

**Ohio Department of Job and Family Services  
Office of Workforce Development**

**Transcript of Webinar**

**Helping Job Seekers with Criminal Records**

**Date: April 24, 2013**

[Numbers in brackets indicate the approximate playtime, or time stamp, in the audio version]

[0:41]

ANGIE MARTIN: Good morning everyone. This is Angie Martin, I've got a little over 100 people on the line right now. I just wanted to do a quick test to make sure that you can hear the voice and you can see the screen that's being projected. If you can just type in your questions in the questions box, your name, and what county you're from, then I'll know that you can hear me and see the screen. Thank you. Plenty of people responded, I appreciate it.

For those of you who didn't hear me a couple of minutes ago, the webinar is on hold for right now. Actually I just have you on hold, it's not technically on hold, but we're going to get started maybe about 10:00, maybe a few minutes after. We've got about 250 people on the line right now; we're expecting around 500, so we've still got a few people that want to sign in or need to sign in still. Just keep tight. Thanks.

[9:09]

Good morning, and welcome to today's webinar on Helping Job Seekers with Criminal History. My name is Angie Martin and I'll be running the technical side of the webinar today. I'll also be your moderator for today. We have a record number of individuals registered for today's webinar. Our presenter is attorney Stephen JohnsonGrove, and he will be off site for today's webinar.

Normally, we would allow everyone to send your questions in and I would read them aloud to the presenter, but since he's off site, he has agreed to take short breaks in between his presentation and allow for a few questions in between those breaks. I ask that you please keep the questions short, as in one or two sentences to allow for each of us to get our questions asked. As you will notice at the end of the presentation that was sent out to you, Stephen has included his contact information. You are welcome to utilize this information to ask any additional questions in regards to today's presentation at a later time. That's all I have, so I'm going to hand it over to today's organizer for the presentation, Paul Bounds. [10:07]

PAUL BOUNDS: Good morning. I do want to thank you for tuning into today's webinar. I appreciate the effort. The webinar today is Helping Job Seekers with Criminal Records. As many of you know, the number of Ohioans who have a history with the criminal justice system has increased. These individuals visit our One-Stops, or our community agencies, seeking assistance with obtaining self-deficiency.

So it's in our interest to do the best we can to provide assistance to help them become self-sufficient, which is the purpose of today's webinar. Angie mentioned briefly, today's speaker Stephen JohnsonGrove, who is the Deputy Director of the Ohio Justice and Policy Center, which is located, I believe, in Cincinnati. And if I'm incorrect, Stephen please correct me.

STEPHEN JOHNSONGROVE: That's right.

PAUL: He received his J.D. from Temple University School of Law, and he joined the Ohio Justice Center in 2005, where at the Justice Center he works to help remove legal barriers for

successful reentry back into the workforce for former offenders. So I have been told by other people that Stephen does a wonderful job, so I'm very excited about hearing his presentation. Without further waiting, I'll turn it over to Stephen.

STEPHEN: Thank you. Paul and Angie, I suppose you can hear me well?

PAUL: Yes we can.

STEPHEN: Okay, great. So that's a good sign. I assume that means everyone else can as well. I will wait for Angie to give me control here, which will happen soon. Then I will be able to show you – there we go. Okay. All right. I am very glad to be doing this. Thank you very much Paul and Angie for inviting me. Again, my name is Stephen Grove and I'm Deputy Director at the Ohio Justice and Policy Center. The Ohio Justice and Policy Center is a non-profit law office in Cincinnati that works for fair-minded criminal justice reform. We do that through individuals at our outreach legal clinics, we do class action lawsuits, and we do a variety of policy and research work as well at every stage of the criminal justice system.

Today my particular expertise is in reentry, and people with criminal records being able to find work in particular. What we're going to focus on today is on the new opportunity, the new options for making redemption real. People with criminal records are often permanently consigned to being social pariahs. What we're trying to do is redeem those folks, bring them back into the workforce, and bring them back into our communities. [12:54]

Here's where we're going today. The first chapter is a basic overview of what are civil impacts of criminal convictions and why do they matter. The next is, we're going to talk more in depth about the Certificates of Qualification for Employment. I think I'm particularly excited to hear that people at One-Stops, we have One-Stops across this state, are going to be learning about how these work and how to help people to apply for them. Because, we really need to get these rolled out, and I can't think of a better audience to be learning this information. Also, do a real brief discussion of criminal records sealing.

The first and foremost thing is, it's not expungement. Don't let me catch any of you calling it that. I'll explain to you why. Then last, I'm going to talk about something very specific to all your professions, which is science that needs to be abided by with the Department of Labor Training and Enforcement Guidance Letter that came out last year. [14:07]

One thing, at the end of each of these chapters, I'll take questions. The way I'll do that is that, as Angie alluded to, there is a little chat box on the side of your webinar. At least, there should be, and that chat box allows you to type in questions. If you look at the bottom of that chat box, there's a little drop down menu; limit it so that only Angie, Paul and I can see your questions. If you don't feel like you want to send your questions to the whole world, that's completely fine. It's probably better so everyone else isn't flooded with 10,000 questions. So just go ahead and type questions in at any time. I'll take a couple of breaks throughout the presentation to check in on those questions and answer those. All right. So, here we go. [14:52]

ANGIE: Stephen?

STEPHEN: Yes?

ANGIE: One second, this is Angie. I have a few people that were saying that they can't hear, that they don't have any audio. I just wanted to check and make sure that everyone's hearing? If you're not able to hear, send me a message. You do have to use your audio pins to get audio though.

STEPHEN: All right, so the basics. What are the civil impacts of criminal convictions, and why do they matter? Oh, one more thing. Just when we're talking about the audio, at the bottom, where it says organizer and panelist only. If you're typing in and it says organizers only, I will not see that question. So make sure it says organizers and panelist when you're typing in your questions, it's a little drop down menu at the bottom. Enough of those distractions.

So what are these civil impacts? Why do they matter? Why do they matter generally, but why do they specifically matter to people who work for WIA One-Stops? First of all, let's define terms. When I say civil impact, some people also call those collateral consequences, some call them collateral sanctions, and there's been some academics who have called them invisible punishments. There are different names floating out there. Let me try to be a little more precise about what I mean. I mean any disability, disadvantage, however denominated, imposed on an individual, licensing agency, or employer as a result of a conviction, arrest or sentence, which applies by operation of law, whether or not the penalty, disability, or disadvantage was included in the judgment or sentence.

That definition is actually in the Ohio Revised Code now. It is part of our state law. That definition comes from a model piece of legislation which unless you're a lawyer, that may not matter so much to you. There is a national group called the Uniform Law Commission which sends out these model pieces of legislation and encourages states to adopt them. They don't have – it's just sort of – here's what some smart people think. That's where this definition comes from. The material that's in brackets, where it says, licensing agency or employer, and then below that, there is the rest of the sentence. [17:08]

In Ohio law, these collateral consequences, or civil impacts of criminal convictions are incredibly complicated. The wording is very complicated. Rarely are they commensurate with each other, that one thing says it this way, another statute says it that way, and they're slightly different. Sometimes the barrier that we're talking about, that prevents somebody with a criminal record getting a job, applies directly to them by the terms of the law. Somebody with a criminal record shall not be able to get this license.

Other times, a best example that I use, is child care. You generally don't have to be licensed to work for a child care center. But the owner of the child care center does have to be licensed, and they regularly have to certify to JFS, another department in JFS, that they are not hiring people with certain criminal records. They can be audited on the random occasions, is my understanding. In that scenario, the law is applying to the owner, but the effect is the same. The potential employee with the criminal record is one who can't get the job. That's why it says here: any penalty, disability, or disadvantage imposed on any individual, licensing agency or

employer. Because the different people are the target, I guess, of the collateral consequence. [18:29]

These collateral consequences do not include the standard forms of criminal punishment: incarceration, costs and supervision, like parole. It includes mandatory and discretionary consequences. There are various ways that you can categorize all these laws. Our office has, really, has done a lot of hard work to research and catalogue all of these civil impact laws. I can tell you that there are a lot of ways to categorize them, different features to look for, and if you're a real academic, slice and dice them in many different ways. But the key, here, we really want people to focus in on, is you need to be looking for whether the collateral consequence is mandatory, or discretionary.

Does the licensing agency have the freedom to decide whether or not a particular criminal record is relevant, or are they absolutely barred from issuing a license to somebody with certain records? That is the key distinction. That becomes very relevant later, when we're talking about the Certificate of Qualification for Employment. So just keep that in mind. [19:45]

The other thing I want to point out is that the broadest perspective is that civil impact, collateral consequences, resides in state law, in federal law, and in local government law. People that may be familiar with the municipal codes and civil service codes for your city or county may have bans on hiring people with criminal records. So they live all over the place.

But my database, which I'm going to show you later, this thing called a CIVICC Database and also more specifically these Certificates of Qualification for employment. Those only address state law. They don't do local law, and they don't do federal law. Just so you know what we're looking at here. The other thing is that while collateral consequences cut across many different areas of life – housing, financial – your ability to have a checking account, your ability to adopt, family participation, your ability to circulate petitions, or serve on a jury which are more like civic participation rights.

There's all kinds, but the Certificates of Qualification for Employment really zero in only on employment-related civil impacts. We're talking about a big universe of laws here, and we're kind of narrowing it down a little bit as we go today. [21:06]

Okay. Before I get into the nuts and bolts of the CQEs, I think it's really valuable for us to step back a second and remember why we do this. Certainly I would guess that people at WIA One-Stops already have this in mind, because workforce development is such a key ingredient to our communities, to our state. To reinforce it further, related to people with criminal records. Just so you know, 2005, there was a great Law Review article by the University of Toledo to analyze all these laws, and they found 404 statutes that, in some way, shape, or form said – if you have such and such criminal record you cannot do, fill in the blank. You can't do this license, that license, you can't work in this field.

