



# Ohio Rights Restoration Mechanisms

**Any type of criminal record can result in negative impacts for individuals. For example, even a single misdemeanor arrest or conviction can make it difficult to get a job or find housing.**

**Ohio's rights restoration laws aim to reduce the negative impacts of a criminal record.**

**This handout gives a brief overview of some of those laws and provides information on how individuals with criminal records can take advantage of them.**

## **What is a Certificate of Qualification for Employment (CQE)?**

The CQE was created to help individuals with criminal history get jobs. It currently does so by removing automatic occupational licensing bans, providing a stamp of good character from an Ohio court, and by giving employers negligent hiring immunity.

## **What is Record Sealing and Expungement?**

Record sealing removes your criminal record from public view, so that it no longer appears on official background checks. Expungement means a complete destruction of a record for most circumstances and elimination of most accompanying disabilities.

## **What is a Pardon?**

A pardon can remove all restrictions that arise from any conviction. Additionally, the Governor can order pardoned convictions to be sealed, even if the convictions were not eligible for sealing.



## **More information about these laws and how to apply**

The other side of this document provides an overview of Ohio rights restoration mechanisms as of October 2023. However, it is important to remember that these laws are often changing. The best way to find out more information about these laws is to reach out to your local court, legal aid society, or bar association for information on record sealing and expungement, and to reach out to the Ohio Department of Rehabilitation and Correction for information about the CQE and pardon. Additionally, there are many helpful online sources that provide more information on these laws that can be found using an internet search.

# Overview of Eligibility and Application Processes

Remedy	Who is eligible?	How long do you have to wait?	How do you apply?	How much does it cost?
<b>Certificate of Qualification for Employment (CQE)</b>  <a href="https://go.osu.edu/depc_cqe">go.osu.edu/depc_cqe</a>	<p>Anyone who has been convicted of a felony or misdemeanor in the state of Ohio.</p>	<ul style="list-style-type: none"> <li>• <u>Misdemeanor</u>: 6 months after all sanctions have ended.</li> <li>• <u>Felony</u>: 12 months after all sanctions have ended.</li> </ul>	<p>A CQE application is filed with the Ohio common pleas court in your county of residence, or, if you live out of state, in the county where the offense occurred. Detailed information can be found on the Ohio Department of Rehabilitation and Correction (ODRC) website: search for "CQE."</p>	<p>\$50 filing fee plus court costs.</p>
<b>Record Sealing/Expungement</b>  <a href="https://go.osu.edu/depc_sealing">go.osu.edu/depc_sealing</a>	<p>Determining whether your cases are eligible for record sealing or expungement can be complex. We recommend you seek legal assistance to help you determine your eligibility and to help you file your application. Many counties and cities have providers who offer free record sealing/expungement assistance.</p>	<ul style="list-style-type: none"> <li>• <u>Felony of 3rd degree</u>: 3 years after final discharge for sealing, 13 years for expungement.</li> <li>• <u>Felony of 4th or 5th degree</u>: 1 year after final discharge for sealing, 11 years for expungement.</li> <li>• <u>Misdemeanor</u>: 1 year after final discharge for both sealing and expungement.</li> <li>• <u>Minor misdemeanor</u>: 6 months after final discharge for sealing and expungement.</li> <li>• <u>Not guilty on all charges or dismissed charges</u>: Any time after the finding of not guilty or dismissal for both record sealing and expungement.</li> </ul>	<p>An application to seal or expunge your record has to be filed with the court that adjudicated your case. If you have cases in multiple jurisdictions, you will have to file multiple applications. Each court has their own application and their own process. Contact the clerk of courts to receive the most up-to-date information on which application to use.</p>	<p>\$50 filing fee plus \$50 in court costs.</p>
<b>Pardon</b>  <a href="https://go.osu.edu/depc_pardon">go.osu.edu/depc_pardon</a>  <a href="https://go.osu.edu/depc_ogepp">go.osu.edu/depc_ogepp</a>	<ul style="list-style-type: none"> <li>• <u>Traditional pardon process</u>: open to anyone with an Ohio conviction.</li> <li>• <u>Expedited pardon process</u>: 10 years since completion of sentence, no disqualifying offenses, record of community service and employment. For additional details, visit Ohio Governor's Expedited Pardon Project (OGEPP) website.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Traditional pardon process</u>: technically, there is no prescribed wait time, however, the Governor looks for "substantial" length of crime free record.</li> <li>• <u>Expedited pardon process</u>: 10 years since completion of sentence, including probation.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Traditional pardon process</u>: application is submitted to the Ohio Parole Board (OPB). OPB issues a recommendation to the Governor, who decides whether a pardon is granted. The application and instructions can be found on the ODRC website: search for "pardon." Can take 18 months to 3 years for a final decision.</li> <li>• <u>Expedited pardon process</u>: application is first submitted to the OGEPP. Accepted clients get free legal assistance with the filing of a pardon application. Can take 6 to 18 months for a final decision.</li> </ul>	<p>There is no filing fee for pardon applications.</p>



Information accurate as of October 2023.

