



CITY OF PHILADELPHIA

LAW DEPARTMENT
One Parkway
1515 Arch Street
Philadelphia, PA 19102-1595

MARCEL S. PRATT
Philadelphia City Solicitor
(215) 683-5003
marcel.pratt@phila.gov

Remarks of the Hon. Marcel Pratt
in support of
The Philadelphia Bar Association Resolution
Calling on the Pennsylvania Board of Pardons to Refrain from
Requesting, Investigating or Considering Expunged, ARD and Juvenile Court Records
in Pardon Proceedings Involving Non-Incarcerated Applicants
January 29, 2019

This Resolution comes before you today with the endorsement of the Business Law Section of which I am the Chair. It also has the endorsement of the Criminal Justice Section, the Public Interest Section and the Family Law Section, as well as the Young Lawyers Division. More than just unified across every section that has any interest in the subject matter, the vote in every executive committee of every section and division was unanimous in favor.

With that as the introduction, it might be sufficient if someone were to move the question, and for you all to vote. But as the City Solicitor of the City of Philadelphia, I want you to understand the importance of this Resolution; and as the Chair of the Business Section, I want you to understand that this is not about criminal justice, but poverty, and the financial health of our city, and your tax dollars.

We are a tale of two cities. Philadelphia is clearly on an upswing, with a growing population, an influx of new investment, and rising household incomes. Yet at the same time, a great many of our city's residents are struggling. More than a quarter of us —about 400,000 people—live below the poverty line. For an adult with two children at home, that line is drawn at \$19,700 per year – a paltry \$1,058 per month. Just think about how low that number is. Imagine having to live on it, and support two children.

Philadelphia has the highest percentage of its people living in poverty among the 10 largest cities in the country, at 26%. While other cities have seen their rates go down, ours has stayed the same for 5 years, despite all the money you and I and our city spend to try to change that. Philadelphia also has the highest rate of “deep poverty” in the country – people whose incomes are half the poverty rate, or less.

One of the largest contributors to persistent poverty are criminal histories – arrests and convictions of crime. The United Way of Greater Philadelphia and Southern New Jersey has now identified removing criminal histories as a key strategy for ending multi-generational poverty.

It is estimated that 25% of all Philadelphians have been arrested and therefore have a criminal record – but in our city’s low-income, high-arrest, and typically heavily minority neighborhoods, that percentage rises to close to 60%. With 60% of a neighborhood’s adults having a criminal record, it’s not hard to understand why they cannot get jobs – and it’s not difficult to understand why there isn’t enough money coming into low-income communities to support bodegas and other small businesses. But it’s more than just how many people get arrested.

Pennsylvania has the fifth largest population of incarcerated people and the third largest population of people under carceral control (including those on parole and probation) in the country; and Pennsylvania has the highest incarceration rate in the northeast. During the 4-year period 2012 and 2015, between 24,000 and 26,000 people returned to Philadelphia from incarceration in local, state, and federal jails and prisons. That is not a total – that was every year. The four-year total was over 100,000. Eighty percent of them were from city jails. Of those who were released from Pennsylvania state prison to a Philadelphia address, 91% were released to addresses in poverty areas. The problem keeps feeding itself.

This means that even if our police and our DA work together to reduce the amount of arrests and convictions, reducing the number of people who get incarcerated, and even if the prison populations go down, the historic problem of mass incarceration will continue to make things worse for Philadelphia for years and decades to come.

Every year, we as a city – and you as its taxpayers – invest tens of millions of dollars in efforts to combat poverty. We know that the best way for people to get out of poverty is for them to have jobs and get themselves out of poverty. And something else we know: no matter how good the workforce development program is, no matter how committed the person is to success, all of that means nothing if they cannot get the interview for the job, or the offer, or the big step up into a new career because of their criminal record.

For us, in Philadelphia, removing criminal records is not just the right thing to do for individuals, and not just the right thing to do for their families: it is a ***critical and essential neighborhood investment strategy. We have to get people working at their highest and best levels.*** And best of all, removing their stigma costs us nothing - it’s entirely free. People deserve second chances. Pardon reform is key.

Respectfully,



Marcel S. Pratt
Philadelphia City Solicitor