So they've got 404 of those types of consequences. We have a database now that we have updated dramatically, and it's very useful. It has 775 state statutes that create some kind of legal barrier based on a criminal record. Again, these are not the explicit criminal punishment, what

I'm talking about is criminal impact. I'm not putting in there parole, and imprisonment, and fines. It was all the other stuff that no one gets told about when they plead guilty to an offense. So there is at least 775 of those. [22:25]

My colleague Pam Thurston, is an incredibly (inaudible 0:22:28) and hardworking person and she is the one who built this database, and is filing more statutes in there every day. The legislature is very busy. On top of that, if you think about the huge number of laws, they're applied to a huge number of people. Based on the OJTT's research, we estimate that one in six Ohioans has a criminal record of some kind, felony or misdemeanor.

It's real important that we include felonies and misdemeanors, because, for a long time there was the presumption, this kind of colloquial understanding, that it was really just the felony, that matters. All those ex-felons are the ones that (inaudible 0:23:06) job area. Not true. I'll tell you from looking at my 775 laws in our CIVICC Database, that many of those barriers are triggered by categorical offenses. So, let me say, all drug crimes prevents you from doing this thing, or offenses of violence, or offenses against a child. Of those categories including misdemeanors and felonies. There may be other, there are lots of examples of this. Just so you're aware, you're fine. You're talking about the clients, the community that comes to your door, to your One-Stop at a minimum. I'm estimating that one in six, 1.92 million Ohioans are walking through that door with some kind of crime in the background.

So we can't ignore these people, they're a part of our community. They're not something that we can consign to being rejected, forgotten people. Because, that's a huge portion of our available workforce. If we took out one-sixth of our workforce, that's going to cripple our economy. In fact, there's some estimates about how much we get crippled when we exclude these people from our economy. [24:17]

The Pew Center on the State's research shows that about inmates, my guess, make less money after they're incarcerated – 40 percent less, which worked out under their research to \$15,600 per year. That's lost income to our neighborhoods. Income that's not circulating around our cities.

The Center for Economic and Policy Research, they did estimates based just on people with felony records. Notice that. They didn't include misdemeanors, so this is a conservative estimate. Based off of the US Labor Model is losing 57 to 65 billion dollars in gross domestic product. They used 2008 data to produce that. Ohio's share of GDP that year, the same portion, we lose \$2 billion. That's not Ohio's total GDP, that's how much we lose when people with felony and misdemeanor records are excluded from the labor market. [25:19]

Let me just go back one step here. One question that always comes up, and since people on the line here can't raise their hands and interrupt me, that happens in front of my in person presentation. One natural question is – well wait a minute – there's been an unemployment problem. Thankfully, it's getting better. If we put all those people with a criminal record back to work, they'd be taking jobs from others, and so that \$2 billion loss is a fiction. Just trading one other person's GDP for somebody else's.

That's actually not true, and I wanted to dispel that right away. First of all, many of these collateral consequences, civil impact laws are preventing people with criminal records from owning their own businesses. The classic example has always been that, for a long time, you couldn't own or run your own construction business. You could work in construction, if somebody would hire you. But if you had some skills and, in fact, I don't know if people know this, but more than half of the vocation programs offered in our state prisons relate in some way to a construction trade – HVAC, plumbing, electrical, drywall.

So people coming out of state prisons, those that got to vocational programs, with this skill. Then they couldn't own their own business because there was a collateral consequence law that no one with any felony record, for a long time, could ever own or run their own construction business. This is lost GDP. I assure you of that. Again, these are very conservative numbers, so this is not making the cut. [26:50]

All right. So at that stage I'm going to get into the nuts and bolts of actually applying for the certificate. I do not see a single question on my type-in chat thing. If you have sent in a question, maybe – Angie have you seen any? I just want to give people an opportunity here.

ANGIE: Just one.

STEPHEN: Okay.

ANGIE: Are you ready for the question? Do the standards apply to the years in the Ohio Department of Youth Services, or just the adult offenders in DRC?

STEPHEN: The key here is, when – I'll show you a little bit of my certificate. That's a great – that comes with every single presentation I do. Civil impact, as I said the laws are confusing. It would be great if all of them were worded the same. One thing that you'll find, one of the easiest ways to sort of figure it out, is collateral consequences attached to juveniles if they are adjudicated juvenile delinquents for an offense that – this is a key phrase – would have been a felony if committed by an adult.

That phrase used to pop up several times throughout the Ohio Revised Code – “Would have been a felony if committed by an adult.” I want to be clear, this is not juveniles who were bound over to an adult board. In that situation, they are charged with a real felony and they're really convicted of an adult felony, and they have an adult record. So that felony is clearly applying to a juvenile, if they are a juvenile, is a real offense.

But there are juvenile adjudications which are not criminal offenses. In this state, we do not convict juveniles, we adjudicate them as juvenile delinquents. But if the offense is such that it – again this is the key phrase – would have been a felony if committed by an adult, then yes. There are many collateral consequences that attach. You can find this using our CIVICC Database. [29:04]

All right, so with that being the only question – and again if anybody wants to type any questions into me, there's a chat box over on the left hand side that will slide in and slide out box you get

with the GoToWebinar. And at the bottom is a chat thing, and you have to make sure you're entering the question and it says organizers and panelists so that I can see it. Great.

I'll go to the next chapter here and type in questions as you see fit.

ANGIE: I actually have a couple of other questions that came in Stephen.

STEPHEN: Oh, okay. I'm not seeing them. Well, all right go ahead.

ANGIE: Do minor misdemeanors show up on the background check?

STEPHEN: This is great. My first answer to that is always – What background check do you mean? There are many different kinds of background checks out there. Perhaps I ought to have had a little chapter on that. So let me – I don't have slides on this so you all are going to have to take notes. There are many different kinds of background checks. One version would be the local clerk of courts.

Wood County Court of Common Pleas, or Hamilton County Municipal Court. Many of these courts, most of them in the state, have a website which keeps track of all the cases. You can go on there, put in somebody's name and find their records. That is obviously for just that particular court. It's not going to show – in Butler County for example, there are area courts, and then there is the Fairfield Municipal Court, and then there's the Butler County Court of Common Pleas, and some of these have separate websites. You'll go to one and find records in that court, then go to another and find records in that court.

So these are very specific, narrow. Some people treat that as a background check. It isn't really, but a lot of people who come into my outreach legal clinics think that way and talk that way. So I just want to throw that out there as one version. [30:55]

Another version of background checks are your local law enforcement, maybe the police, maybe the Sheriff of the county, may have something called a Conviction Record Transcript. We have those down here in Hamilton County, colloquially people always call police checks. They're always printed on blue paper, it's just the way it is here. I don't know how it works where you are. They are done by the police, they are done by the Sheriff, and those show all convictions within my county, within Hamilton County. Not from any court, but just Hamilton County, including Mayor's Courts. These little dinky things.

Those are more thorough in some senses because they include every kind of conviction. But they don't show things that were dismissed. Where the Clerk of Court's website is showing every case that was filed. So even if your case gets dismissed, the Clerk of Court's website show it because it was an event, it was a court hearing, there was a – those automatically get filed. There is different things that include a conviction record transcript, these police checks. Those are only convictions.

Then you go up another level to the state and that's BCI. I think probably talking to professionals from WIA-funded One-Stops, you've probably heard of BCI checks. That's the

Bureau of Criminal Identification and Investigation. That shows all offenses in Ohio, but it shows most convictions above a certain degree. But there are certain minor misdemeanors – all minor misdemeanors that don't show up on a BCI check. A BCI check will not show minor misdemeanors. The same is true with the FBI, they're not going to show that.

The BCI, just so everybody out there is aware, BCI has a direct 24/7 computer connection to the FBI in West Virginia. So anything that anybody has on their FBI background check, the source of it is always the state where it came from. The FBI did not have independent records. Sometimes clients come into me with mistakes on their FBI check. The answer is always go to BCI, because that's who can correct it. Or if it's a Kentucky offense, you have to go to the Kentucky State Police. So those are those kinds of background checks. [33:15]

Now one more, the wild card is always the commercial background checks. I think we're on the fifth type. Commercial background checks are the ones that are available online. This is what most employers use that aren't required by state law to use BCI. Some entities, health employers and others are required – education – they are required to BCI and FBI checks. Most everybody else is going online to some company like backgroundcheckers.com, or hireright.com, or there are dozens, and dozens, and dozens of these, and they're paying for access to their database and they can search.

Those databases are all over the map. There is no way to really say one uniform thing about them, just because some of them are higher quality than others, some of them make mistakes, sometimes they mislabel offenses on those background checks. This happens all the time. I strongly encourage your line staff at your WIA One-Stop to really be alert to that when a client comes in and says "That's not what I was convicted of," or "That's not me at all, that's some other person." Don't doubt them, believe them and see – I think I provided Angie – did I provide my criminal records manual to everybody? Did I send that to you? [34:42]

ANGIE: No, huh-huh. Just the orientation.

STEPHEN: Okay. Well, I'm going to show you the link at the end of the presentation. I have a manual that I provide; I try to really make it plain language so normal humans – not just lawyers – can read it. I'll provide the link to that manual at the end. That should be something that everybody keeps on their desk. Because if you have clients coming in with confusion and questions about criminal records – How do I correct them? What can we do about this? That manual will answer that. All right, that was a long answer to a short question. Any other questions?

