

ABOUT PARDONS

An NWLS attorney can discuss your options and determine whether an application for a pardon is appropriate for your situation.

What is a pardon?

An act by the Governor of PA that is an official act of forgiving a crime.

Who can get a pardon?

In PA, a pardon is generally the only way that felony and serious or violent misdemeanors can be eliminated from your criminal record. Typically, serious crimes are only pardoned if several decades have passed since the crime was committed. The longer you stay out of trouble the better your chances of getting a pardon.

How long is the process and what does it cost?

The pardon process takes several years, but if it is successful, you can have a clean criminal record. The application for pardon can be downloaded for FREE from the Board of Pardons website. A detailed application process follow chart can be found at <https://www.bop.pa.gov/application-process/Documents/Public%20Process%20Flow%20Chart.pdf>.

What factors does the Board of Pardons consider?

The Board evaluates every application on a case-by-case basis to determine if a pardon is appropriate. Nonetheless, the applicant should be

able to demonstrate a reasonable period of time having elapsed since the crime (i.e. sufficient to show rehabilitation) and successful completion of all court imposed requirements such as probation, parole, and payment of all fines/costs. For more information visit

<https://www.bop.pa.gov/Pages/default.aspx>.

More information is available in our “Expungements, Sealing, and Pardons” pamphlet.

ARE YOU EXPERIENCING EMPLOYMENT PROBLEMS?



Northwestern Legal Services provides free legal services to low-income individuals in who have employment-related problems. To see if you are eligible for services, call our New Client Line at:

814-452-6957 (In the Erie Area)

1-800-665-6957 (Toll-Free).

Or apply online at: www.nwls.org

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LEGAL HELP FOR EMPLOYMENT PROBLEMS

THE PENNSYLVANIA STATEWIDE EMPLOYMENT PROJECT

Serving Cameron, Crawford, Elk, Erie, Forest, McKean, Mercer, Potter, Venango, and Warren Counties



The Pennsylvania Statewide Employment Project (STEP)

This project designed to focus civil legal resources in the area of employment law. STEP's goal is to enable low-income clients to maintain economic self-sufficiency.

Northwestern Legal Services has implemented a STEP work plan, which included the addition of an attorney to the Erie office who is dedicated to the goal of STEP and who will provide direct representation and/or counsel for clients in Erie County in employment law and related areas.

Erie County has the largest percentage (about 40%) of poverty-level individuals and families of any county in our-ten-county region, and is home to more diverse communities, such as immigrants and refugees, that present special challenges in the administration of employment law. That being said, law workers throughout our program region will continue to represent clients in employment cases, and STEP will not diminish our commitment to clients in counties outside of Erie.

In addition to Unemployment Compensation cases, another issue of relevance consists of the need to remove "barriers to employment," such as expungements of criminal records and pardons, cases involving access to job training programs and other educational programming, and licensing issues. STEP will address all these areas of employment law and more.

EMPLOYMENT LAW ISSUES COVERED

BARRIERS TO EMPLOYMENT

- Criminal Records — Expungement and Pardons
- Correcting Inaccurate Records and Identity Theft Issues
- Legal Restrictions on Ex-Offenders
- Employment Rights of Ex-Offenders

LOSS OF DRIVER'S LICENSE

- Suspension and Revocations
- Occupational Limited Licenses
- Payment of Motor Vehicle Judgments

JOB PRESERVATION

- The Family & Medical Leave Act (FMLA)
- Expungement of Unsubstantiated Reports of Abuse to Children or Patients

GETTING/PRESERVING INCOME & BENEFITS

- Unemployment Compensation Benefits
- Wage Claims
- Pensions
- Employer-Provided Disability Benefits

ABOUT EXPUNGEMENTS

NWLS will focus efforts to assist clients in obtaining expungements and pardons as a way to facilitate their entrance back into the job market after their "debt to society" has been fulfilled.

What is an expungement?

A court order for state/local police to erase information from certain criminal records.

What kinds of records can be expunged?

You should be able to get non-convictions (i.e. charges were dismissed, withdrawn, nolle prossed, not guilty, etc.) expunged from your record. All summary convictions over 5 years old are also eligible to be expunged if you have been free of arrest or prosecution for any 5 year period following the conviction. Also all financial obligations must be resolved.

What if I have more than summary convictions?

Misdemeanor convictions are not able to be expunged, but they may be sealed under PA's "Clean Slate" bill. Sealing limits who has access to the convictions, but does not remove them from your records. Only law enforcement and state licensing agencies can access sealed information, but the public cannot. To be eligible for sealing, you must have been arrest or conviction free for 10 years and have never been convicted of certain serious offenses, like a felony. Also all financial obligations must be resolved. Additionally, certain misdemeanors began to be automatically sealed in June 2019, and all eligible backlog cases should be sealed by June 2020.

How can I get a copy of my PA criminal record?

Requestors, who desire a Criminal History for an expungement process, should contact the County Court to determine if an "Individual Access and Review" is needed, which has a \$20 fee and can only be requested by mail.