

# The Promise's Record Clearing Initiative: Six Months of Progress in Philadelphia

March 2023

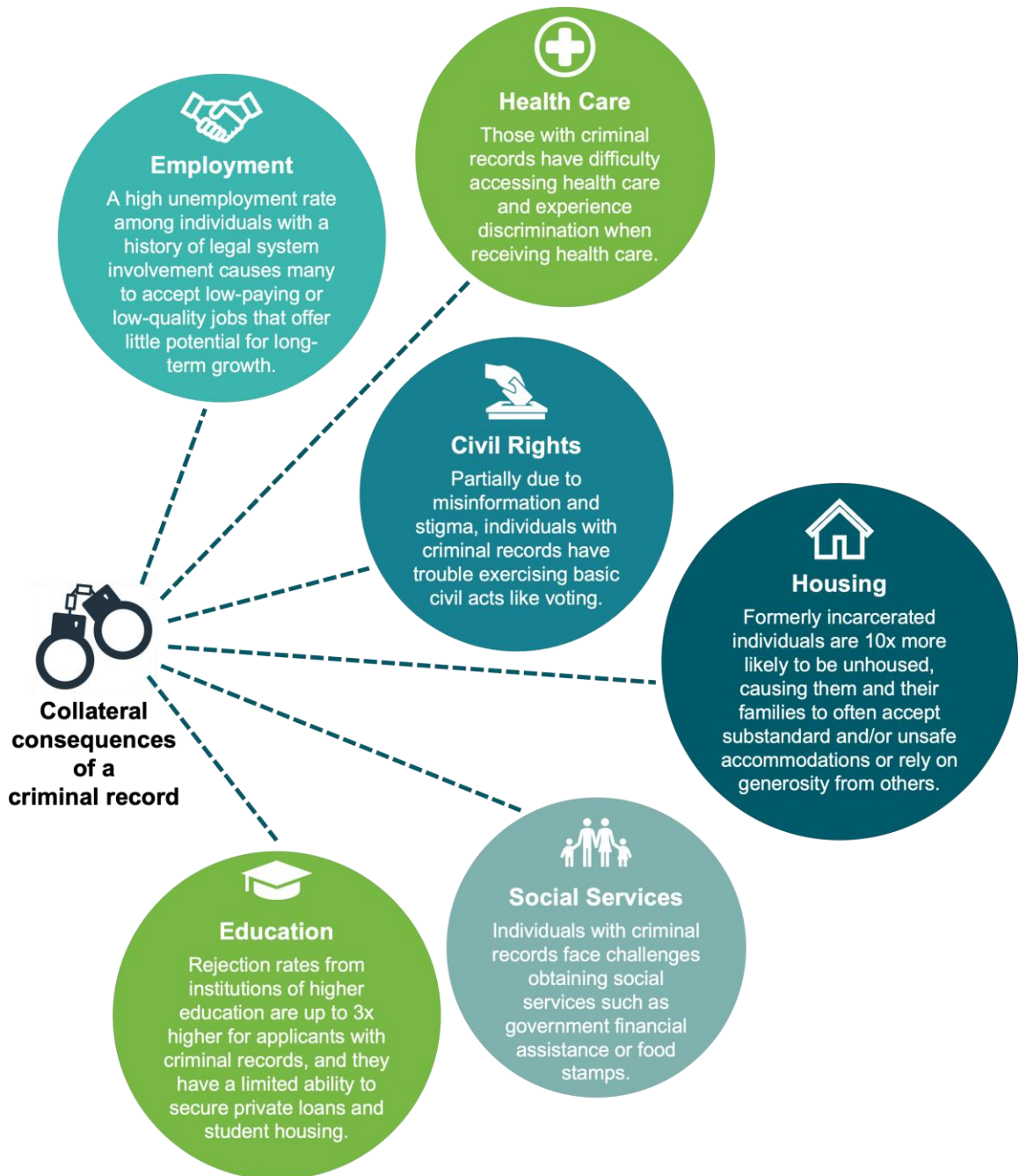


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# The Damage Caused by a Criminal Record



## *Longer-Term Consequences*

As a result of these various consequences, many individuals with a criminal record history and their families suffer from instability and intergenerational poverty, which can trap them in uncertain and unsafe situations.

