

THE PARDON PROCESS

Applying for a Pardon of a Criminal Record in the State of Pennsylvania

Pardon Eligibility

This guide and application process is only for those who have been charged with a misdemeanor or felony in the state of Pennsylvania. If you have convictions in other states, you must apply for a pardon in the state where the arrest originated. If you were charged with a federal crime, then you must apply for a Presidential Pardon. If you are currently incarcerated, you may apply for a commutation of your sentence.

In addition, all of the fines associated with the cases must be paid off before applying for a pardon. If you are unsure of your balance, you can call the Clerk of Courts in the county where you were arrested for more information.

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For most people, the pardon process is the best option for getting conviction information removed from their criminal record. A pardon represents total forgiveness of a criminal conviction. A pardon does not automatically remove a conviction from your record, but it does allow you to file an expungement once the pardon is granted. A pardon also restores the rights and privileges that were lost as a result of a conviction including: serving on a jury, holding public office, owning a firearm, service in the military, international travel, and employment in various fields. For your convenience, we have broken the pardon process into these 7 steps:

1. Obtain a pardon application
2. Complete your application
3. Mail in your completed application
4. Parole/Probation Investigation
5. Merit Review
6. Public Hearing
7. Governor's Review

The Board of Pardons charges a total of \$33 to purchase and file your pardon application. If you are unable to pay these fees, you may write to the Board of Pardons to request an *In Forma Pauperis* application. Send your letter along with a stamped, self-addressed business envelope to the Board of Pardons, 333 Market Street, 15th Floor, Harrisburg, PA 17126.

Step 1: Obtain a pardon application

A pardon application must be purchased from the Board of Pardons. The application costs \$8.00.

The quickest way to purchase the application is online through the Board of Pardons website (bop.pa.gov). Click on the link to purchase an application, and follow the prompts to download and print the application in a few minutes.

If you would prefer to receive your application through the mail, send (1) a [Request for Clemency Application](#) form along with (2) an \$8.00 money order, certified check, cashier's check, institutional check or law firm check, and (3) a self-addressed 9x12 size envelope

with \$1.40 postage to: Board of Pardons, 333 Market Street, 15th Floor, Harrisburg, PA 17126. Your request for a mailed application will not be processed if any of the three items listed above are not included. Personal checks and cash will not be accepted. This method takes approximately 3 weeks to process.

Step 2: Complete your application

Completing your pardon application will take time, care, and attention to detail. Read the application instructions carefully. You will be asked to answer general questions about yourself and the charges for which you are requesting a pardon. You will also be required to attach a number of documents to your application. Complete the application with care. It will be used to determine whether you will move forward to the next step in the process or not.

THE FOLLOWING DOCUMENTS MUST BE INCLUDED WITH YOUR APPLICATION:

- *Access and Review Pennsylvania State Police Criminal History Record* – Your criminal history record may be obtained by sending a completed SP4-170 form along with a copy of your government-issued photo ID and at \$10 money order or cashier's check to: Pennsylvania State Police Central Repository, 1800 Elmerton Avenue, Harrisburg, PA 17110. It can take up to 6 months for your record to arrive. The record that you include with your application must have been requested less than 1 year ago.
- *Driving Record* – You may obtain your driving record online at [here](#). You may also obtain your driving record through the mail by completing a DL-503 form and mailing it along with a \$10 check or money order to: Bureau of Driver Licensing, PO Box 68695, Harrisburg, PA 17106. If you do not have a Pennsylvania Driving Record, you must inform the Board in a written letter included with your application. If you live out-of-state, you must provide a Driving Record from the state in which you live along with a Pennsylvania Driving Record. Only Full Driver History Records that are less than one year old will be accepted.
- *Court Documents for each arrest* – These documents can be obtained at the court in the county where you were sentenced. For each case, you should include copies of:
 - Criminal Complaint and Affidavit of Probable Cause
 - Criminal Information/Indictment/Charging Document
 - Final Plea or Verdict
 - Disposition/Sentencing Order
 - Proof of payment of all fines, costs and/or restitution
- *Passport-sized color headshot photo* – The most convenient places where you can obtain a headshot photo are CVS or the Post Office.

It is also recommended that you include supporting documents along with your application. These documents may include letters of support, awards, certificates, community service, and any other documents that show the positive changes that you have made in your life since your conviction(s). The Board of Pardon looks favorably upon volunteer experience and community service.

Keep in mind that the pardon process is not designed to determine guilt or innocence. When answering questions regarding your conviction(s), **it is very important that you accept responsibility for the actions and decisions that led to your conviction.** Do not attempt to plead your innocence.

Step 3: Mail-in your completed application

Once you complete the application, you must mail: the original copy of the application; 5 copies of the application; 1 copy of each of your additional documents; and a \$25 money order, cashier's check or certified check. These documents should be sent to: Pennsylvania Board of Pardons, 333 Market St., 15th Floor, Harrisburg, PA 17126.

Do **NOT** staple or bind the pages of your application or supporting documents. It is also recommended that you make an additional copy of your application for your records.

