

Certificates of Rehabilitation

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Identify states with certificates of rehabilitation and their established laws and processes

- Arizona – [Revised Statutes Title 13-904](#), Subsection E:

“A person shall not be disqualified from employment by this state or any of its agencies or political subdivisions, nor shall a person whose civil rights have been restored be disqualified to engage in any occupation for which a license, permit or certificate is required to be issued by this state solely because of a prior conviction for a felony or misdemeanor within or without this state. A person may be denied employment by this state or any of its agencies or political subdivisions or a person who has had his civil rights restored may be denied a license, permit or certificate to engage in an occupation by reason of the prior conviction of a felony or misdemeanor if the offense has a reasonable relationship to the functions of the employment or occupation for which the license, permit or certificate is sought.”

Restoration of Rights requires an [Absolute Discharge](#) from the Arizona Board of Executive Clemency. [List of frequently asked questions](#).

- Arkansas – [SB 806](#)

The Arkansas Restorative Justice Responsibility Act states:

6-82-107. Criminal history not a disqualifier. A criminal conviction shall not be used as a basis to disqualify a person from eligibility for a scholarship, grant, loan forgiveness program, or other benefit subsidized by state funds under this chapter unless there is a specific statutory reason for denial that relates to the basis of assistance.

11-2-123. Employment training and placement programs for ex-offenders. In order to help facilitate the restoration of an ex-offender's responsibility and self-sufficiency, the Department of Labor shall work in conjunction with other appropriate state agencies, the private sector, and labor organizations to promulgate rules for implementing placement and training programs for ex-offenders. A training program created and administered under this section shall incorporate a "Certificate of Completion" to be awarded to any person who completes a training program under this section.

In addition, Arkansas Code [17-1-103. Registration, certification, and licensing for criminal offender](#) notes:

Completion of parole or probation supervision plus five years after release from prison will be “prima facie evidence of rehabilitation.” § 17-1-103(d).

- California – [Codes Penal Code § 4852.01-4852.21](#):

An individual may apply for a **Certificate of Rehabilitation** upon completing their sentence. Generally, any person convicted of a felony who still resides in California may apply for a Certificate of Rehabilitation, with special exception for sex offenders. Three years of California State residency is required before an individual may receive a Certificate of Rehabilitation. The Certificate serves as an official document to demonstrate an individual's rehabilitation, which could result in enhanced employment opportunities.

See also, CDCR Regulations, page 738, Certificate of Rehabilitation Procedures.

http://www.cdcr.ca.gov/Regulations/Adult_Operations/docs/DOM/DOM%202015/DOM%202015.PDF,

81080.7.2 Certificate of Rehabilitation Procedures Petitioner Files a petition for ascertainment and declaration of fact of petitioner's rehabilitation with Superior Court in county of petitioner's residence after meeting period of rehabilitation requirements. Notifies DA of county in which petition was filed and DA of any counties which petitioner was convicted of a felony. These persons must be notified of petition and date and time of hearing in Superior Court. Superior Court Determines if petitioner has demonstrated rehabilitation. Grants Certificate of Rehabilitation and recommends that Governor grant a full pardon if rehabilitation was demonstrated. Clerk of Court Transmits certified copies of Certificate of Rehabilitation to:

- Governor.
- Board of Parole Hearings.
- DOJ, Criminal Identification and Investigation
- State Supreme Court if petitioner was convicted of a felony two or more times. (A majority of State Supreme Court must give written concurrence with pardon in these cases).

From CDCR's Investigations Division:

- An explanation of pardons, which includes certificates of rehabilitation [HERE](#),
- Quick Reference for Restorative Rights [HERE](#), and
- [How to Apply for a Pardon](#) and [Instruction Packet](#).

- Connecticut – [SB 453](#):

"Certificate of rehabilitation" means a form of relief from barriers or forfeitures to employment or the issuance of licenses, other than a provisional pardon, that is granted to an eligible offender by (A) the Board of Pardons and Paroles pursuant to this section, or (B) the Court Support Services Division of the Judicial Branch.

- District of Columbia – [B19-889 Re-entry Facilitation Amendment Act](#):

The bill calls for the creation of "[Certificates of Good Standing](#)" intended to confirm that individuals on parole or community supervision are in good standing with the terms of their release. An individual may petition the Mayor for a certificate of good standing at any time after his or her completion of any and all sentences, including parole, probation, or supervised release.

- Georgia – [SB 365](#):

This law requires the Georgia Board of Corrections to create and implement a “Program and Treatment Completion Certificate” to assist adult offenders with re-entry into society upon release from prison. In order to earn the certificate, the offender must complete any required treatment plan and vocational training while in prison and comply with any re-entry plan while on probation or parole. The text of SB 365 also offers protection for employers hiring ex-offenders.

