



MEMORANDUM

Eastern Region Office
PO Box 60173
Philadelphia, PA 19102
215-592-1513 T
215-592-1343 F

Central Region Office
PO Box 11761
Harrisburg, PA 17108
717-238-2258 T
717-236-6895 F

Western Region Office
247 Fort Pitt Blvd
Pittsburgh, PA 15222
412-681-7736 T
412-681-8707 F

TO: The Senate Judiciary Committee
FROM: Andy Hoover, Legislative Director, ACLU of Pennsylvania

DATE: May 9, 2016

RE: SUPPORT FOR SENATE BILL 1197 (WAGNER-WILLIAMS)

On Tuesday, the Senate Judiciary Committee is scheduled to consider Senate Bill 1197. Introduced by Senator Wagner, Senator Williams, and a bipartisan group of co-sponsors and known as “clean slate,” SB 1197 would automatically seal from public view certain criminal records if the person has not been convicted of another crime over a period of years. The American Civil Liberties Union of Pennsylvania supports SB 1197, and on behalf of the 23,000 members of the ACLU of Pennsylvania, I respectfully urge you to vote “yes” on this bill.

Under current law, Pennsylvanians with a conviction for a summary offense and most second- and third-degree misdemeanors can file a motion with a court to have the offense expunged or sealed. Although ACLU-PA has supported these provisions as advancements in law at the time, the current process is burdensome for the person, as it requires him to go back to court and to pay a fee for the effort.

SB 1197 streamlines that process by making the sealing of the record automatic. The record would then be unavailable to members of the public, such as employers and landlords, while still being accessible to law enforcement, in the event of a future investigation. The record would be sealed after five years for a summary offense, after ten years for a misdemeanor (except for violent and sex offenses), after 60 days for charges that do not lead to conviction, and after seven years for juvenile adjudications.

Nearly one in three Pennsylvanians has a criminal record. The reverberations of a criminal conviction go well beyond the time a person serves in jail or prison, on parole, or on probation. The shadow of a conviction, even for the most minor of crimes, can follow a person into the workplace, to school, and to their home life, adding an additional hurdle to securing the basic needs of everyday living.

If the goal of the commonwealth’s criminal justice policy is to reduce crime, SB 1197 advances that effort by lessening burdens on people with minor criminal records as they move on with their lives. Please vote “yes” on SB 1197.