Produced by the Drug Enforcement and Policy Center at The Ohio State University Moritz College of Law.

# Overview of Ohio's Rights Restoration Mechanisms

Remedy	What does it do?	Who is eligible?	How long do you have to wait?	How do you apply?	How much does it cost?
<b>Certificate of Qualification for Employment (CQE)</b>  <a href="https://go.osu.edu/depc_cqe">go.osu.edu/depc_cqe</a>	<p>The CQE was created to help individuals with criminal history get jobs. It does so by removing automatic occupational licensing bans, providing a stamp of good character from an Ohio court, and by giving employers negligent hiring immunity.</p>	<p>Anyone who has been convicted of a felony or misdemeanor in the state of Ohio.</p>	<ul style="list-style-type: none"> <li>• <u>Misdemeanor</u>: 6 months after all sanctions have ended.</li> <li>• <u>Felony</u>: 12 months after all sanctions have ended.</li> </ul>	<p>A CQE application is filed with the Ohio common pleas court in your county of residence, or, if you live out of state, in the county where the offense occurred. Detailed information can be found on the Ohio Department of Rehabilitation and Correction (ODRC) website: search for "CQE."</p>	<p>\$50 filing fee plus court costs</p>
<b>Record Sealing/Expungement</b>  <a href="https://go.osu.edu/depc_sealing">go.osu.edu/depc_sealing</a>	<p>Record sealing removes your criminal record from public view, so it no longer appears on official background checks. However, some entities can still see sealed records, such as employers who deal with vulnerable populations or law enforcement agencies. Expungement means a complete destruction of a record for most circumstances and elimination of most accompanying disabilities.</p>	<p>Determining whether your cases are eligible for record sealing or expungement can be complex. We recommend you seek legal assistance to help you determine your eligibility and to help you file your application. Many counties and cities have providers who offer free record sealing/expungement assistance.</p>	<ul style="list-style-type: none"> <li>• <u>Felony of 3rd degree</u>: 3 years after final discharge for sealing, 13 years for expungement.</li> <li>• <u>Felony of 4th or 5th degree</u>: 1 year after final discharge for sealing, 11 years for expungement.</li> <li>• <u>Misdemeanor</u>: 1 year after final discharge for both sealing and expungement.</li> <li>• <u>Minor misdemeanor</u>: 6 months after final discharge for sealing and expungement.</li> <li>• <u>Not guilty on all charges or dismissed charges</u>: Any time after the finding of not guilty or dismissal for both record sealing and expungement.</li> </ul>	<p>An application to seal or expunge your record has to be filed with the court that adjudicated your case. If you have cases in multiple jurisdictions, you will have to file multiple applications. Each court has their own application and their own process. Contact the clerk of courts to receive the most up-to-date information on which application to use.</p>	<p>\$50 filing fee plus \$50 in court costs.</p>
<b>Pardon</b>  <a href="https://go.osu.edu/depc_pardon">go.osu.edu/depc_pardon</a>  <a href="https://go.osu.edu/depc_ogepp">go.osu.edu/depc_ogepp</a>	<p>A pardon can remove all restrictions that arise from any conviction. Additionally, the Governor can order pardoned convictions to be sealed, even if the convictions were not eligible for sealing.</p>	<ul style="list-style-type: none"> <li>• <u>Traditional pardon process</u>: open to anyone with an Ohio conviction.</li> <li>• <u>Expedited pardon process</u>: 10 years since completion of sentence, no disqualifying offenses, record of community service and employment. For additional details, visit Ohio Governor's Expedited Pardon Project (OGEPP) website.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Traditional pardon process</u>: technically, there is no prescribed wait time, however, the Governor looks for "substantial" length of crime free record.</li> <li>• <u>Expedited pardon process</u>: 10 years since completion of sentence, including probation.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Traditional pardon process</u>: application is submitted to the Ohio Parole Board (OPB). OPB issues a recommendation to the Governor, who decides whether a pardon is granted. The application and instructions can be found on the ODRC website: search for "pardon." Can take 18 months to 3 years for a final decision.</li> <li>• <u>Expedited pardon process</u>: application is first submitted to the OGEPP. Accepted clients get free legal assistance with the filing of a pardon application. Can take 6 to 18 months for a final decision.</li> </ul>	<p>There is no filing fee for pardon applications.</p>



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