



Department of
Rehabilitation & Correction

Ohio Certificate of Qualification for Employment (CQE)

Annual Report 2018

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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 2018 CQE Report

As of January 1, 2019, there have been 588 successful CQE applications. 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 2018.

Certificate of Qualification for Employment (CQE) Summary Data as of January 1, 2019

Petition Status	Total	Petition Status Key
Petition in Process	1559	Petitioner registered in system; Petition has not been submitted
Information Needed	60	Petition sent back to petitioner for additional information
Petition Cancelled	104	Petition cancelled by petitioner; duplicate petitions likely cause
Ineligible to Apply at this Time	103	Petition Status
Petition in DRC Review	5	Petition submitted and is awaiting review by DRC staff
Petition in Common Pleas Court Review	1244	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	140	The Court has ruled on the petition and denied the CQE; Petition Process Complete
Petition Approved	588	The Court has ruled on the petition and approved the CQE; Petition process complete
Total	3803	

County Breakdown of Approved/Denied Petitions 2018

County Breakdown*	Petitions	Approved	Denied	In DRC Review	In Court Review	In Progress (Not Submitted)	Other Status
Butler	7	0	0	0	3	4	0
Cuyahoga	210	25	19	3	45	105	13
Franklin	88	9	7	0	21	46	5
Hamilton	165	46	8	0	41	64	6
Lake	11	5	14	0	1	4	1
Lorain	6	1	0	0	2	3	0
Lucas	29	8	3	0	8	9	1
Mahoning	120	12	7	0	50	43	8
Marion	6	1	0	0	2	2	1
Medina	6	1	0	0	1	4	0
Montgomery	28	8	7	0	5	8	0
Richland	7	0	1	0	0	3	3
Stark	56	25	3	0	15	10	3
Summit	240	31	7	0	148	42	12
Trumbull	14	4	1	0	4	5	0
Total	993	176	77	3	346	352	53

***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.**

CQE Feasibility Data Summary 2018

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		113 (44%)	81 (31%)	65 (25%)			259
Felonies		190 (77%)	34 (13%)	24 (10%)			251
How many hours did your court spend on the initial investigation?		Under 3 hours	3.0-5.0 hours	More than 5.0 hours			
		182 (75%)	45 (19%)	15 (6%)			242
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	
		128 (54%)	19 (8%)	91 (38%)	0 (0%)	1 (0%)	239
Did the Court order additional investigations for this petition?		Yes*	No				
		65 (27%)	177 (73%)				242
*If Yes, who collected the information?		Clerk's Office	Probation Dept.	Court Admin	Other		
		0 (0%)	49 (75%)	5 (8%)	11 (17%)		65
*How much time did they spend?		Under 3.0 hours	3.0-5.0 hours	More than 5.0 hours			
		24 (38%)	0 (0%)	40 (63%)			64
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	
		60 (25%)	104 (43%)	63 (26%)	1 (0%)	4 (2%)	
		\$251-\$350	\$351-\$450	More than \$450			
		8 (3%)	2 (1%)	0 (0%)			242

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
- AOD Counselor Chemical Dependency
- Athletic Coach – OHSAA/OBOE
- Barber
- Bus Driver License
- Caregiver/Care Provider Licensing
- Certified Nursing Assistant (CNA)
- Chemical Dependency Counseling Assistant I, II, III –
- Clinical Case management
- Construction
- Cosmetology
- Dental Assistant
- Engineer
- Home Healthcare Agency License
- Home Healthcare Assistant/Aide
- Information Technology
- Insurance Agent
- LCDC II/III
- LPN
- Mechanic – Licensed
- Mortgage Broker
- Mortician
- Notary
- Nursing – RN, LPN, STNA
- Pharmacy Technician
- Physician
- Peer Supporter
- Real Estate Agent/Broker
- Recovery Peer Specialist
- Security Guard
- Substance Abuse Counselor
- Surgical Technician/Technologist
- Teacher/Teacher Aide/Teaching Assistant/Substitute Teacher
- Veterinarian
- Welding

*General employment in manufacturing, warehousing