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Proponent Testimony in Support of House Bill 268

Zack Eckles, Esq.
Ohio Poverty Law Center
Senate Workforce Development Committee
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Chair Koehler, Vice Chair Reynolds, Ranking Member Ingram, and members of the Senate Workforce Development Committee, thank you for the opportunity to provide proponent testimony in support of House Bill 268. My name is Zack Eckles, and I am an attorney with the Ohio Poverty Law Center (OPLC). Our mission is to reduce poverty and increase justice by protecting and expanding the legal rights of Ohioans living, working, and raising their families in poverty.

Certificates of Qualification for Employment (CQE) open access to employment opportunities for individuals with criminal convictions that carry collateral sanctions and incentivizes employers to hire them. Under Ohio law, some criminal convictions prohibit a person from obtaining certain occupational licenses. These, and other collateral sanctions, can be set aside by a judge when they grant a CQE application. The CQE does not seal or expunge the record of the criminal conviction, it simply removes the legal barrier to potential employment.

The CQE also benefits an employer who hires an individual that obtains one. The CQE grants legal protection from negligent hiring lawsuits for employers and provides eligibility for Ohio Work Opportunity Tax Credits. The CQE therefore mitigates any perceived risk of hiring a person with a criminal record and provides a financial incentive to do so. CQE applications are reviewed and granted by judges and do not affect any supervision requirements or the availability of the individual's records, they just exist to help a person find employment. So, there is no public safety risk to expanding, or expediting, access to the program.

House Bill 268 improves upon a great program. Under current law, a person who was incarcerated for a felony offense must wait one year after their date of release from incarceration and all periods of supervision expire before becoming eligible to apply for a CQE. HB 268 eliminates the requirement that the person wait until all periods of supervision have expired, so that they may apply after the expiration of one year from their date of release. Although we would support there being no waiting period at all, HB 268 is an important step forward.

Thank you for the opportunity to provide testimony in support of this important legislation. I would be happy to answer any questions by phone or email.

Sincerely,

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