ANGIE: Yes, I have several.

STEPHEN: Okay.

ANGIE: How do they apply for the certificates?

STEPHEN: Ahh, well, that's the next chapter – how does the new certificate work and how to apply for them. Any other questions that are related to the last chapter?

ANGIE: A first degree sex offender, are they able to get a CAE or CQE?

STEPHEN: All right, it sounds like we're on to the next chapter, so I'm just going to go there. Then those questions will get answered as we go.

ANGIE: Sounds good.

STEPHEN: So how do the new certificates work and how to apply for them. Okay. So, first, there are two kinds of certificates in the state. It wasn't my wish. I helped write this first one, the Certificate of Achievement and Employability. Those were passed as a result of House Bill 86 in 2011. It was a great achievement to get those going.

Then the next bill that passed, Senate Bill 337, last year 2012, I knew they were talking about certificates for that, and I kind of hoped that they would just subsume one within the other and it would just be one single program. Instead, we have two and these two different names. The names don't really tell you why they're different from each other. So it's a little confusing, but, hopefully, at the end of this presentation, you'll all have a very crystal clear understanding.  
[36:25]

Let's start with the CAEs. These are granted only by DRC. Courts are not involved in this process. The only people who can apply for a CAE are inmates with less than one year left in their sentence, or who are currently on post relief control or parole. They have to have completed various kinds of programming. They have to have completed a DRC approved behavioral programming, and that can include cognitive behavioral therapy, thinking for a change, some anger management, therapeutic community.

Various programs are available in the state prison that are related to behavior modification. They have to complete one of those, at least. They also have to complete a vocational program in prison, and they have to complete 120 hours of community service.

You may not know this, but actually inmates get to do a wide variety of community service. There are inmates that knit things for kids, seniors, or inmates that train Seeing Eye Dogs. There are inmates that do other kinds of crafts and make things for the community. They have to have 120 hours of that.

But there is not a limit on the types of offenses, and this goes to the person who asked about sex offenders. There is not – for those of you that are in any way familiar with criminal record sealing, what everybody mistakenly calls expungement. Many people are familiar with this list of prohibited offenses. You can't have an offense of violence, not sex offenses, dut, ta, dah. There is no list like that for these certificates. There isn't a list. There is a description for CQE, where I'll get to later. But there really is no limit on the types of offenses, nor on number of offenses, so you can have lots.

Now the DRC is not required to give you one of these. That's the flip side. When we're talking about getting your record sealed, if you had the right number of offenses and you didn't have a

prohibitive offense, many people – it was almost automatic. At least, in some counties, it was almost automatic. Where here, it is not automatic and DRC can say, well, you covered your sex offense, and I don't need to give you one. Something like that they could.

I will say that one of the very first CAEs that was issued and signed by Director Gary Moore, was someone who had a murder offense. They're not being overly cautious. They really are looking at people – Who has really turned their lives around? So I know that DRC and Gary Moore are picking the best of the best out of their inmates, but they're not prejudging people based solely on the offense, which is great. That's how it should be.

The other interesting thing about these certificates, as well as the CQE, is that they are scalpels, they are not sledgehammers. They very carefully remove one barrier that you have to name when you apply. You have to know going in what is the field of employment I'm concerned about. Where do I think I'm going to face a barrier? That's what you get released from.

It is not a carte blanche; you know, you get released from all collateral consequences. That's where our CIVICC database becomes extremely valuable and I'll show you that later. I keep promising that, I'll get to it. The CIVICC database is going to show you with some degree of precision what's the legal barrier you're most concerned about. [40:02]

Now here's the real crux, this is what CAEs do. They have two major – this is why they're valuable, this is the key thing. I guess I'll back up and say that when I talk to people about getting folks with criminal records into the workforce, there is three major kinds of barriers they face.

First of all there is the legal barrier. That's the collateral sanctions, right? That's the thing that says – the law says I can't work in this field. There is a second kind of barrier, which is the employer's fear of hiring. Just based on "I'm afraid I'm going to get sued," or "I just don't want to have bad press related to my business." That kind of stigma and fear. Then the third thing, genuinely, is folk's lack of skill. I mean, regrettably, people who have come from very poor educational backgrounds, poor economic backgrounds, are more likely – those are the folks that tend to be making up most of our criminal justice system and our prison system. People who are very low social capital need a lot of help.

These certificates are interesting because they're trying to hit all of those in one way or another. The Certificate of Achievement Employability, well, to get it, remember, you have to kind of build your personal strength, quality of character, as well as your skills set. (Inaudible 0:41:30) The first legal effect is that these mandatory civil impacts into discretionary ones. So they're a release valve on the law that might be barring you from getting ahead in a particular career. As I said, you watch out for the distinction between mandatory and discretionary, this is why it's relevant. [42:00]

What a certificate does is, it only really is effective against the mandatory civil impact. If there is a law that says – let's say, Nursing Board – absolutely cannot issue a license with this or that felony. Absolute no questions asked. There's no flexibility, there's no exceptions. And the

applicant gets a certificate; all it says to the Nursing Board is, now you have to treat this person as an individual.

You have to give them individualized consideration. The door was locked before, and now it's been cracked open a little bit. They have to peer out and look and say, okay, are you fit for this job? Have you done what you need to do? Are you a danger to our customers? That kind of thing.

It doesn't guarantee somebody a license. It does change the game in a meaningful way, but it is not an absolute guarantee of success in a career. Frankly, that's why these bills passed, because they're small seed conservative. They're not "open up the barn doors and all ya'll come in." If they don't want someone with pedophilia charge, oops, ending up in a daycare center. We don't want somebody with an embezzlement conviction ending up in the Finance Department. We want to be sure that there has been this thorough and careful consideration. [43:20]

You get to apply for a specific barrier and, even when they do relieve the barrier, it's only a partial relieve. It just converts from mandatory to discretionary. If the licensing agency your client is concerned about, this job seeker wants to get a job in some field that has a rule that is already discretionary – for example, in education. The Board of Education may take into consideration these following factors. That's just a "may." It's not shall – you know, shall not issue the license, but, instead, it says it may consider. That's already discretionary, so the certificate is not going to convert anything there." It's not changing the game.

It may be – we don't know this yet because these are so new – it may be that there are state licensing agencies that look at a certificate and say, "Well we already had a discretionary rule, you're not changing our discretion, but you've got a CQE and this persuades us a little bit. It's one piece of evidence that shows us that you're a valuable person and worth the risk, and that we should exercise our discretion and allow you to have this license." We don't know that.

I'm hoping that there are licensing agencies that use the CQEs that way, so that it's not legally impacting the collateral sanctions, but it, kind of, might massage the ground a little bit, soften the ground. That remains to be seen. So I guess I want to say that – even if it's the opportunity that job seeker you're working with is not blocked off by a mandatory collateral consequence – nonetheless, these CQEs may be of some value. [45:04]

The second thing that these CAEs, these certificates, do is that they protect employers from negligent hiring liability. That's the lawsuit that most employers fear, and it's the reason most employers do background checks and say that they have some kind of policy against hiring folks with a criminal record. I know that from the Society of Human Resources Management – a national group. Many of you probably know it. They have, the last couple of year's surveys, and that's the number one reason, when companies are asked why they do background checks, and why they bar people with certain records.

They're afraid of being sued for negligently hiring this dirty, rotten scoundrel. The employer might sit across the table from your job seeker and say, oh you present well, looks like you've got some skill, and you've got a good reference. But you've got this felony and regardless of

everything else I think indicates you're a good person, my lawyer, or my insurance company is telling me I can't hire people with felony records because I might get sued later. You might do something bad, and this is for people out there who are not lawyers, who I'm hoping are most of you, are familiar the way those lawsuits goes is, it's all about the should have known.

You, the employer, should have known that the person with a felony record was dangerous, or untrustworthy, based solely on the facts of the criminal record. That criminal record, in and of itself, is proof positive that person is dangerous or untrustworthy. So these certificates come in and say, no. That's not true anymore. The employer is protected from any kind of lawsuit that says you should have known.

It's almost like the certificates are the state's way of viewing an employer's due diligence. We've cleared this guy, this woman, and we say that they're good to go and you can hire them without any extra legal considerations. That's what CAEs do. It's important that you really soak that in when you're considering each individual job seeker that you might be working with – knowing what the effect is. Is it something of value to the person you're working with? [47:20]

As I said, these CAEs are available only to people who are currently in prison with one year left, or who are on parole or post release control. So nearly all of them, most of them, are going to be getting information about these certificates from prison staff, from the vocational prison staff. All vocational programs in state prisons are under something called the Ohio Central School System.

Ohio Central School System staff, which is an in-prison thing, and parole officers on the outside are all aware of these certificates. It's not likely that you're going to need to have these applications available at your One-Stop, but you might. If you want it – there you go – there's the link. You can download that, print them off, have them in the lobby, and whatever suits your fancy. [48:16]

Now let's talk about the other certificates. Now these are the much bigger ones, these are the ones that, really, you're going to see a lot of, and this is what we really need to focus on today. These certificates – there's the revised code section where they live – these are granted by the court, not by the DRC. DRC, however, does have a role, and we're going to talk about what DRC's role in this process. These became available in February. The website is live now and I'm going to show you in a moment.

The application process may differ depending on whether the applicant was ever sentenced to a DRC funded institution. However, this distinction that I'm about to go through is less relevant as time goes by. People can apply directly to the court, they can get an application form and submit this to your local Court of Common Pleas, or they can go to this online system which I'm going to show, where you apply to DRC. You can do either one depending on your incarceration history.

