

## HOW TO CLEAN UP CRIMINAL RECORDS IN PENNSYLVANIA

*This summary is not meant to be exhaustive and is provided solely for illustrative purposes and under no circumstances should this summary be relied upon without the express, written advice of an independent and qualified attorney following a full legal analysis of all circumstances.*

Adapted from “How to Clear Your Criminal Record” (<http://bit.ly/15owHgb> ) prepared by Community Legal Services, Inc. ([clsphila.org](http://clsphila.org)), March, 2006. Revised on 5/6/2013 by Rev. Ron Tilley, Brethren Community Ministries ([bcm-pa.org](http://bcm-pa.org) ) 717-234-0415 x12 [rtilley.bcm@gmail.com](mailto:rtilley.bcm@gmail.com) for the Capital Region Ex-Offenders Support Coalition ([reentrynow.org](http://reentrynow.org) )

If your record consists of:	Your option is:	The steps to take are:	Additional assistance may be available at:
<p><b>PA misdemeanor and/or felony conviction(s)</b> (whether found guilty, pled guilty, or pled nolo contendere)</p> <p>NOTE: Misdemeanor and Felony Convictions almost never can be expunged. You can get a misdemeanor or felony conviction expunged if you are 70 years old and have not been arrested for 10 years.</p>	<p>To apply for a <b>pardon</b> from the Governor of PA.</p> <p>A <i>pardon</i> is an act by the Governor of PA that erases a conviction from your criminal record.</p> <p>Although it is difficult to get a pardon, you should consider applying for one if you are having employment or other problems because of your criminal record. The process will probably take several years and at least two years. It will cost \$8.00 for an application, an additional \$25.00 in filing fees, \$10.00 to get a Pa. State Police record, \$10.00 for a certified driving record, and the cost of a 2x2 color headshot photo, copies of documents, and postage. But if you are successful, you can have a clean criminal record again.</p>	<p>Check for changes to the Pardon procedure at <a href="http://www.bop.state.pa.us">http://www.bop.state.pa.us</a></p> <p>See “Pardon Me PA” (<a href="http://bit.ly/15ow2es">http://bit.ly/15ow2es</a> ) which is on the Capital Region Ex-Offenders Bulletin board at <a href="http://www.reentrynow.org/whats-new">http://www.reentrynow.org/whats-new</a></p> <p>You'll need to submit a Request for Clemency Application found online at the Board of Pardon's website (<a href="http://www.bop.state.pa.us">http://www.bop.state.pa.us</a> ) more specifically at <a href="http://www.portal.state.pa.us/portal/server.pt/document/1327442/clemencyrequestform.pdf">http://www.portal.state.pa.us/portal/server.pt/document/1327442/clemencyrequestform.pdf</a></p> <p>The Request for Clemency Application must include an \$8 payment in the form of a money order, certified check, cashier's check, institution check, or law firm check made payable to the "Commonwealth of Pennsylvania." You'll also need to include inside a self-addressed business size (#10)</p>	<p>MidPenn Legal Services Harrisburg office for Dauphin and Perry Counties 213-A N. Front St. Harrisburg, PA 17101-2240 (800) 932-0356 (717) 232-0581</p> <p>Carlisle Office for Cumberland County 401 E. Louthier Street, Suite 103 Carlisle, PA 17013 (717) 243-9400 (800) 822-5288</p> <p>See <a href="http://www.midpenn.org/staff.html">http://www.midpenn.org/staff.html</a> for additional MidPenn Legal Services offices for other Counties</p> <p>If MidPenn Legal doesn't provide legal aid services in your county, go to <a href="http://www.palawhelp.org/find-">http://www.palawhelp.org/find-</a></p>

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<p>(cont.)  <b>PA misdemeanor and/or felony conviction(s)</b></p>	<p>Anyone who has a criminal record may apply for a pardon. There are no definite standards for when a pardon will be given. But the majority of people who receive pardons have a record of only one minor offense and it has been <i>at least</i> five years since the individual's completion of time on probation. The most common types of crimes to receive pardons include shoplifting and disorderly conduct. Typically, serious crimes are only pardoned if several decades have passed since the crime was committed. The longer that you have stayed out of trouble, the better your chances of getting a pardon.</p>	<p>envelope with THREE first-class stamps on it.  Send your application to:  Board of Pardons  333 Market St.  15th Floor  Harrisburg, PA 17126  (717) 787-2596</p>	<p><a href="#">legal-help/directory</a>  to look up the legal aid provider in your county.</p> <p>Capital Region Ex-Offenders Support Coalition  (<a href="#">reentrynow.org</a>)</p>
<p><b>PA Summary Convictions and/or Arrests which did not lead to convictions (cont.)</b>  <b>PA Summary Convictions</b></p>	<p>File an <b>expungement</b> petition in the county where the arrest occurred.</p> <p>An <i>expungement</i> is a court order for the state and local police to wipe out arrests and/or summary convictions from your criminal record. This can be extremely useful when seeking employment where certain licenses are</p>	<p>See the FAQs on Expungement in PA (<a href="http://bit.ly/11RmRgn">http://bit.ly/11RmRgn</a> ) which is on the Capital Region Ex-Offenders Bulletin board at <a href="http://www.reentrynow.org/whats-new">http://www.reentrynow.org/whats-new</a></p> <p>Check with the county court to find out the procedure, and contact the Bar Association's Lawyer Referral Service for legal representation if you desire a lawyer. Part of the process will usually require</p>	<p>MidPenn Legal Services  (see above for contact info.)</p> <p>Capital Region Ex-Offenders Support Coalition  (<a href="#">reentrynow.org</a>)</p>

