility Questions

The questions below are completed when the Court decides to approve or deny a CQE petition. The below information was collected from the 2014 petitions.

CQE FEASIBILITY QUESTIONS						TOTAL RESPONSES
How many convictions did you identify for this petitioner?	0-2 convictions	3-5 convictions	More than 5 convictions			
Misdemeanors	114 (53%)	45 (21%)	55 (26%)			214
Felonies	153 (73%)	35 (17%)	21 (10%)			209
How many hours did your court spend on the initial investigation?	Under 3 hours	3.0-5.0 hours	More than 5.0 hours			
	138 (68%)	52 (25%)	14 (7%)			204
How much money did the Court spend (excluding staff time/expense) for this investigation?	None	Less than \$25	\$25-\$100	\$101-\$250	More than \$250	
	69 (34%)	58 (29%)	76 (37%)	0 (0%)	0 (0%)	203
Did the Court order additional investigations for this petition?	Yes*	No				
	68 (33%)	136 (67%)				204
*If Yes, who collected the information?	Clerk's Office	Probation Dept.	Court Admin	Other		
	1 (1%)	66 (97%)	0 (0%)	1 (1%)		68
*How much time did they spend?	Under 3.0 hours	3.0-5.0 hours	More than 5.0 hours			
	9 (13%)	0 (0%)	58 (67%)			67
What was the total amount of fees and court costs assessed to the petitioner?	Less than \$50	\$50-\$100	\$101-\$150	\$151-\$200	\$201-\$250	
	23 (11%)	105 (51%)	58 (28%)	2 (1%)	7 (35%)	
	\$251-\$350	\$351-\$450	More than \$450			
	8 (4%)	1 (0%)	0 (0%)			204