- Illinois – [Compiled Statutes § 5/5-5-5. Loss and Restoration of Rights](#):

An offender convicted of a nonviolent offence, who has no more than one felony charge, may be issued a [Certificate of Relief from Disabilities](#) (CRDs) upon release from incarceration. This disqualifies licensing agencies from denying employment to the offender, so long as their charge is not directly related to the license being sought. This excludes offenders who have committed especially serious crimes such as sex offenses.

- Nevada – [NRS 213.090 Pardon: Restoration of civil rights; limitations](#):

Upon release from prison, individuals may apply for **Restoration of Civil Rights**. The state will automatically restore civil rights to first time, non-violent offenders once they have completed their sentence. If the restoration is granted the individual may apply for a pardon. However, neither the restoration of rights, nor the pardon will lift occupational bars.

- New Jersey – [N.J.A.C §10A:70-8](#):

The [Certificate of Good Conduct](#) removes restrictions on offenders’ ability to obtain employment, including disallowing licensing authorities from denying an applicant based on criminal history. Upon completion of their sentence, individuals may apply for the certificate.

- New York – [Correction Law Article 23 Discretionary Relief From Forfeitures and Disabilities](#):

A [Certificate of Relief from Disabilities](#) (CRDs) apply to individuals with no more than one felony conviction, and may remove any bar to an offender’s employment. Individuals must apply for the Certificate, and may be subject to an investigation. Separate CRDs are required for each conviction.

[Certificates of Good Conduct](#) (CGCs) apply to those with two or more felony convictions, and serves to remove restrictions to their employment. The CGC may be withheld depending on the severity of the individual’s offence.

- North Carolina – [HB 641](#):

An act to establish a Certificate of Relief that will assist individuals convicted of less serious crimes in dealing with collateral sanctions and disqualifications that result from a criminal conviction and a procedure for issuing that certificate. The Certificate of Relief program grants judges the authority to issue certificates to relieve individuals of most collateral sanctions and disqualifications including, "a penalty, disability, or disadvantage, however denominated, that

an administrative agency, governmental official, or court in a civil proceeding may impose on [the] individual on grounds of relating to the individual's conviction of an offense."

- Ohio – [Revised Code 2953.25](#) Certificate of qualification for employment for persons subject to collateral sanctions:

The Court of Common Pleas where the ex-offender resides "creates a process by which an individual, who is subject to a 'civil impact' or 'collateral sanction', may obtain an order of limited relief from a court that will provide relief from certain bars on employment or occupational licensing in the state of Ohio" referred to as [Certificate of Qualification for Employment](#). "A collateral sanction is a penalty, disability, or disadvantage that is related to employment or occupational licensing as a result of a conviction.

- Rhode Island – [SB 358](#):

This bill empowers the parole board to grant Certificates of Recovery and Reentry to individuals who have met specified standards (to be determined by the parole board). An individual convicted of a crime of violence or who has a prior felony conviction is not eligible to receive a certificate.

- Tennessee – [TCA 40-29-107 Certificate of Employability](#):

This law provides individuals who have had, or are seeking to have, their rights of citizenship restored the ability also to petition the courts for a certificate of employability for use in obtaining employment. As of July 1, 2014, the law created protection for employers who rely on the certificates from claims of negligent hiring or retention under certain circumstances.

The law sets forth the requirements for the petition to the court for a certificate of employability, including a summary of the petitioner's criminal history as it relates to offenses that disqualify the petitioner from employment or licensing in an occupation or profession, as well as a summary of the petitioner's employment history. A copy of the petition for a certificate of employability form can be found on the Tennessee Administrative Office of the Court's web site at <http://www.tsc.state.tn.us/administration/judicial-resources/forms-documents/court-forms>.

- Vermont – [HB 413 Uniform Collateral Consequences of Conviction Act](#):

The Uniform Collateral Consequences of Conviction Act includes provisions to ensure that defendants are aware of the existence of collateral sanctions before conviction, are reminded of them at release, and provide limited means by which some offenders may obtain relief from many such consequences.

- Washington – [HB 1553 Encouraging Certificates of Restoration of Opportunity](#):

This law creates a process by which a person with a criminal record can be granted a certificate of restoration of opportunity, which removes any professional bar imposed solely as a result of a conviction. Applicants can be eligible at one year, 18 months, two years and five year intervals based on the level of sentencing. Applicants must be fully compliant with all sentencing

requirements imposed by a court including having met all court-ordered legal financial obligations. [Note: This law will be in effect on June 9, 2016]

- Additional state policies and laws are summarized in [State Laws on Use of Arrests and Convictions in Employment](#) (Nov. 2012).