# An Initiative to Expand Access to Record Clearing

Informed by research ranking potential anti-poverty interventions by their strategic impact and feasibility, **United Way of Greater Philadelphia and Southern New Jersey**, in partnership with the City of Philadelphia, launched *The Promise*, an innovative public-private partnership dedicated to increasing economic mobility for Philadelphians.

## The Promise

THE PHILADELPHIA POVERTY ACTION FUND

In May 2022, The Promise launched *The Jobs & Opportunities Challenge*, which seeks to remove barriers to quality employment by supporting **partnerships among 17 community-based organizations and three legal organizations** to provide access to free legal services aimed at clearing criminal records via sealing, expungements, and pardons.

### Partnering Legal Organizations



**PHILADELPHIA  
LAWYERS for  
SOCIAL EQUITY**

As part of this initiative, local organizations are hosting **35 community events** that include **free legal clinics**, where community members meet individually with legal representatives to assess their record clearing eligibility and obtain support and/or representation.

In this report, **we summarize** available record clearing options and information about the record clearing clinics that were held in the initiative's first 6 months, including the number of individuals who attended, clinic locations, and some background information about attendees.

# Summary of Record Clearing Options in Pennsylvania

Pennsylvania  
Courts

Sealing

## Description

Prevents the public from accessing criminal records.

## Process

Often automatic; otherwise, file a court petition and pay a fee (unless waived for indigency).

≈ **12-18 months**

## Eligibility

- Cannot seal certain serious misdemeanor convictions or any felony convictions.
- Cannot seal misdemeanor convictions from the past 10 years.
- Cannot seal cases for those who owe restitution.

Pennsylvania  
Courts

Expungement

Judicial order permanently erases a criminal record from state databases.

File a court petition and pay a fee (unless waived for indigency).

≈ **18-26 months**

- Largely, only for charges not resulting in conviction.

## Eligible convictions include:

- Summary convictions for those with no additional arrest or conviction in past 5 years.
- If age 70+ and has no arrest or conviction in past 10 years.

Pennsylvania  
Pardon Board

Pardon

Governor's order "forgives" a criminal record.

Submit comprehensive application, complete interviews, and attend a Board hearing. Requires post-pardon expungement.

≈ **4-5 years**

- Not eligible if currently under court supervision.

- Must pay court fines and costs before pardon recommendation to Governor.
- Not an official regulation, but individuals with a more distant history of system involvement tend to have greater success obtaining a pardon.

