



Certificates of Achievement and Employability

as created by House Bill 86, signed into law by Governor Kasich on June 29, 2011

What they are:

A Certificate of Achievement and Employability is a way for the Ohio Department of Rehabilitation and Corrections (DRC) to indicate that a soon-to-be-released inmate, or person on post-release control, has performed exceptionally while under DRC's control. The goal is to enhance the ability of formerly incarcerated people to get jobs once they are in the community, so as to further aid in their rehabilitation and reintegration. To be eligible, Certificate applicants must have completed:

- a) an accredited, in-prison vocational program;
- b) an accredited behavioral-modification program; and
- c) community-service hours.

What they do:

1. A person who earns this Certificate must receive individualized consideration from a state licensing agency when applying for an employment-related license. The Certificate only applies to the field of employment in which the person was trained through the DRC vocational program. The Certificate supersedes any statute or regulation that creates an automatic, mandatory bar to that license (e.g. "no one with a felony record..."). Instead, the licensing agency must decide whether the individual holding the Certificate is in fact fit for the license. The agencies retain the discretion to deny licenses in appropriate cases. This allows exemplary rehabilitated former offenders to access jobs in industries in which they are qualified to work.
2. Employers who hire Certificate holders are protected from negligent-hiring liability. This removes the fear of litigation that often dissuades businesses from hiring people with criminal records.

Common questions

How do I get one? Only current inmates or people on post-release control can apply. Applications cannot be made until DRC issues regulations creating the application process; these may not be in place until early 2012. Once they are in place, those interested must apply to the designated official in DRC.

What if the Certificate holder commits a new crime? DRC is directed to create regulations mandating the revocation of the Certificate if a new crime is committed. Ticket-only offenses and technical parole violations, however, are not reasons for revoking a Certificate of Achievement and Employability.

What about people with old criminal records who are not in prison or on supervision? This Certificate is not available to them. There is a further advocacy effort to create such an expanded Certificate program in Ohio. Those interested in this effort can get more information from Stephen JohnsonGrove at the Ohio Justice & Policy Center, (sjohnsongrove@ohiojpc.org).

Where can I read the fine print? The full statutory language (Ohio Revised Code Sections [2961.21-24](#)) creating the Certificates of Achievement and Employability will be effective on September 27, 2011. The complete text of House Bill 86 is available at <http://bit.ly/HB86-LSC>; the excerpt related just to the Certificates is available at <http://bit.ly/CAE-text>.