You can see there what it says on the slide about whether or not you've been incarcerated in a DRC funded institution. However, many counties are slowly beginning to opt in to the DRC website, so they're all saying, we want all of our applications to go through the DRC website. It

may be that, over time, people that applied directly to the court, that there are fewer and fewer counties that even allow that, and you don't get in trouble. If you accidentally applied online, and could have applied directly to the court, DRC will figure that out and forward your application to the court.

So, one way or another, your application will get there. Very likely it will be that, though there is technically a distinction in the statute about who applied where, it all can just be rolled into just apply on the website. We'll show you about that. As I said, some counties have already opted in using a local court rule. [50:21]

These certificates, they work the same ways as the other certificates. You get released from a mandatory collateral consequences, and the employer gets protection from negligent hiring. So, same thing there, but the eligibility is much broader here. If your last offense was a misdemeanor, you have to be six months away from the end of your sentence. Not from conviction date, but from the time you're done with jail term, you're done with probation, you're done with paying your fines, what have you. You have to be done with all of that, and then six months of clean time, and then you can apply. For felonies, it's one year from the end of your sentence. [51:06]

Now this is the crux of applying for a CQE. In some ways, the CAE's are cleaner and neater because people are in state prison. You know DRC has them and they know what programming they're going through, and they know the quality of that programming. DRC has approved that vocational programming, what have you. So for people on the outside, you may be talking about job seekers with 20-year old criminal records still facing job barriers, 30-year criminal records. I've seen that at my outreach legal clinic. Still can't get jobs based on something that happened in the 80's. It's crazy.

But on the flip side, the court has to think about – how am I going to know that I can trust that this person has indeed turned their life around? Well, these are the things that the court has to look at. Granting the petition (the petition for the certificate), granting the petition will materially assist the individual in obtaining employment or occupational licensing. And the individual has a substantial need for the relief requested in order to live a law-abiding life. And granting the petition would not pose an unreasonable risk to the safety of the public or any individual. So that's what you really have to zero in on. [52:25]

That's the whole core of a CQE application. There are other things that you'll have to fill out. I'm going to show you the form in a minute, kind of a long form. But this is the heart of it. This is what anybody that you might be helping. You think long and hard about these three factors. These three factors, I'm hoping as you're sitting there looking at this with this verbiage on your screen, you know these are kind of soft, mushy a little bit.

There's a lot you could put in, but it's a big bucket for each of these. The granting petition will materially assist the individual. That might be more straightforward. If I get the CQE, I'm, let's say, for myself. I'll tell you our office does an outreach legal clinic at Cincinnati State Community College here in Hamilton County. It's a great partnership, it works very well, and we meet all kinds of great people there. But those are ideal candidates for CQEs, because they

are folks that are on a career track and they know that, in 12 or 18 months or so, they're going to have a degree that is valuable in the economy, and that can get them ahead in life, as long as they get that collateral sanction out of the way.

So, there's a person who I know this certificate will materially assist them. It's not just that they're thinking, maybe I'd like to be a cosmetologist. They've never done anything like that. Or somebody could say, I'd like to be a carpenter and they've never picked up a hammer. For them, it's harder to make a straight-faced argument that getting a CQE will materially assist them, because they don't have any evidence in their history, in their life, that shows that's the direction they're going, and that they might actually run into a collateral sanction there. [54:12]

That's what you're looking for when you're talking to a person about this CQE application. You need to get them to be thinking about "What's my job history? What are my transferrable skills? What's an industry that I might want to apply in?" Then you've got to find out – Does that industry have a collateral sanction attached to it somewhere? Then you can make a really clear case that getting a CQE will materially assist.

The second factor, the individual must have a substantial need for the relief requested in order to live a law abiding life. I almost feel like, that one, you can say the same thing every time, which is, people who have better jobs are less likely to commit offenses. You probably know that, just as a gut instinct, but it's very true from the criminology research out there showing that people who are employed, and people who are better paid the further up you go in the income scale, people are less and less likely to commit new offenses. I don't have work, I need work, and I've got this criminal past, but I want to move ahead in life. Give me a CQE because I've a substantial need to live a law abiding life. That's going to be a pretty straightforward statement there. [55:25]

The third one, granting the petition would not pose an unreasonable risk to the safety of the public. This is a much bigger one, in my mind, where a client of mine, or one of your job seekers, will be telling the story of who they were, and who they've become. Yes, I do have this or that criminal history, maybe multiple offenses on my record. But this is in the last five or ten years – here's what else I've done: I've got this kind of job history; I've got this certificate; and I belong to this program; I got clean from drugs; I went to mental health counseling; all the different things; and I've got letters of reference – this or that family member, or a pastor, or what have you. That's where the person gets to tell their story about why they're no longer dangerous and untrustworthy, which is the common assumption for anybody with a felony record. [56:25]

In addition to those three main factors, or kind of overlaid on those three main factors, the court that's going to be deciding this, may order any report and investigation disclosure to the body of the individual the court believes is necessary for it to reach a decision. That really means anything. The court could be sending somebody to do drug testing. They could be sending them to – I don't know.

I know some county WIAs are using things like Work Keys to do vocational readiness assessments, job ready assessments. That could be something that the court (Inaudible 0:57:05).

...this year, but they are empowered to make those kinds of requests. People going into the CQE process have to be aware, and you have to think, again, this is why courts are asking for filing fees.

A judge wants to have peace of mind – this person may have come through my court ten years ago. Not my court, I wasn't even on the bench yet, some other judge ten or fifteen years ago. How do I know, how do I have any kind of certainty or confidence that I'm issuing a CQE to the right person? That they really are who they say they are; I mean, that they're really the kind of person that they say that they are. That is, they've turned their life around, they're not committing those kinds of offenses. They're going to be taking long, hard looks at people when they're issuing these certificates. That takes time, and that takes money, so there are filing fees.

Now we have yet to see how this is going to roll out in each county. I think in Hamilton County, we've talked about \$100 - \$150. I believe Summit County was in that range of \$150. There are some counties – I just talked to someone from Franklin County yesterday that said their filing fee is only \$35. That's even less than record sealing. It's kind of all over the map. It remains to be seen. I think some counties are going to be charging the same filing fee that they have for regular civil cases, which can be upwards of \$300.

On top of that, most people that represent low income folks are aware that there is something called a Poverty Affidavit. A Poverty Affidavit is a request to the court to waive the filing fee. Again, it remains to be seen how your judges, how your courts, are going to handle those requests. Even if they do have a filing fee, will they consider waiving them? I don't know. This is going to be very different in different counties. [59:35]

I don't have a clear, good answer for you on that one. You're just going to have to develop – this is a great opportunity, frankly, for everybody on this call to develop relationships with your court. We're all about workforce. We're all about getting people back to our community in a productive and safe way. These CQE's are ideal. They are essential to our local economy. It's important that judges understand that. I think that maybe some judges don't get that connection, that they see that somehow they're making decisions that impact the local economy.

No one better than a local One-Stop can make that case and say this in a credible way. I mean, a defense attorney can come in and sort of suggest that, an attorney like myself, but who better than our public workforce system to tell the criminal justice system, "Hey, you've got people coming out of your system; we need to get them back to the economy; otherwise, they become a drain. We can, if you work with us and help us make this CQE process streamlined." I just want to encourage everybody and empower everybody on this phone call to think about developing that kind of relationship with your court of common pleas. [1:00:47]

Let me just cement this right now, the place you apply for this, that ultimately gets decided. Even if you do apply for this online system, which I will get to. It ends up in your local court of common pleas. Even if your only conviction is from your municipal court, from the mayor's court, the only judges who end up deciding these CQEs are court of common pleas in your county of residence, which is really convenient. It's really great because, if you had a conviction from a couple different counties, you used to live in Cleveland, now you live in Cincinnati, you

don't have to go driving back up to Cleveland to get your CQE, and you can do it in your county of residence. [1:01:33]

This is where you apply for a CQE [[www.drccqe.com](http://www.drccqe.com)]. That's the website. I'm going to wager there are some proactive people on this phone call that have already experimented with that. I hope so. But for the rest of you, now you know. This is where you'll apply for one of these great certificates. It looks like this when you first get there. See that login? But if you haven't created a login yet, you scroll down and the page scrolls up. There is a box in the middle, near the bottom, that says here "Click here for instructions about the online CQE process. Click here to begin registration process for your online account." That's where you can put in your user name and password, and all that. Then "Click here to get a blank copy of the CQE Petition."

So that's where you'd get, as I said earlier, there's a blank paper form you would need to use. That's the form. Local counties are not given the power to create their own forms; this is the form they have to use. I think I've heard some counties have, like, their own cover sheet or something. That, maybe. But they all have to use this form. One way or another, you're going to be using that paper form to apply, or at least as scratch paper. You might consider printing off a bunch of those, and having them, again, available in your lobby.

Going back up the instructions that are available online, download those and attach them to the application forms. Have them ready to hand out, so that folks can figure out what they need to complete to get one of these CQEs. [1:03:15]

Once you start registration, it looks like this, and one of the very first things they ask you is, they're screening for eligibility. So, near the bottom, it looks like this. The offense that resulted in the collateral sanction is a felony and it has been more than one year since I've been released from all sanctions. Yes, it has been more than one year. No, it's been less than a year, or offense was not a felony. Or number two, there have been some results in the collateral sanctions of a misdemeanor.

So you can see here, what they're doing is, as I talked about earlier, is there is these time limits. You can't apply for a certificate until you've passed the window of time free time. They want to make sure of that. There is a little wrinkle here, because, what many of my clients – and maybe it's true for some of your job seekers – they have more than one offense.