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<p><b>and/or</b></p> <p><b>Arrests which did not lead to convictions</b></p> <p>PA Arrests with the following dispositions may be eligible for expungement:</p> <ul style="list-style-type: none"> <li>• - Withdrawn</li> <li>• - Dismissed</li> <li>• - Nolle Prossed</li> <li>• - Not Guilty</li> <li>• - Disposition</li> <li>• -Unreported/No Further Action Taken</li> </ul>	<p>required.</p> <p>In the case of summary convictions, 5 years without an arrest or prosecution must have passed before filing for an expungement for a summary conviction. Although only misdemeanor and felony convictions may be considered in most instances of employment, the potential employer will probably still see the summary conviction (and possibly be influenced by it) if you don't get it expunged.</p> <p>If the expungement is not granted, appeals may be available.</p> <p>Note: Expungement does not necessarily remove the event record from Pa. Dept. of Transportations' Administrative Records except for Section 6308 convictions.</p>	<p>that you obtain a copy of the criminal record and a certified copy of the disposition from the PA State Police</p> <p>A very helpful guide to expungements in PA can be found on PSU's website: <a href="http://studentaffairs.psu.edu/legalservices/pdf/expungement.pdf">http://studentaffairs.psu.edu/legalservices/pdf/expungement.pdf</a></p> <p>In Dauphin County the link to the Expungements Packet is: <a href="http://www.dauphincounty.org/onlineforms/Expungement%20Packet.pdf">http://www.dauphincounty.org/onlineforms/Expungement%20Packet.pdf</a></p> <p>In Dauphin County: To request a referral to a private attorney who handles expungement petitions for a fee contact: Dauphin County Bar Association 213 North Front Street Harrisburg, PA 17101 <a href="http://www.dcba-pa.org">http://www.dcba-pa.org</a></p> <p>If you wish to represent yourself go the Law Library in the Dauphin County Courthouse and ask for assistance from the employees there to complete the expungement petition. There are two types of Expungement Petitions depending on whether misdemeanor/felony convictions were involved or not. File the correct Expungement Petition</p>	

If your record consists of:	Your option is:	The steps to take are:	Additional assistance may be available at:
<p>(cont.)  <b>PA Summary Convictions and/or Arrests which did not lead to convictions</b></p>		<p>with the Dauphin County Clerk of Courts at the County Courthouse (717-780-6530).            Dauphin County Courthouse            Market &amp; Front Streets            Harrisburg, PA 17101  <a href="http://www.dauphincounty.org/government/Publicly-Elected-Officials/Clerk-of-Courts/Pages/default.aspx">http://www.dauphincounty.org/government/Publicly-Elected-Officials/Clerk-of-Courts/Pages/default.aspx</a></p> <p>NOTE: If you think that there may be an outstanding warrant for your arrest, you should clear it up before requesting your Criminal Record. To clear up an outstanding warrant, contact an attorney or your local public defender.</p>	
<p><b>Special programs where expungement is part of plea bargain for minor first-time offenses</b></p> <p>Program examples include Accelerated Rehabilitative Disposition (ARD) or another type of such as Probation Without Verdict (PWOV) or a County’s “Service Institute”</p>	<p>To file an expungement petition in the county where the conviction occurred (Follow steps above for expungement option).</p> <p>Note: ARD charges should be automatically expunged from your record typically within around 6 months of completing all program requirements. You should wait until at least 6 months have passed before pursuing other options for clearing the charges from your record.</p> <p>Note: Expungement does not necessarily remove the event record from Pa. Dept. of</p>	<p>If you are not sure why the charge is still on your record, contact your probation officer to find out whether you have completed all program requirements. If you have completed all requirements ask for a letter from Probation &amp; Parole stating that you have completed all requirements.</p> <p>If you have successfully completed all requirements, follow the steps for the expungement option. If you have not completed all requirements, you may still file an expungement petition but the District Attorney’s Office may oppose it.</p>	<p>MidPenn Legal Services (see above for contact info.)</p> <p>Capital Region Ex-Offenders Support Coalition (<a href="http://reentrynow.org">reentrynow.org</a>)</p>

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	Transportations' Administrative Records except for Section 6308 convictions.		
<b>A juvenile adjudication</b>	To file an expungement petition. (available under certain conditions)	Follow steps above for expungement option	MidPenn Legal Services (see above for contact info.)
<b>Errors</b> (due to identity theft or other problems)	To get your record corrected.	Pa. Commission on Crime and Delinquency's website with instructions on what to do when someone else appears on your criminal record due to identity theft <a href="http://www.identitytheftactionplan.com">http://www.identitytheftactionplan.com</a>	MidPenn Legal Services (see above for contact info.)  Capital Region Ex-Offenders Support Coalition ( <a href="http://reentrynow.org">reentrynow.org</a> )  District Attorney's Office may also provide assistance with ID theft.