

Pennsylvania Bar Association Strongly Urges PA Board of Pardons To Stop Asking About Juvenile Records In Clemency Applications

May 8, 2020 – Philadelphia Lawyers for Social Equity (PLSE) announced today that the House of Delegates of the Pennsylvania Bar Association (PBA) voted overwhelmingly to recommend to the Pennsylvania Board of Pardons (BOP) that it stop asking all applicants about any interactions they might have had with the Juvenile Court when they were minors. The House’s approval (with 88% in favor and only 5% opposed) occurred after the PBA’s Board of Governors voted unanimously earlier in the week to support the recommendation. It is a change that PLSE has been seeking for over two years.

“This is a very important issue for Pennsylvania,” said Wesley R. Payne, IV, Vice Chancellor of the Philadelphia Bar Association and the Zone One Governor of the PBA. “Every citizen should have the opportunity to get the best education and housing, and take the best job, that they are qualified for. It does none of us any good,” he continued, “to block them from those opportunities, or to have to come up with government programs to help them where they could be helping themselves.”

Six weeks ago, Lori E. McMaster, the President of the Allegheny County Bar Association in Pittsburgh, had written to the Board of Pardons to express her Association’s “strong opposition” to the practice. “Charges that were lodged against children are all specifically and intentionally intended to not be used against anyone for any purpose other than for exceptions that are specified by statute, none of which applies to applications for pardons,” she wrote. “There is long-standing public policy against subjecting individuals who made mistakes or exercised poor judgment as a child to the consequences of their decisions following them throughout their lives.”

The PBA’s action comes less than a month after The Economy League of Greater Philadelphia released a [study on pardons in Pennsylvania](#), and found that granting more pardons, more quickly, would add millions of dollars to the economies of communities all across the state. That report concluded, “Expanding the use of pardons stands to economically improve the individual lives of those who were once convicted of crime, the communities in which they live, and the Commonwealth as a whole.” The full report can be found at economyleague.org/pardonimpact.

“We are gratified that the Pennsylvania Bar has made this recommendation with such a strong voice,” said Hon. A. Michael Snyder (Ret.), Chancellor of the Philadelphia Bar Association. “[Our Board of Governors unanimously took this position in January 2019](#).” The voices of the legal profession’s leadership are now united across Pennsylvania in saying that our government should not be making a second chance contingent on having to disclose to the public the bad things they did when they were minors. We urge the Board of Pardons to make this important change as soon as possible.”

[The Board of Pardons has made many changes to its form](#), policies and procedures over the past year and the number of applications has almost doubled. Since March 2019, the Board has recommended that the Governor grant pardons in more than 85% of the cases it has heard.

The full text of the PBA Recommendation, which was written by PLSE, can be read [here](#).

ABOUT PLSE: PLSE provides free legal representation to low income residents of Philadelphia whose criminal records are holding them back from achieving their potential as productive, contributing citizens. The services include seeking expungements in criminal court and pardons from the Governor, educating elected and community leaders, creating community-based Pardon Hubs, and empowering under-resourced communities to seek a greater voice and needed systemic reforms. In May 2017 PLSE received from the Pennsylvania Bar Foundation the Louis J. Goffman Award for exemplary pro bono (volunteer) service. Since then, it has helped over 2500 low-income Philadelphians expunge (erase) their criminal history records and trained over two dozen community non-profits as Pardon Hubs to help people apply for pardons.

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