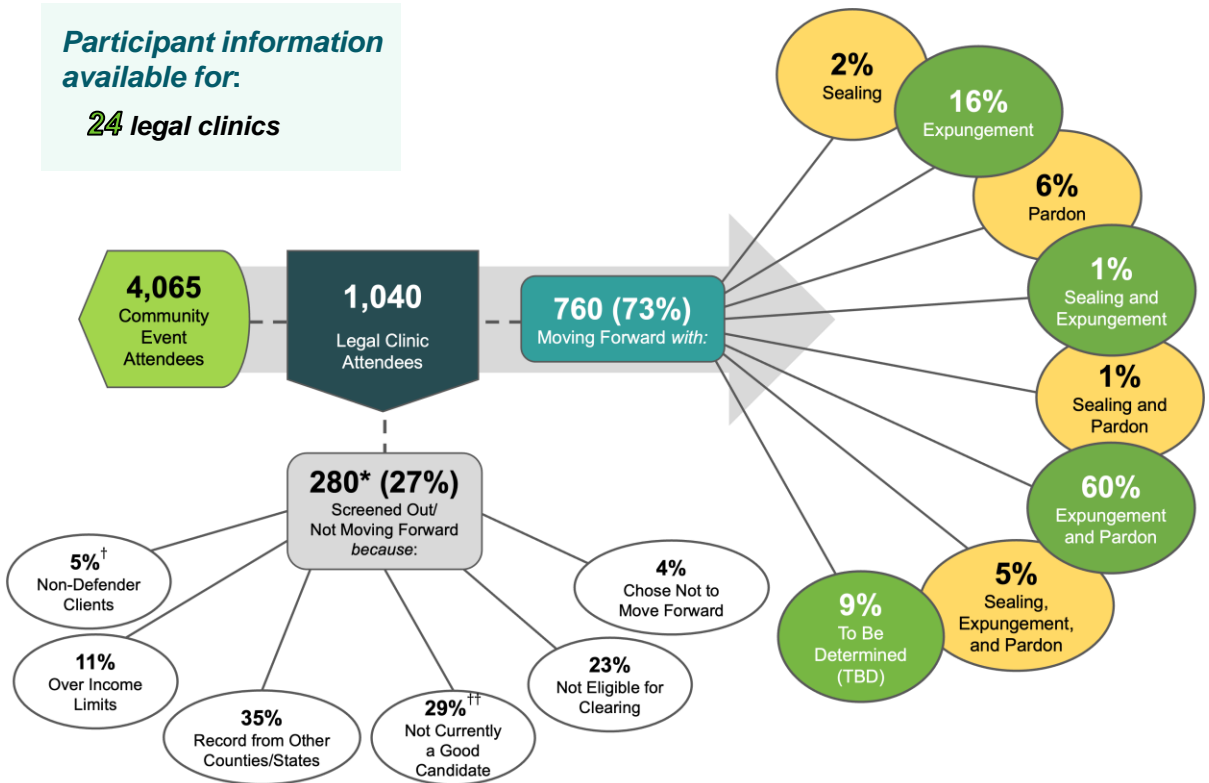
# Philadelphia Record Clearing Initiative

To facilitate individuals taking advantage of record clearing opportunities offered by Pennsylvania's executive and judicial branches, The Promise and United Way of Greater Philadelphia and Southern New Jersey are supporting multiple community events with record clearing clinics across Philadelphia, staffed by representatives from local legal organizations and hosted by community-based organizations across the city. Participation data are continually being gathered as clinics are held.

As of **December 1, 2022**, **25 community events** were held as part of the Promise initiative. This summary includes data currently available from 24 of those events and will be updated as additional clinics are held.

## Participant information available for:

**24 legal clinics**



\* Some individuals' cases did not move forward for multiple reasons; thus, the sum of percentages across reasons exceeds 100%.

† As the city's public defender, the Defender Association can only represent individuals they have previously represented. Anyone who did not meet this criterion at a Defender Association clinic was referred to another legal organization for assistance.

