



Department of
Rehabilitation & Correction

Ohio Certificate of Qualification for Employment (CQE)

Annual Report 2021

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Ohio CQE Background

Effective September 29, 2012, the Certificate of Qualification for Employment (CQE) was created under Ohio Revised Code (ORC) Section 2953.25. The Ohio Department of Rehabilitation and Correction (DRC) adopted rules Ohio Administrative Code 5120-15-01 in accordance with ORC Section 2953.25, for the implementation and administration of this process, forms were generated for the CQE petition as charged under the statute.

In January 2017, the processing of CQE applications was moved from the Justice Reinvestment Officers (JROs) to the Office of Reentry. Changes to the CQE process were made in the budget bill House Bill 49 which became effective On September 29, 2017. ODRC was tasked with promulgating the rules to allow under certain circumstances earlier timeframes to apply for the CQE which are located within the Ohio Administrative Code Section 5120-15-01.

Under OAC 5120-15-01 criteria, the petitioner may apply earlier than one year after release from all sanctions including incarceration or any term of supervision from a felony conviction or six months after release from all sanctions from a misdemeanor conviction including incarceration or a term of supervision if:

- The individual has been released from prison and received a certificate of achievement and employability under section 2961.22 of the Revised Code,
- The individual received ninety days of credit toward satisfaction of the person's stated prison term or a ten percent reduction of the person's term under division (A)(2) of section 2967.193 of the Revised Code, or
- The individual has been released from incarceration in a local facility, upon recommendation of the sheriff or designee,
- If the individual receives early termination of community control, has complied with all special conditions, and has no outstanding fines or restitution.

If the individual does not meet the above criteria, then he/she must meet the original filing timeframe for a felony conviction (after one year) or for a misdemeanor conviction six months after release from all sanctions, (incarceration or supervision).

DRC in conjunction with the Ohio Poverty Law Center conducted four CQE clinics after each Ohio Ex-Offender Reentry Coalition meeting in 2018. In addition, a new partnership with the Columbus Legal Aid Society morphed into a statewide initiative. Other partnerships include the University of Akron, which conducts legal clinics monthly for those individuals in Summit and surrounding counties that includes filing CQE applications on-site.

Ohio's Certificate of Qualification for Employment has been evaluated by Dr. Peter Leasure, University of South Carolina and published in the Harvard Law Review titled "*The Effectiveness of Ohio's Certificate of Qualification for Employment*". Data from the evaluation indicated that individuals with an Ohio CQE were just as likely to obtain employment opportunities as those who did not have a criminal record. (ylpr.yale.edu/inter_alia/effectiveness-certificates-relief-collateral-consequence-mechanisms-experimental).

The 2021 CQE Report

As of December 31, 2021, there were 459 CQE applications processed and sent to Common Pleas Court Review. This is a total that can easily be extracted from DRC records. The information on the following pages gives specific details regarding the CQE applications in 2021.

Certificate of Qualification for Employment (CQE) Summary Data as of December 31, 2021

| Petition Status | Total | Petition Status Key |
|--|--------------|---|
| Petitions in Process | 1102 | Petitioner registered in system; Petition has not been submitted |
| Information Needed | 0 | Petition sent back to petitioner for additional information |
| Petitions Cancelled | 4757 | Petition cancelled by petitioner; duplicate petitions likely cause |
| Ineligible to Apply at this Time | 137 | Petition submitted; DRC determined ineligible due to time constraints from last conviction/supervision period |
| Petitions in DRC Review | 1 | Petition submitted and is awaiting review by DRC staff |
| Petitions in Common Pleas Court Review | 470 | 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) |
| Petitions Denied | 325 | The Court has ruled on the petition and denied the CQE; Petition Process Complete |
| Petitions Approved | 1488 | The Court has ruled on the petition and approved the CQE; Petition process complete |
| Total | 8280 | |

