



**OHIO
JUSTICE
& POLICY
CENTER**

215 EAST 9TH STREET
SUITE 601
CINCINNATI, OHIO 45202

341 S. THIRD STREET
SUITE 11
COLUMBUS, OH 43215

(T) 513-421-1108
(T) 614-362-1644
(F) 513-562-3200
contact@ohiojpc.org
www.ohiojpc.org

CHIEF EXECUTIVE OFFICER
GABRIEL A. DAVIS
Attorney at Law

FOUNDER
ALPHONSE GERHARDSTEIN

Policy Director
MICHAELA HAHN BURRISS
Attorney at Law

To: House Small Business Committee
Fr: Michaela Burriss, Policy Director
Re: House Bill 268 Proponent Testimony
Date: Tuesday, September 30, 2025

Good morning, Chair Ghanbari, Vice Chair Dean, Ranking Member Upchurch, and members of the Small Business Committee. Thank you for allowing me to testify on behalf of the Ohio Justice & Policy Center in support of House Bill (HB) 268, legislation aligning the eligibility timeline for the Certificate of Qualification for Employment with the Certificate of Qualification for Housing. I want to thank Representatives Humphrey and Click for introducing this important legislation.

At the Ohio Justice & Policy Center, we don't write people off. OJPC is a nonprofit law firm with offices in Cincinnati, Columbus, and Cleveland. Our mission is to promote fair, intelligent, and redemptive criminal justice systems. We fight for equal, compassionate justice and fair treatment of those who are incarcerated in all stages of their incarceration, because every person deserves dignity after their conviction and freedom after their sentence.

OJPC's policy reform agenda is transformative and rooted in our client-centered approach, including our flagship projects: **Beyond Guilt**, **Second Chance**, and **Human Rights in Prison**. This guides our work in and with the Ohio legislature. We believe HB 268 can help give those with criminal records a needed **Second Chance**. By giving employers both discretion in hiring and protection from negligent hiring lawsuits, while expanding the pool of qualified candidates for employment to include those with criminal records who would otherwise be discouraged or prohibited from applying, Ohio can further expand the freedom of people with criminal records and empower them to positively participate in their communities to break generational cycles of poverty, and strengthen Ohio's economy and small businesses.

Ohio has a very high incarceration rate and one in every three Ohio adults have a criminal record of some kind. Incarceration in Ohio is costly at over \$44,000 a year per person and our prisons are overcrowded, sometimes exceeding 130% capacity. The average prison stay is 2.73 years and 95% of state prisoners are released eventually, nearly 80% into parole supervision. The impact of the state's penal system is much closer to us than many realize.



Upon re-entry with a criminal record, one will encounter collateral sanctions: 2,679 legal penalties and restrictions at the state and federal level. People with criminal records face unprecedented, lifelong barriers to:

- Obtaining and retaining employment;
- Finding safe, stable housing;
- Pursuing an education;
- Acquiring professional licensing; and
- Volunteering at schools or charities.

This is compounding when considering that the root causes of crime are poverty, lack of education, and untreated mental health and addiction. Collateral sanctions account for billions of dollars in lost wages, wages that generate wealth for households, taxable income for governments, and help businesses thrive. Communities, not just individuals, bear the cost when someone with a criminal record can't obtain stability or a job.

The Certificate for Qualification of Employment is not a new court process or tool. It requires an application, from an individual to a court, for relief from legal barriers for specific jobs or licenses. They must demonstrate evidence of positive behavior and explain professional goals for the court to review. It takes several months from application to resolution. It does not seal or expunge a criminal record, other relief tools for justice-impacted job seekers. It does, however, allow a court to make a rehabilitation determination since the last offense was committed and qualify an individual's readiness to work.

In doing so, one with a felony conviction and a CQE has an almost equal chance to being invited to an interview as one with no criminal record. Job seekers with a felony conviction and no CQE received about one-third as many invitations, a pretty significant finding considering one in 11 Ohio adults (994,000 people as of 2018) have a felony conviction and most applications for CQE have been approved.

HB 268 will reduce the application waiting period for those with felony offenses. By eliminating the requirement that the person waits until all periods of supervision have expired and allowing CQE applications one year after the date of release from incarceration, HB 268 is creating more consistency for courts and expediting opportunities for Ohioans who need a second chance and are ready to fill jobs.

Chair Ghanbari, Vice Chair Dean, Ranking Member Upchurch, and members of the Judiciary Committee, thank you again for allowing me to present the Ohio Justice & Policy Center's strong support for HB 268. I would be glad to answer any questions.