So the offense, it says there, in the singular, the offense that resulted in the collateral sanction is a felony. Well, it may be more than one offense that's triggering this collateral consequence, that's triggering this civil impact. If you're talking about a nursing license, or an education license, there is a whole list of offenses that trigger barriers to that field and you might have more than one offense on that list. So the fact that it's in the singular here is a little confusing. You might want to just tell clients to work through that. Yes, it's a little confusing.

They may have more than one offense. What I just recommend to be real simple is just pick your worst one. If you have a felony, you've had a misdemeanor since then, just pick the felony and say the offense that resulted in collateral sanctions is a felony. (Inaudible 1:04:57) of the completion of that sentence, then you should be good to go.

Then you can do the basics that anybody on this phone call who's ever done anything online, any kind of account you've ever signed up for, it looks like this. Name, address, your e-mail, create a user name and password. Then you get to this: it looks like this. When you very first create an account, this is what it looks like. I'll show you in a moment what it looks like when you log back in later. For the first (inaudible 1:05:25) available petition. You click on that: view current petition. Then you get to this thing and – da, dut, ta, dah – and says apply now. Click on that.

They have this waiver form. It's not a waiver so much as it's just an agreement. I understand that the court may order any report, investigation or disclosure. Remember, I talked about that a moment ago. I showed you from the statute, this is what the statute itself says. The courts are empowered to do all this investigation, maybe ask you all kinds of things.

The things that they ask you about, the testing they send you to, they include things related to mental health, or drug abuse in the past. They may talk about medical health, drug abuse, alcohol, behavioral programming. All kinds of things. So they want to be really clear up front that there's going to be some privacy that you're going to have to give up in order to apply for this CQE. [1:06:22]

Then you get to this page and it says: View, Edit or Complete Forms. You click on view form and then you get to the six chapters. So there's six main sections of the CQE application. The personal contact information, I'm going to skip that, because that's exactly what you think it is. It's going to be the name and address that you filled in already on the other page before.

Then you get to the Certification Request and Criminal History. Looks like this. The first thing they ask you about is: Define the name or type of each collateral sanction for which you are requesting a certificate. Then you see a box there – type one, type two. Actually, it scrolls down. There are type three, four, and five. So they give you this, sort of, wide open opportunity to say different types of barriers that you might be facing.

Unfortunately, the law tries to be very careful and precise, but the down side of that is that most people applying for this are not going to be lawyers; they may not have a lawyers help. So they might not know exactly, well, which exact collateral sanctions do I want? If they say type, then somebody's really – I had a client come in and write the word expungement in there. I just had to scratch my head, like expungement is not collateral sanctions, and you're not going to get an expungement by applying for this CQE.

People have to really understand some terminology here, and this is why we need help. Certainly lawyers, and I just talked to Legal Aid attorneys from across the state yesterday, doing a very similar presentation. They'll be out there and help, but they're very limited capacity. I strongly encourage the folks on this call to really take this – this is your opportunity to really step up to the plate and use your skills to help people. Help them sift through this confusing thing. Help them understand what a collateral sanction is, so they understand what they're getting relief from. You get this opportunity to type in the type of collateral sanctions that you want relief from.

If you want to be really precise, then you can use my CIVICC Database and, frankly, I think will be the most valuable way to go ahead with this. Because, when it comes down to it, this is filling out the form, but ultimately there's going to be court hearing and the judge is going to pick this thing up and read it. They're going to want to know exactly what they're giving you relief from. So, in the beginning, in the application form, you might kind of be broad and loosey-goosey about it. Well, I want relief from nursing, or I want relief from any kind of medical license. Something like that.

That might be fine in order to get your application started, but when it comes a month later, when you're getting to the actual in front of the judge, they're going to want to know precisely what – the judge wants peace of mind. Like, I'm giving your relief to enter into a profession. We need to know exactly which one. Better do that work early, and use OJPC's CIVICC Database to figure out the collateral sanctions that the person wants relief from. Not required, but I can tell you it's the best practice to make your applications go farther. [1:09:35]

Then you're asked for the description of how you intend to use this certificate. Are you going to get a license, or do you intend to obtain employment and use the certificate to – this is confusing here. I just want to say that No. 2 there says, "Do you intend to obtain employment and use the certificate as a means to provide potential employers with immunity under Division G of Section 29—blah, blah, blah." Just always answer yes when it prompts you.

Every single person on this phone call, every person that's ever going to apply for a CQE, always answer yes. I'm not sure why they put that on there. This is the negligent hiring protection. The court does not issue, cannot issue, certificates that don't come with the negligent hiring protection. Probably you can opt out of it. You get it, whether you ask for it or not, it's inherent in how the certificate works.

So I'm not sure why they're asking for this. It may be some sort of data collection, research thing that they're sort of weaving into the application process. Be that as it may, that's what that means. Even if it seems like a bunch of gobbely gook and applicants may not know what it is, always put yes. [1:10:45]

Then comes the very obvious summary of criminal history. There is lots of blanks under this, I cut it off, but you put in the year of the offense, the name of the offense, was it a felony or a misdemeanor, and then the county it was committed in. You can put in as many offenses as you've got, there are lots of blanks.

Then, once you complete that whole section, the next section is called: Certification Rationale. This is where you get to do – this should look familiar. If you look at 2, 3 and 4 on the screen, the "define why the certificate will materially assist you, define why you have a substantial need, describe why granting the petition would not oppose an unreasonable risk." Remember those are the same three factors that the court has to decide when it's going to determine whether to issue a certificate. That's pretty straightforward.

Number one might initially seem confusing. Define the reasons you believe the certificate should be granted. Well if you're like me, the first thing is, I'm like – Duh. Well, read below,

right? This is why I need a certificate, because it will materially assist me. I have a substantial need and I'm not an unreasonable risk to public safety. That's your argument. My best advice to all of you out there on webinar land is, when you're advising your job seekers, 2, 3 and 4 is where you really put in a lot of detail. This is my life, this is the particular profession that I want to get into and why, the education I've gone through to get that degree, whatever. Here's some description of my references, all the things that go into those factors. We already talked about those factors. [1:12:23]

In number one, think of that as a really short introductory paragraph. You want to kind of sum up everything. I am a prospective nurse that had a drug problem 20 years ago and I have done everything in her power to turn my life around. That's your number one paragraph. It's really short, one or two sentences, maybe three sentences that kind of put it together, maybe 100 words, not long. You don't have to provide that at limit, but I'm just giving the best advice.

You want a pithy, punchy paragraph that boils that person down to a nice synopsis. If you have people who are listening to this call that have done any job development work, help people write resumes, think of it as that summary that, sometimes, people put at the top of the resume. I'm a highly motivated – that kind of thing – is what you want to put in your summary paragraph in number one, and then use 2, 3, and 4 to go into depth. [1:13:20]

Then you go back out. This is the petition form again. The bottom part is really obvious. It's your employment history, references, and family members, basically non-family member references and family member references. Anybody can say something good about you, what you've done to turn your life around, how you're not who you used to be, and how you're a really high quality citizen, neighbor, and friend now. You don't have to describe all of that in there, just list their names. You get to put in their name and contact information.

When you're going back here, once you've done maybe part of this, as you've seen, I'm just showing you there is a lot of work. This is a lot of information for my clients, or your clients, to be gathering and putting in. They might not finish it all at one sitting. So you can save this and get out of it, and then come back later. When you come back later, it looks like this. It's slightly different than the earlier screen I showed you. But my inbox at the top, and below that is my past, then that thing that you click on your name and your petition number, and you get to this screen.

You can go view forms. I showed you that earlier; that's where you get back into the form. Down below is a couple of other options. If you change status, that's where you finally hit the mitt. So if you've got somebody who's completed a whole form, nothing happens in their case until they click submit. So they have to go into that view status option, and actually submit the application. Then the process starts.

Below that there is this thing called Access Management Tools; it's actually just a place where you can turn it off. So if you've got somebody who's all the way done, they think their done, but they don't want to submit it yet, you can print it off. You can do kind of a double check. Sometimes it's helpful to have it in paper and really have somebody look at it for you. [1:15:12]

Before I go on to the next big thing that I'm going to do, is show you my CIVICC Database. But before I do that, I am now going to look at the questions that have come in, if I can get this thing up. Okay. A lot of questions [voice: time for a quick break?]. So again, nobody is sending questions to me, I'm not sure why that's not happening. Angie, I'm wagering, has about 10,000 questions. So Angie what have you got for me?

ANGIE: I've sent you some of them. I was actually assigning some of them to you. I've got a ton here. Look in your chat box, do you see?

STEPHEN: Okay here we go. There we go. All right. All right, now I can see them. Great. Does this program apply to individuals receiving services – oh we did that one about DYS. Is there a recourse for people when these private checks are incorrect? – Oh, this was probably from the earlier chapter? I'm sorry I didn't answer that question before.

Everybody remember back a ways. We were talking about private background checks. Yes, there's something called the Fair Credit Reporting Act. You can sue the private background checker for those mistakes. You need an attorney to do that, so you're going to have to talk to a local consumer rights attorney. Somebody who knows FCRA (Fair Credit Reporting Act).

Yes, I'm not misspeaking when I say that the Fair Credit Reporting Act. That law applies also to the use of criminal records in the employment contact. So you need an attorney who understands that and knows how to help people with that. My office does that in Hamilton County, but not statewide. So you're going to have to find somebody who does that. [1:16:55]

What does "completed" mean for completed programming in prison? DRC determines that. DRC can check the box, or not, whether you've finished the program and got your certificate, The Ohio Central School System says yes or no, whether you've done enough to get the CAE.