County Breakdown of Approved/Denied Petitions 2021

| County Breakdown* | Petitions | Approved | Denied | In DRC Review | In Court Review | In Progress (Not Submitted) | Other Status |
|-------------------|-----------|----------|--------|---------------|-----------------|-----------------------------|--------------|
| Summit | 1493 | 10 | 2 | 0 | 38 | 51 | 1392 |
| Cuyahoga | 1211 | 17 | 5 | 0 | 47 | 97 | 1045 |
| Hamilton | 719 | 30 | 0 | 0 | 25 | 67 | 597 |
| Franklin | 411 | 15 | 8 | 0 | 22 | 48 | 318 |
| Mahoning | 290 | 5 | 1 | 0 | 22 | 23 | 239 |
| Montgomery | 239 | 14 | 1 | 0 | 12 | 50 | 162 |
| Stark | 206 | 7 | 2 | 0 | 9 | 33 | 155 |
| Lucas | 145 | 0 | 0 | 0 | 16 | 13 | 116 |
| Lorain | 89 | 4 | 0 | 0 | 7 | 10 | 68 |
| Scioto | 84 | 12 | 2 | 0 | 10 | 12 | 48 |
| Trumbull | 83 | 1 | 0 | 0 | 6 | 9 | 67 |
| Butler | 66 | 2 | 0 | 0 | 3 | 11 | 50 |
| Lake | 52 | 0 | 0 | 0 | 2 | 2 | 48 |
| Ross | 41 | 6 | 5 | 0 | 5 | 9 | 16 |
| Portage | 40 | 0 | 1 | 0 | 0 | 6 | 33 |
| Greene | 36 | 2 | 1 | 0 | 6 | 11 | 16 |
| Fairfield | 33 | 0 | 0 | 0 | 3 | 4 | 26 |
| Medina | 33 | 0 | 0 | 0 | 3 | 5 | 25 |
| Marion | 30 | 0 | 0 | 0 | 3 | 1 | 26 |
| Pike | 28 | 1 | 0 | 0 | 5 | 3 | 19 |
| Clark | 27 | 0 | 0 | 0 | 4 | 6 | 17 |
| Lawrence | 26 | 1 | 0 | 0 | 2 | 2 | 21 |
| Warren | 26 | 2 | 0 | 0 | 1 | 6 | 17 |
| Licking | 23 | 0 | 0 | 0 | 4 | 3 | 16 |
| Allen | 22 | 2 | 0 | 0 | 3 | 2 | 15 |
| Clermont | 21 | 1 | 0 | 0 | 2 | 1 | 17 |
| Muskingum | 19 | 0 | 0 | 0 | 3 | 1 | 15 |
| Richland | 19 | 4 | 0 | 0 | 0 | 3 | 12 |
| Ashtabula | 18 | 1 | 0 | 0 | 4 | 5 | 8 |
| Delaware | 15 | 2 | 0 | 0 | 0 | 2 | 11 |
| Columbiana | 14 | 0 | 0 | 0 | 1 | 1 | 12 |
| Erie | 14 | 0 | 0 | 0 | 1 | 1 | 12 |
| Miami | 14 | 1 | 0 | 0 | 1 | 6 | 6 |
| Wayne | 14 | 0 | 0 | 0 | 1 | 2 | 11 |
| Brown | 12 | 0 | 0 | 0 | 3 | 1 | 8 |
| Huron | 11 | 0 | 0 | 0 | 0 | 1 | 10 |
| Athens | 10 | 0 | 0 | 0 | 1 | 4 | 5 |
| Gallia | 10 | 1 | 0 | 0 | 3 | 1 | 5 |
| Geauga | 10 | 0 | 0 | 0 | 1 | 1 | 8 |
| All others | 279 | 7 | 0 | 0 | 20 | 29 | 227 |
| Total | 5933 | 148 | 28 | 0 | 299 | 543 | 4915 |

The Ohio CQE: Areas of Consideration for Employment

The Ohio Certificate of Qualification for Employment offers individuals the opportunity to be considered for opportunities in both general and occupational licensing. The listing below is a snapshot of occupations for consideration for those with a granted CQE for the Court.

| | |
|--|--|
| Accountant | Insurance Agent |
| AOD Counselor/Case Manager | Law Enforcement |
| Appraiser/Home Inspector - Real Estate | Massage Therapist |
| Athletic/Education | Metro Parks Ranger |
| Aviation | Mortgage Broker |
| Barber | Nail Technician |
| Bus Driver License | Occupational Therapist |
| Caregiver/Care Provider Licensing | Peer Supporter |
| Casino Gaming Employee/ Table Dealer | Pharmacist/ Pharmacy Technician |
| Certified Pharmacy Technician | Phlebotomist |
| Certified Public Accountant | Physical Therapist |
| Certified Nursing Assistant (CAN, HHA) | Physician |
| Child Care /Mortician- ODJFS | Plumber |
| Clinical Case Management | Private Security & Investigation |
| Clinical Psychologist | Radiology Technician |
| Commercial Driver's license (CDL) | Registered Nurse/Nurse Practitioner |
| Construction | School Treasurer |
| Cosmetology | Security Guard Class A |
| Dental Hygienist | Social Worker/ LISW |
| Dental Radiographer | State Tested Nursing Assistant |
| Electrician | Surgical Technologist |
| Electrician | Teacher/ Teacher's Aide |
| EMT | Vascular Sonography |
| Funeral Director | Veterinarian License |
| Gaming License | Construction Trades: Welding, Machinist, Electrician |

*General employment in manufacturing, warehousing