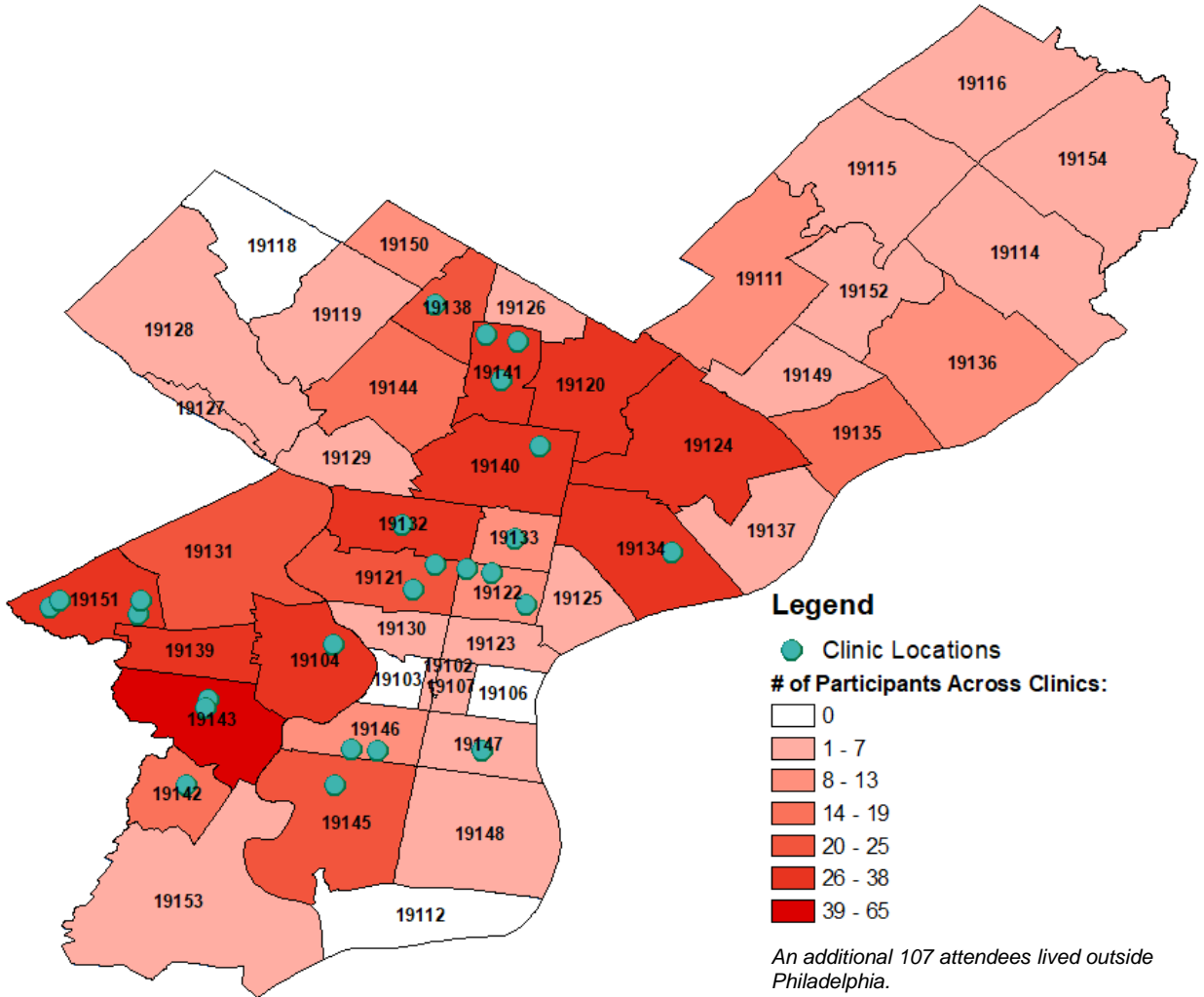
†† Individuals might be considered "not currently a good candidate" for multiple reasons, such as having a recent or very serious case. Legal organizations then typically recommend waiting before pursuing record clearing options.

**Nearly three-quarters** of clinic attendees who have met with legal representatives, thus far, are moving forward with some form of record clearing, with most seeking **both expungement and pardon**.

# Legal Clinic Attendance across Philadelphia as of 12/1/2022

Zip code information available for:

**856** attendees at **25** legal clinics



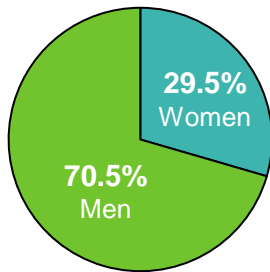
## Clinic Dates

2022

May 21	July 16 (2)	August 20	September 15	October 1	November 12
June 4	July 23	August 27	September 17	October 15	November 19
June 10	July 29	September 3	September 22	October 22	
June 19	August 13 (2)	September 10	September 24 (2)	October 29	