Next questions. Does your organization have locations in Northeast Ohio? No. We are a Cincinnati-based office, it's just little ole me down here. I'm the only one doing this kind of work. Actually me, and probably Rob, do these CQE petitions and these kinds of presentations. Would be exciting to see more law offices, non-profits develop the capacity. I will say that there are – as I said, I did a presentation yesterday to Legal Aid lawyers from all across the state – so I know they're trying to develop a capacity with their limited funds. They're trying to develop their skill set to be able to deliver these services. So you might start asking your local Legal Aid whether or not they are able to help with these. [1:17:56]

Is there a limit on how long a person has to apply for CQE? No. I will tell you, without naming too many names, that I heard yesterday of a county – this is insane and maddening to me, but I will just be really straightforward. There is a county that was saying that if your conviction was older than a certain number of years, you could not apply for a CQE.

I hope everybody on this phone call slaps your head about as hard as I slapped my head thinking: WHAT!?! Are you kidding me? The whole point of the CQE is to remove barriers for people who turn their lives around. These barriers are applying 10, 20, 30 years later. It's the people with the older criminal records who are the most deserving. They're the people who have kept

their nose clean for the longest, and, if out in our community, contributing members, and are facing the most unreasonable barriers to employment. They are the people who deserve a CQE.

So by law, no. There is no limitation and no court, no probation department and anybody else should be telling people otherwise – that there's some sort of limit on, if you're more than five years (inaudible 1:19:02) that now, all of a sudden, you can't apply for CQE. That's not allowed under the law. I would love to hear stories about that. You're going to get my e-mail address at the end. If that's happening in your county, please let me know. So no, there's no limit. [1:19:17]

All right, next question. Summit County filing fee is less than \$250. Thank you for whomever corrected me on that – Terry Tribe Johnson, my good friend Reentry Coordinator out there. That's good. I should have known that. I talked to Professor Joann Stahl from Akron Law School and she told me that, and I got it wrong. Two hundred fifty dollars for the filing up in Summit County. That's what it's looking like, just so people in that area know.

Somebody asked about the filing fee. Some of it might be relevant, but they can't afford it, you're going to have to find out if your local court has got a fee waiver petition. What is, sometimes is, called a Poverty Affidavit to waive the filing fee. I just don't know, every court is going to be different on that.

Another question says, I want to know, if you have one, does it preclude you from getting an expungement later? No. You can get a CQE and get an expungement – except, at the end of this webinar, nobody listening to this webinar is ever going to use the word expungement again. I promise you so you get it right. Because it's really misleading if you use the word expungement. We'll talk about that.

But no, you're not precluded, and the flip is also true, that if you get your record sealed, it doesn't mean that you cannot get a CQE. If you get your record sealed, you can get a CQE, is what I'm trying to say. There is actually, believe it or not, reasons to do so. I don't know if people realize this, but sealing a criminal record, most state (inaudible 1:20:50) can still see that. Even though you've got your record sealed, you're still facing a collateral sanction. The state licensing agency, which controls the keys to your license (inaudible 1:21:01) your profession. They're still going to see that record anyway.

So the sealed, or what you sometimes are calling expunged records, are still triggering collateral consequences. So, therefore, a CQE is what you need. The record sealing, or expungement, isn't getting the job done. Not getting you access to what you want access to, where, with the CQE, they can actually get that access. [1:21:23]

Another question. What is the turnaround time from application to answer, or acceptance? That also is remaining to be seen. Every county, it just depends. I just don't know. We saw earlier the process allows the court to ask for any investigations, disclosure, reports, so the court's going to take it's time to do the investigations. We don't know yet.

There is a point that once they've gotten all of their investigations done, then they have 60 days within which to make a decision on the CQE. That's what it says in the statute. But I'll tell you that a deadline without an enforcement mechanism is not much of a deadline, and there really is no enforcement mechanism. If the court does not decide within 60 days, the statute doesn't say what happens. It's not like you automatically get the certificate or anything. So regrettably, there's not a whole lot there to really force it to go faster. So we just don't know. It remains to be seen, in each and every county how fast they are in dealing with these. [1:22:33]

All right, the last question I've got here is: if someone is denied employment because of a background check, is that where we're legally obligated to provide a copy of the background check? Yes! Absolutely. Great question from Jeff Adams, thank you. That's real basic FCRA requirement, Fair Credit Reporting Act. The employer has to let you know, if they're doing a background check first. Then, if they get the background check and want to make what's called an adverse decision, they have to let you know that they have made that decision based on a criminal record.

They don't technically have to give you a copy of check itself, they have to give the name, address, phone number, what contact information for the background company, where the check came from. Now, what I generally do with my clients is, with some firmness and politeness say, can you just give me a copy of the check? I mean, they don't have to, but it's sitting on their desk, right? You could just give me the name and address and I could go and request a copy of the background check myself. It's really tedious to do that. Can you just give me a photocopy of what's sitting on your desk? That's mostly what I do when I call employers, or when my clients talk to employers on their own. [1:23:45]

Then someone asked – Lisa Smith, I hope it's Lisa Smith I know from Cleveland. Shout out to Lisa. Have any CQEs been processed as of yet, and is there a central location for storage of this information? There is a central place of storage, but it's not a public record to my knowledge. You can't just go in and kind of check to see who's applied, how many people have applied for this county or that county. I think DRC could on the back end. They can see all of that information. I don't think they're excited to disclose all of that yet.

To my knowledge nobody has gone all the way through. I know that on February 4<sup>th</sup>, the day the CQE website opened – I think like four people applied instantly. I was talking to somebody from Ashtabula yesterday, I believe it was – yeah, Ashtabula, not a high density urban county. They had something like 38 applications last month, which is kind of a lot. I'm real curious to see what's happening. I don't know the number that have come in from Hamilton, or Cuyahoga, or Franklin, up in Toledo, you folks there, Lucas County. It would be interesting to see. I just don't know yet.

We don't know the timeline really, and we don't know how many come in from every county. It would be worth asking. I don't know if they will report on it, if they're ready to report on it, but those of you on this call, some of you may know there's something called the Ohio Ex-Offender Reentry Coalition. They meet quarterly. The next quarterly meeting is May 15<sup>th</sup>, it's going to be down here in Cincinnati, and it may be that there is some discussion of it there. I don't want to

promise anything, I don't want to speak out of turn. The DRC is the one who would know that answer. [1:25:35]

All right. I'm going to keep going here. This is the CIVICC Database. I'm going to show you my database, which I've alluded to throughout this presentation, is a pretty key ingredient to a successful CQE application. It's useful for a whole host of other things, but when we're talking about CQEs, you've really got to know about the CIVICC Database. The way this database works is, well, first of all you can get it online. It's at the Public Defender's website, OPD – the OhioPublicDefender.ohio.gov. Have any of you ever Googled the word CIVICC with two c's on the end? We'll be the first hit every time.

All right. The CIVCC Database is an online database for answering two kinds of questions. Number one, if you know the specific criminal conviction that you have, or the convictions, you've got those but you want to know what are the barriers that that conviction triggers. You want to know all the civil impacts that are triggered by that specific conviction. You can search that way in our database.

The other thing is, you could search the other direction. Let's say you know the field of employment you want to get into. I want to be a teacher. You can look for the specific Ohio Civil Impact Law that applies to teachers and find all the crimes that create a barrier to that field.

So you can go either direction. If you're going the first way I described, specific criminal conviction, of course, you can run the search multiple times. If you have five crimes on your record, you can run it for the burglary charge, you can run it for the arson charge, you can run it for the passing bad checks charge, and you can run it for the petty theft charge. Just run it each time and then get a separate list for each offense. [1:27:24]

When you log in, it looks like this. Actually I'm going to jump out of the Power Point here and I'm going to actually show you this thing in action. If I can. Here we go. Okay. Here we go. It looks like this. You first get there and there's a welcome screen, and it tells you a little bit about how this thing works. You get started and then it gets you to terms and conditions, which it's important that people realize, this is not substituting for the advice of a lawyer. Then you agree to those conditions and you get to the search page, as I was showing you earlier in the Power Point presentation.

You can search, as I was saying, two directions, right? Start with the offenses, this tab here, and find the barrier triggered by that offense; or you can start with the civil impact. Either page, you can enter a specific code number, if you've got a real savvy client who knows already the code section that they're concerned about, you can put that in there. Or you can search by keywords. For example, if you put in theft in the keyword search box, you get a list of all the theft related offenses under Ohio law. So you can scroll through there and be, like, what was the actual charge was. Was it safecracking, tampering with a coin machine – there's all different types of theft related offenses.

So you can scroll through that and find exactly what you're looking for. Let's say you've got a client who was charged with just plain old theft. There is petty theft, and then this plain theft, regular theft.

You click on offense detail, and you get a list of all the crimes on here you see 470 impacts. So as I said at the beginning there are 775 barriers that we've catalogued in our database. 470 apply to this particular offense. You see a little bit more information here about the type of offense, if it's a dishonesty theft offense, it's a high (inaudible 1:29:59). It's a minimum degree, it's a fifth degree, felony.

There is also this little blue link here, it's the 2913.02, and you can click on that and you get to the statute. You can actually look at the statute. This is not our website. This thing that says, code.ohio.gov, the Law Writer website that will get you the actual text of the Ohio Code. The full text of each statute is not in our database, just linked to it outside. [1:30:34]

So, then, down here you can see there's 407 barriers triggered by a theft offense and you can scroll through these at the bottom. Somebody trying to work at the Treasurer of the State, a criminal records check and a possible reduction of job applicant. You can go down through and see the Department of Administrative Services, Personnel Civil Services Employment of Eligibility.

