

# **[2017 Session] Help Returning Individuals Restore Their Rights and Ensure a More Successful Transition to the Community Through Certificates of Relief**

## **Policy Background:**

Currently, 10 states use Certificates of Rehabilitation (CoRs) to help previously incarcerated individuals successfully reintegrate into society. In their various forms, these certificates are documents that the state provides, which lift occupational, housing, or other barriers to reentry. While Texas does not currently use CoRs, they offer a promising model to emulate.

**Texas policy-makers should allow the use of similar certificates in Texas, called Certificates of Relief; at the court's discretion, these certificates would provide applicants with a restoration of the rights that were forfeited as a result of their criminal conviction,** including the ability to apply for occupational licenses that would otherwise have been prohibited due to one's conviction.

Individuals eligible to apply for a certificate could include those who were convicted of – or served a term of deferred adjudication community supervision for – a misdemeanor or felony offense, excepting offenses listed in Article 42.12, Subsection 3g of the Texas Code of Criminal Procedure. Restoration of rights would resume after certain periods, depending on offense, according to existing post-conviction time standards.

## **Key Facts:**

- Previously incarcerated individuals who are employed are at least three times less likely to re-offend than those who are unemployed,<sup>1</sup> reaffirming the importance of work during the critical reentry transition.
- When granted and executed, an order of will seal a defendant's record, preventing criminal justice agencies (like courts and police departments) from disclosing to private entities or individuals any criminal history record information related to the offense.

## Relevant Bills:

- **Bill Number:** [HB 1426](#) [Allen, White; Sponsor: Burton]  
**Bill Caption:** Relating to the issuance of a certificate of relief from collateral consequences to certain persons placed on community supervision, including deferred adjudication community supervision.  
**TCJE Materials:** [HB 1426 Fact Sheet](#) | [CSHB 1426 Fact Sheet](#)  
**House Hearing Notice:** [Corrections, March 16, 2017](#)  
**TCJE House Action:** [Testimony in support](#)  
**Senate Hearing Notice:** [Criminal Justice, May 16, 2017](#)  
**TCJE Senate Action:** [Testimony in support](#)  
**Outcome:** *Vetoed; read the Governor's veto proclamation [here](#).*

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<sup>1</sup> Goodwill Industries of Central Texas, *Annual Report 2007*.