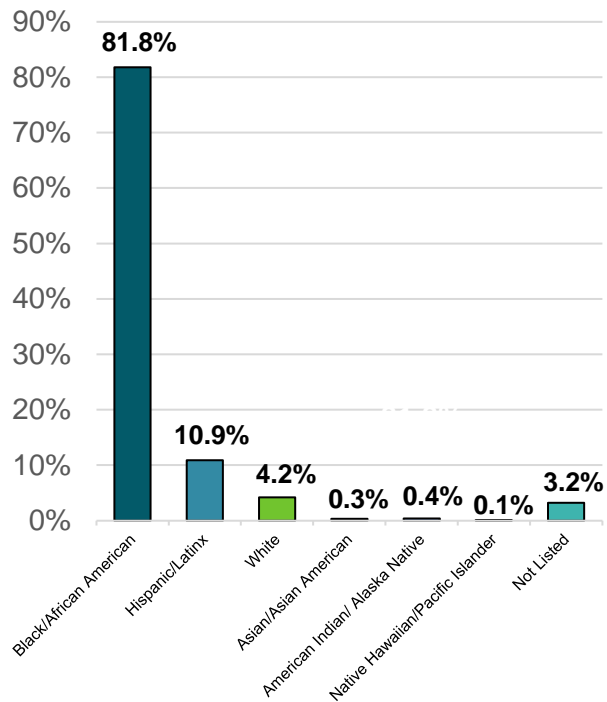
# Characteristics of Legal Clinic Attendees

## Demographics\*



The vast majority (**71%**) of clinic attendees were men; most attendees identified as Black/African American (**82%**).

\* *Demographic data available for 740 participants*



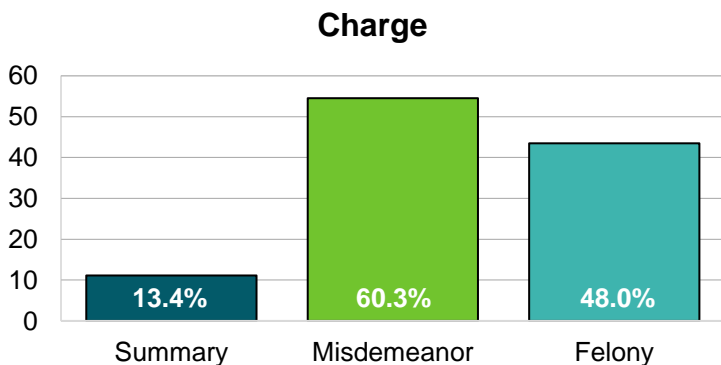
## Time Range of Arrest Records



Attendees' first recorded arrests dated back to **1963**; for some individuals, even their most recent arrest dated back **more than 50 years**.

## Types of Charges

More than half of clinic attendees had at least one **misdemeanor conviction** on their records; less than half had at least one **felony conviction**.



# Moving Forward: The Evaluation Process

Partnering with *The Promise* and *The Knowledge Center at the United Way of Greater Philadelphia and Southern New Jersey*, the **Juvenile Justice Research and Reform (JJR&R) Lab at Drexel University** is conducting an evaluation of the ongoing record clearing initiative.

At every legal clinic, JJR&R Lab members recruit attendees pursuing record clearing, asking them to complete surveys over the course of two years following the clinic. These **surveys gauge the impact of having a criminal record** (e.g., on employment, housing, system involvement, self-esteem) and will assess participants' **experiences as they move through the record clearing process**.

In addition to self-report information, the JJR&R Lab **will compare employment and criminal legal system outcomes** of individuals participating in record clearing clinics with non-participants who have similar legal histories by obtaining and examining administrative data from publicly available databases operated by the Administrative Office of Pennsylvania Courts and the federal Criminal Justice Administrative Records System.

## *For more information:*

[The Promise's Record Clearing Website](#)

[United Way of Greater Philadelphia and Southern New Jersey \(UWGPSNJ\)](#)

[Juvenile Justice Research and Reform \(JJR&R\) Lab](#)

[Community Legal Services \(CLS\)](#)

[Defender Association of Philadelphia](#)

[Philadelphia Lawyers for Social Equity \(PLSE\)](#)



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