Again, this chart, there is something called Link which will again take you to Law Writer for that. So now you're finding the link, not to the crime statute, but to the statute that is about this particular collateral sanction. So, go on back. Or, you can go over here to this Impact Detail. The Impact Detail will tell you a little more about what the barrier is, and here it says, a conviction of felony is one basis on which an applicant seeking civil service employment, state or local, may be found ineligible for examination or selection.

A key there is, how imposed, see there, discretionary. I really want to encourage everybody when they're searching through the CIVICC Database, to look for that. Because, how imposed-discretionary, because, remember, the CQEs are most effective against mandatory barriers. So a CQE technically would not legally have an impact on this collateral sanction because it's a discretionary one already. All a CQE does it convert a mandatory to a discretionary. [1:32:09]

Down here, you can see what all the crimes that trigger this particular barrier, this Civil Service Employment Barrier. Well you can see that it's a conviction, unspecified, any felony. Well, you're, like, well, what are all the felonies? If you click trigger detail at the bottom, then you get a list of all of the felonies under the Ohio Revised Code.

So, if there is some sort of broad category, let's say that the collateral sanction that we were talking about – everybody with a drug offense – on that page, it would say at the bottom, drug offense. Then, you would click on trigger detail and you'd get to a page a lot like the one we're looking at now, and the trigger would be drug offenses. There would be a list of all the crimes under the Ohio Revised Code that are drug offenses. [1:33:00]

That's how the database works. I hope you find it useful for a CQE application, but also I know that the WIA One-Stops are sending people to vocational programs at times, trying to choose wisely where to invest resources. Using the CIVICC Database might help you make decisions about where to send people, what kind of programs to put them in. It might give you some insight into talking with certain employers. As you talk to employers in your region, you can get better insight into the regulations they face, and so, you can speak with some knowledge to them. There might be other reasons. A host of other uses that you may find as a One-Stop employee. I hope it's useful to you, and as you use it, please let me know. Again, my e-mail's going to show up here in a minute and you'll be able to see how to reach me.

All right. Let me get back into the Power Point itself. So that's the CIVICC Database. Now any quick questions about the CIVICC Database? Let's see here. On the pop up question page and it looks like they're coming, so that's fine. You've seen the CIVICC Database, now we're going to go to criminal records sealing. [1:34:18]

It's NOT expungement! Remember, I promised you that at the end of this presentation, nobody on this phone call is going to use the word expungement unless they put it in scary quotes. Here's why. There we go. When I talk to everybody from lawyers to judges, to, in fact, I heard this once in a Supreme Court Oral Argument from the Supreme Court Justice. All the way down to the clients that walk into my outreach legal clinics, there is such a misconception in this state about what happens when people get their records sealed.

The word expungement pops up all the time, and when you say the word expungement, most people, from the Supreme Court Justice, down to the homeless client that just walked into my legal clinic, they think expungement means that your record is erased. That it's obliterated. It's been destroyed and no one can ever find it. But that's not what happens, and that's not what ever happened. What I'm telling you now is not law change; this has been the law for a long, long time. Criminal records sealing means put it in the locked file cabinet, and I don't mean that just figuratively. I've been to my court and I've been to the state BCI and that's how it is. There are all these file cabinets over here with regular records, and then this one over here is for the sealed records and it has a lock on it. That's it.

So those records are not destroyed, and there are a wide variety of state agencies that have access to those sealed records. You know, if you're going to apply to be a nurse, or if you get a psychiatry license or a law license, or apply to be a nurse, there are all kinds of medical fields you're going to work – a teacher, anything with kids, with the elderly, and many other professions as well.

Those state licensing agencies have access to sealed records. When you submit an application to them, they will go digging and unseal those records. What I often tell my clients is that sealing is leaky. It is, by design, it's leaky, it's in the statutes, it's in the (inaudible 1:36:24), It leaks.

So to best advise clients, you have to let them know that's (inaudible 1:36:41). When they are applying to get their records sealed, it's not going to be a cure all. On top of all of that. Let me just pull back (inaudible 1:37:00) ...different kind of background checks. Many of those commercial background (inaudible 1:37:09) or worse and (inaudible 1:37:15) and updating their

records. Some of them are very bad, and when (inaudible 1:37:20) didn't ever update their database. Maybe that's (inaudible 1:37:26), but if they request it from the background check, from one of these much cheaper online services, they will see the (inaudible 1:37:38). ...potentially, clients can sue for that. But it's difficult to win a case like that. You don't get a lot damages.

This is new law. This is what happened in September of last year. Anybody who's out there that has heard that (inaudible 1:38:07) have changed and now you can have two offenses. It is two misdemeanors, or one misdemeanor and one felony. That's the max. The same offenses are prohibited. Violent sex offenses, child victims, traffic offenses, not drug trafficking, but traffic – you know, speeding, license plate, that stuff.

The only thing that has changed under Senate Bill 337, was that nonpayment of child support just forever had been considered a child victim offense, and now that one offense has been taken out of that category. You can get that sealed if you meet the other number rule, which is, two misdemeanors, or one misdemeanor and one felony.

Minor misdemeanors are treated the same as (inaudible 1:39:01), which means that you can get lots off. A minor misdemeanor, for those of you who are not lawyers, and haven't understood this, there are four different degrees of misdemeanors. First degree, second degree, third degree, and fourth degree, and below a fourth degree misdemeanor is a minor misdemeanor. So a minor misdemeanor does not mean some general misdemeanor that wasn't so bad, or nobody got hurt, which is sometimes what people think when I say that.

A minor misdemeanor is a ticket only offense. It's jay walking, it is, sometimes, is disorderly conduct, some places it's a weed ticket, a minor misdemeanor of marijuana possession. These are the most common that I see. So you can have many of those fields at once as long as you satisfy the first rule, which is above that minor misdemeanor line. You have one or two offenses maximum.

As soon as you have more than two, nothing is going to get sealed. None of your convictions will be sealed. I have to drill that home with clients. Wait, wait, well, what about just this one felony? You know, no, no you don't get it. Two offenses only. As soon as you have more – if you have three on your record, you're done. Game over. You're not getting anything sealed. Not anything. Not any of the convictions sealed, that is. You can get your non-convictions – dismissed cases – sealed. But your convictions, none of them are coming off. [1:40:23]

This is the actual text of the statute. You can see that thing that says, not more eligible offender – means anyone who's been convicted of an offense in this state, or in any other state, and, that's true, any other state counts. If you have one conviction in Ohio and one in Kentucky, and as long as you meet the rule there about two misdemeanors, you can get the Ohio offense sealed, but you couldn't get the Kentucky offense sealed. You just can't, because Ohio cannot tell Kentucky what to do.

Now you'll see there in the middle, not more than two misdemeanor convictions, if the convictions are not for the same offense. There a possibility that that phrase can be interpreted in

two different ways. I'm not going, without – if you're not an Appellate lawyer, this is not going to interest you. Probably in most places the way that's going to be interpreted is you can't have the same offense twice even, if they're separated by many years. If you have a theft from 1984 and a theft from 1993, under this rule you probably are not going to be able to get it sealed.

But if you had a theft from 1984 and a – I don't know – kiting bad checks in 1993, you could get both of those sealed. Or a non-payment of child support, as long as they are different offenses. So there's another way to interpret that, that's a little more alternative, I'm not sure that will actually work. It remains to be seen how they could (inaudible 1:41:52) in an Appellate Court. [1:41:56]

The last thing. This is really critical. This is the most practical thing that you can do to really take ownership for this movement. At the beginning, we started off with why do we care about this? There's all these people in our community who have criminal records. It's a big impact on our economy. One in six of our neighbors has a criminal records. We can't reject them, we can't pretend like they're not there.

So what can a WIA One-Stop do in-house to take ownership and say, you know, we're going to take control for doing what we can to make this a better system for folks with criminal records, because we care about them. It's not just about blaming those employers out there because they're so tough about not hiring ex-offenders. We need to do something in-house. Here's what we need to do. Many people on the phone call, I imagine, have heard that EEOC updated its policy guide last year. They updated it slightly, they didn't really change anything of substance.

They've been saying this since 1987. In fact, the 1987 Policy Guidelines is connected to a Supreme Court case from 1975. That's the year I was born. I'm just disclosing my age, which isn't too old. But 1975 is a long time ago. So this is not news. When this policy guidance changed last year, there was all this hysteric about, Oh my gosh, the sky is falling, and the EEOC is crazy and all of these felons are all going to get jobs. I just have to kind of nod my head and say, okay, nothing new here.

What they said in 1987 and in 2012 is, you cannot – employers are not allowed to have blanket restrictions, say, no one with any criminal records, or no one with any felony records can work here. The reason is because, we know – as somebody who works in the criminal justice system I have access to this research, and you've probably heard it as well. There is dramatic racial disparity in the criminal justice system. At every stage, you're more likely to get arrested, you're more likely to be prosecuted, you're more likely to get sentenced – you're going to get longer sentences, and those sentences are more likely to include prison.

At every stage people of color are over represented in the criminal justice system. That is unjust, and we can spend many hours debating why that happens and how it needs to be fixed. But for EEOC purposes, if you have a hiring policy that says no one with any felony record – no one with any criminal record – ever can work here. Clean background checks only. Something, like on the job flyer. All that is doing is airlifting the same amount of racial disparities straight out of the criminal justice system and dropping it into employment, no questions asked.

