

Executive Summary

The consequences of a criminal conviction extend far beyond the sentence imposed in court. Once-convicted Ohioans face legal restrictions—called collateral sanctions—that can block access to housing, civic rights and jobs. As explored in this paper, Ohio’s expansive collateral sanctions limit access to more than one in four jobs statewide, cost individuals an estimated \$3.4 billion in foregone wages in 2017, and artificially constrain access to talent for businesses. Unchecked, the consequences to people and businesses will only grow. With increased criminalization in recent decades, an estimated one in 11 adult Ohioans is living with a felony conviction and as many as one in three has a criminal record of some kind.

Used narrowly with best practices, collateral sanctions may help protect public safety and vulnerable populations. However, limiting economic prospects for Ohioans with convictions may undermine the very safety collateral sanctions were designed to protect. With fewer opportunities for legitimate work, the likelihood of re-offending increases. And the cost of overbroad restrictions for Ohioans with a record is high: for those workers and for employers.

Decreasing the economic cost of collateral sanctions calls for action on several fronts.

RECOMMENDATIONS

Collateral sanctions are far-reaching. Fixes at various levels of policy and practice include:

- The state legislature should eliminate excessive and arbitrary collateral sanctions against licensing and hiring.
- The Certificate of Qualification for Employment (CQE) process should be made both better understood and more widely available: Workforce development organizations can help their clients to navigate the CQE

process. The state supreme court should issue uniform guidelines, and the process should be simplified with a \$50 fee cap and movement toward an automated granting of CQE after 10 years.

- Prosecutors and criminal defense attorneys should account for collateral sanctions in reaching plea deals, and defense attorneys should fully advise clients.
- Hiring managers should use Equal Employment Opportunity Commission (EEOC) guidelines to weigh all the relevant factors when a prospective employee has a criminal conviction
- The state legislature should ban the box for all Ohio jobs while allowing managers to consider convictions later in the hiring process.
- Licensing boards should track the number and cause of criminal records-based denials.

Key findings

Collateral sanctions hold Ohioans - and Ohio - back

- Some 850 laws and administrative rules limit job opportunities for Ohioans with convictions who have already served their time.
- Around 1 in 4 Ohio jobs (1.3 million) is blocked or restricted for those with a conviction.
- Jobs affected by collateral sanctions pay \$4,700 more on average and are growing at twice the rate of other jobs.
- The typical Ohioan out of work after serving time for a felony conviction lost \$36,479 in wages in 2017. Total lost wages reached an estimated \$3.4 billion across the state.
- Collateral sanctions prevent Ohioans with convictions from pursuing higher education.