An application is not considered filed until all of the questions have been completed and all of the required documents have been sent. If your application is incomplete, it will be sent back to you for the additional and/or missing documentation. Once your completed application is received, it will be filed within 2-3 months.

Step 4: Parole/Probation Investigation

Once your completed application has been received and filed, an agent from the Pennsylvania Board of Probation and Parole will conduct an investigation on behalf of the Board of Pardons. The agent will investigate the crime(s) for which you are seeking a pardon and set up a meeting with you in your home.

The agent will ask for information on your residence, marital status and family composition, employment history, financial situation, membership in organizations, religious interests, travel, educational history, military service, and community reputation.

Board of Pardons

333 Market Street
15th Floor
Harrisburg, PA 17126
(717) 787-2596
<http://www.bop.pa.gov/>

Links to Forms

SP4-170
[Individual Access and Review Request](#)

DL-503
[Request for Driver Information](#)

Application Checklist

1. Clemency Application Form
2. Access and Review
Pennsylvania State Police
Criminal History Record
3. Driving Record
4. Court documents for each arrest
5. Passport-sized color headshot photo
6. Any supplemental materials

Final Mail-In Checklist

1. Original copy of the application
2. Five (5) additional copies of the application
3. One (1) additional copy of the additional documents
4. A money order, cashier's check, or certified check in the amount of \$25 addressed to the Board of Pardons

It is critical that you make yourself available to and fully cooperate with the investigating agent. **Make sure your answers in the interview are consistent with the answers you gave on your application.** If you fail to make yourself available or provide the requested information to the agent, your pardon application will be administratively withdrawn. After the meeting, the agent will create a report for the Board of Pardons. The District Attorney and Judge in your case will also be contacted to provide their opinion on your pardon application.

Step 5: Merit Review

After all of the necessary reports have been received, your file will be reviewed by each member of the Board of Pardons. The Board of Pardons consists of 5 members: the Lieutenant Governor, Attorney General, a corrections expert, a psychiatrist, and a Victim Representative.

After reviewing your file, each Board member will vote on whether you should be granted a hearing. If the crime(s) for which you are seeking a pardon was a violent crime or was committed while in visible possession of a firearm, 3 out of the 5 Board members must approve your application. All other applicants must receive approval from 2 of 5 Board members in order to move on to the hearing phase. If the applicant does not receive the required amount of votes, then the process ends and the applicant will not receive a pardon.

Step 6: Public Hearing

If your application receives the necessary number of votes you will be granted a public hearing in Harrisburg before the Board of Pardons. You do not need to be represented by an attorney, but you may have one if you choose. You may also bring someone who knows you well to speak in your favor. Each case will follow the format of: (1) Applicant's presentation; (2) supportive speakers' presentation; (3) victim's presentation or anyone in opposition of the application.

You will have 15 minutes to present your case to the Board. During your hearing, the Board will ask questions to determine if you have remorse for your crime(s) and how likely you are to commit future crimes. You will also be asked about how you have changed since the crime(s) was committed and why you need a pardon.

At the end of the hearing, the Board will hold a public vote. If a majority (3 out of 5) of the Board votes in favor of your application, you will receive a pardon recommendation and your application will be sent to the Governor for final review. If less than a majority votes in your favor, your application will be denied.

The Board can consider any number of factors when deciding whether to recommend you for a pardon. These factors include: the length of time since your conviction, whether you have complied with your court requirements, your level of remorse, positive changes you have made since your conviction, your specific need for a pardon, and the impact of the offense on the victim(s).

Step 7: Governor's Review

If the Board recommends you for a pardon, your file will be sent to the Governor for final consideration. The Governor will then review your application and decide whether to grant you a pardon. It is the sole responsibility of the Governor to decide if you will be granted a pardon. The Board of Pardons will notify all interested parties when the Governor has made a decision.

What if my application is denied?

You will be notified in writing if the Board of Pardons denies your pardon application, but you will not be given an explanation. Immediately following your denial, you may request that the Board reconsider its decision. In order to be successful, the applicant must show a significant change in circumstance or another compelling reason that would justify reconsideration. Dissatisfaction with the denial is not sufficient.

If it was your first denial, you may reapply for a pardon when 12 months passes from the date of the denial. If you have been denied twice, you must wait 24 months from the date of your denial to reapply.

What if my application is granted?

If the pardon is granted, then it is your responsibility to file for an expungement of your case(s) with the pardon documentation. You can file for an expungement on your own, through an attorney, or through a legal aid organization. Local organizations that you can contact for an expungement:

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1501 Cherry Street
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Expungement clinics are held monthly at the People's Emergency Center and the Drexel Dornsife Center in West Philadelphia, visit the website for more information
<http://plsephilly.org>

Defender Association of Philadelphia

1441 Sansom Street
Philadelphia, PA 19102
(215) 568-3190
<http://www.philadefender.org/>

Community Legal Services of Philadelphia

1424 Chestnut Street
Philadelphia, PA 19102
(215) 981-3700
<https://clsphila.org>
Walk-in hours
M-F 9am-12pm