That's unacceptable, and the EEOC has said so. The EEOC has not only said so in its policy guidance, but it has begun to sue employers who have these kinds of policies. For example, last year they publicly settled a case against Pepsi for \$3 million because they were dinging everybody in the bottling plant who had even a wreck. It didn't even matter if you got convicted; they said anybody with any arrest can't work in this bottling plant.

The EEOC brought the hammer down, and they ended up settling for multi-million dollars. They have done other cases, and I know that I've talked to EEOC attorneys, that they have gotten the call from on high, you know from the [Washington] DC office, saying, look out for these cases and enforce them. This is a real thing. Now, knowing that that's the law, knowing that, that what EEOC is doing, the Department of Labor then followed up last year and said, well, we're the public workforce system. [1:45:30]

We're getting all these job postings every day. We put them on our job bulletin boards, electronically and in a paper flyer. Lo and behold, how many of them say no felons ever, or no misdemeanors, or clean background check only, or something like that. Those look like they might be violating equal protection law.

Just to put it in real simple terms, if any of you got a job flyer that said, "No people of color can apply here." Think you might have a problem with that? I would hope so. That would sort of boil our blood. I think many of us would be personally offended by that, but we'd know, as a legal compliance matter, we could not. Something's wrong with that, they have to do something about. Well, the Department of Labor has said that you have to do something about these "no criminal records" postings as well. To be fair, the Department of Labor does not expect you to exercise legal judgment and figure out is it an EEOC violation or not. That frankly wouldn't be appropriate, it's not your position to do so.

But if there is some real clear red flags, like no felons, or must be a clean background check, no criminal records ever, clean criminal history. Those kinds of phrases. The Department of Labor has said that you have to post a certain kind of warning right next to those job postings and they actually provide the warning. It's in the letter. [1:46:54]

So I'm going to allow Paul here to jump in. I'm actually at the end of my presentation and, Paul, you can say more about what Ohio's doing to make sure that we are complying with what the Department of Labor has said.

PAUL: Thanks Stephen, I appreciate that. Ohio is – at least Office of Workforce Development – will provide some guidance in terms of a memo instructing the One-Stops to be compliant, at least work to take steps to be compliant, with the federal guidelines. A TEGP was released, as Stephen mentioned, and a copy of that will be made available so that everyone can have an understanding of what the expectations are.

Additionally, as everyone knows, at least in the workforce system, the Ohio Means Jobs system will become the primary electric job search tool. There are processes within the OMJ system which will also be updated to make sure that postings which violate the EEOC guideline will not

be able to be uploaded. So this gives you some ideas of what we're doing. On our behalf here, the state's going to make sure that we're all in compliance.

STEPHEN: Great. All right. I rocketed through that Department of Labor stuff without stopping to answer questions about record sealing, so I'll do that now. There was just a handful of questions that came in.

PAUL: Stephen?

STEPHEN: It is 11:40 and I just want to say, like Angie and Paul do, we have time for questions, or should I just let it lie here? [1:48:23]

PAUL: Well, I'll let – you can answer that.

ANGIE: We really haven't had any on the last chapter that you did, but I have a few from the last one. If you can just cover a few of those, because I think a lot of them are intertwined. You can probably cover a few of them.

STEPHEN: Great. I'll go through those questions. And I think that everybody should be seeing the slide there, the last slide there that has my e-mail. You can always e-mail me with questions and the link there at the bottom there that says [bit.ly/OJTC-CrimRecManual](http://bit.ly/OJTC-CrimRecManual). The Power Point I gave today is fine for a presentation, but it's not the kind of thing that you would want to have on your desk for a quick reference. The Criminal Record Manual is. It has information about CQEs, an application process, it's about record sealing, and has the full list of the prohibited offenses for record sealing.

It talks about juvenile record sealing, which I see there is a question here about that. There's more detail about juvenile record sealing in that manual. All the information I shared with you about the different kinds of background checks and how you get those corrections done – that's in there. It's really a go-to resource for everybody. Go ahead and download that at your leisure, any time you want. I update it often, so check back to that website from time to time to see that you've got the most current version. [1:49:46]

Now the wrap up. There are a couple of questions here. What happens if someone is convicted of a crime that the statute was later repealed, such as a sex offender? That's a hard question to answer, if someone asked that. The person who asked that question about repeals of previous sex offenses, I'm happy to answer that question off line. It's probably a longer scenario that I would have to learn more about.

Someone said, Can juvenile records be expunged or only sealed also? All right. You're right. The person who asked that (inaudible 1:50:25) you are right (inaudible 1:50:30) there is a juvenile record (inaudible 1:50:33) and when I had to say expungement, I mean expungement. They actually destroyed their criminal record. The digital and paper will be destroyed. By and large the only real thing available to most people is record sealing. Now I'm going to confuse you even further. Just last term, there were two laws (inaudible 1:51:01) that allow for expungement (inaudible 1:51:03) in Ohio.

One is the NRA was very active and productive in getting a particular bill passed. They changed some of the carry and conceal weapons rules. One of the things that they changed was – once they changed those rules they said, if you've been convicted of this very specific – not every, but only certain one. If you're convicted of a previous carry and conceal weapons charge, you can now get that expunged so that you can then get your firearm. There is that one section – it's very precise, very precise. You have to have exactly the offense they're talking about.

The other one relates to human trafficking. In an effort to help out victims of human trafficking, there was a bill that passed that said if you are convicted of solicitation, and you're later able to document that you were, in fact, a victim of human trafficking, you can get your solicitation charge expunged. When I say expunged, again, I mean expunged. So this is why it becomes incredibly important for us as a practitioner and as professional, to use the right word, because when we say expungement, that doesn't mean the same thing to keep records sealed. It's one of those phrases when we're talking about juvenile offense and adult offenses, and there's all this little – a vast majority of people you're talking to are talking about adult records and they're talking about getting those records sealed or expunged.

(Inaudible 1:52:42) by everyone, so I wonder if there is a way to find out who hires in every area with a criminal background? I appreciate that question, I understand that it comes from a sincere motivation to help people, but I want to promise everybody on this call who does workforce work, please do not make up a list like that. It will be the most counterproductive thing you could do. The first thing that happens when a list like that is made up, that says here's some companies that hire people with criminal background checks, is those companies lock down and say no we don't! We don't ever hire people with felony records. So any flexibility you had is gone.

Because they don't want to be known that way, and they don't want to be known that way to the general public, and they don't want to get flooded with job applications. The real work of workforce – I'm the least qualified to say this, I'm an attorney – but just from what I've seen and the excellent people that I've worked with in the workforce system across the state, is the real work of workforce is helping your people, the job seekers, and developing relationships with employers. Don't squander that trust relationship you've built with employers.

The way you get people with criminal records into jobs, is you get employers to trust you. They trust your programs, they trust COWIC, they trust the Urban League, and they trust SuperJobs. They know there is a quality program there, and the people who work there are good people, and that they're selecting the right kind of candidates. So this (inaudible 1:54:10) factory may be willing to hire somebody with a felony record as long as they've gone through your One-Stop, but they might not just want to hire somebody with a felony record that just walked in off the street. So I appreciate the question about a list, but no there is no list, and if you find one, rip it up and throw it away. It's ultimately going to shoot everybody in the foot. [1:54:35]

There are some questions there about two offenses from the same incident. There's some questions about, some real precise question, about getting your records sealed. I'm not going to take a lot of time to answer those now, only because I just gave you the link to that manual. The

OJFC Criminal Record Manual, go check that out. That's really your go-to resource. Once you read that manual and then you've got my email, shoot me questions later if you still have them. I get into the real nitty gritty in that manual. [1:55:15]

Oh here we go. I've got somebody, I think. Yes, Okay. I want everybody to perk your ears up with this one. Somebody from DRC itself just wrote in to me to let me know that there are 60 CQE petitions that are pending in their system. Which is great to note, thank you for sending me that. That's exciting.

This is from one of the Justice Reinvestment Officers, when you apply for a CQE online the application is going to be screened by somebody called the Justice Reinvestment Officer. One of those folks, thank you very much, wrote in and said they've got 60 currently pending. So there you go. Well, let's see, 60 are in DRC review. Let me read this correctly. 60 are in DRC review. That means the petitions are completed and are awaiting review by DRC. There are 62 that are in process.

That is, they have been started but they haven't gotten to being actually reviewed by DRC. This is online petitions only. It doesn't say anything about people who have applied by paper directly to their local Court of Common Pleas. I think I've read that. I think I gave a fair summary. If I didn't do that right, the gentleman who wrote me from DRC, I apologize. I think I pretty well summarized what you said.

With that, I think I'm at the end of the questions, and I really appreciate everyone's attention and several hundred people watching and listening to day. Thank you for your attention, and you've got my e-mail if you have more questions. [1:56:48]

PAUL: Thanks Stephen I appreciate it. That was a great presentation and I'm sure people (inaudible 1:56:53) will be able to walk away with a great deal of knowledge they can use to help the people that they serve. As Stephen kind of alluded to, it's an ever-growing problem and there are a number of people who we see in our One-Stops that have convictions who have criminal histories and there are many, many, many, many coming out of prisons soon who will be coming through our One-Stops so (inaudible 1:57:13).

The better prepared we are to provide assistance and direct them into the proper avenues, and more importantly, the more we understand the law, we're in a better position to help them reach self-sufficiency. Again, I want to thank everyone for their time, and listening to the webinar, and if you have any additional questions, Stephen gave his contact information. Always feel free to send questions to the WIA Q and A account as well.

ANGIE: Right. On Monday, for those of you that have requested the Power Point presentation, I actually sent that out to everyone who was already registered (inaudible 1:57:52) and I'll be glad to get that to you. Other than that, I think we're done.