Is Your Past Holding You Back?

Applying for a Pardon

Provided by:

WCBA The Wayne County Bar Association

Pro Bono Partnerships

Nov. 2025

This pamphlet is provided by the Wayne County Bar Association as a general resource guide for the public.

The information in this pamphlet does not take the place of legal advice from an experienced attorney.

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Any time your legal rights are at issue, you should consult with an attorney. There are many experienced attorneys in Wayne County who can help you. You can find them at waynecountypalawyers.com/members.

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If you cannot afford an attorney, you may qualify for free assistance. waynecountypalawyers.com/pro-bono-program.

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Additional information about pardons is available at pardonmepa.org/wayne.

What is a pardon? In Pennsylvania, a pardon is the total forgiveness of a crime. It totally erases your conviction like it never happened. When you are granted a pardon, you regain any rights or privileges you lost due to your PA conviction(s). Unless you have non-PA convictions, or are convicted again in the future, you never again have to "check the box."

Who can apply for a pardon? While anyone with a PA criminal record can apply for a pardon, pardons are usually only given to people who have completed their sentences ***and*** have a record of either (1) only minor offenses, the last of which was at least five years ago, or (2) a more serious offense that was committed at least ten years ago.

What factors are considered in deciding whether to grant a pardon? Among other things, the seriousness of your offense, the amount of time that has passed since you completed your sentence, and proof that you have "learned your lesson" and changed as a person are factors that will influence whether you are granted a pardon in Pennsylvania. You may also include in your application for a pardon the kinds of problems that your criminal record is causing you, such as in finding employment.

Does a pardon automatically remove all Pennsylvania convictions from my record? Yes!

What are the benefits of a pardon? Many people apply for a pardon because their criminal record is causing difficulties in finding a job or getting a promotion. There are many other benefits of getting a pardon:

- Different careers,
- Better housing,
- Training and education,
- Loans and scholarships,
- Volunteering,
- Hunting,
- Travel, and
- Restoring your reputation.

How long does a pardon take? The application is free and easy to complete, but the process is very slow. The sooner you apply, the sooner you will get a decision.

Steps for Applying for a Pardon in Pennsylvania

Step 1: Consult with an attorney. An attorney can help you get through the process and make sure you do your best. Resources for finding an attorney can be found on the inner cover of this pamphlet. You can also contact Wayne Pike Workforce Alliance, 107 8th Street, Honesdale (info@wpworkforce.org).

Step 2: Get an application. You can download or print an application from the PA Board of Pardons website (bop.pa.gov). The form is a "fillable PDF" so you can type your information right into the form.

Step 3: Write your Personal Statement. This is your chance to explain what led you into crime, what has changed since then, and why you believe you should now be forgiven and allowed to pursue your potential. Make sure it's the very best statement you can give!

Step 4: Get the documents you'll need. You must attach the following documents (for each PA conviction) to your application:

- Criminal complaint,
- Affidavit of probable cause,
- Criminal information/indictment,
- Final plea or verdict,
- Sentencing order, and
- Your current court debt.

These documents are available from the courthouse of the county in which you were convicted. You should also collect letters of support, certificates or diplomas from education or training programs, and other things that show positive changes in your life.

Step 5: Complete, sign, copy, and submit your application and all attachments. Everything needs to be sent to the Board by email (BOPclemency@pa.gov) or mail (Pennsylvania Board of Pardons, 333 Market Street, 15th Floor, Harrisburg, PA 17126). Be sure to keep a copy – a PDF is best.

Step 6: Arrange to pay any unpaid court debt. Unpaid fines, fees, or restitution may slow things down and could mean you won't get a pardon. Make arrangements now with the court to start paying your debt through a schedule you can keep. If you are indigent, you can file a motion to reduce or eliminate your court debt (but not any restitution you owe to victims – that must be paid).

Step 7: Board reviews and processes your application. You will receive a letter confirming that the Board of Pardons has received your application and giving you an Application Number. If your application packet is incomplete, they will call you. When your application is accepted, they will give you a new "C-" number. Be sure to use this number if you send in any new information.

Step 8: Department of Corrections investigates. Staff from the D.O.C. will interview you, the D.A., the judge, the victim, and others.

They will send you a letter identifying the information they will want to get from you. An attorney can be very helpful in preparing you for your interview.

Step 9: Board conducts Merit Review. The Board evaluates your application and votes in public on whether to grant you a public hearing. You need 2 of 5 votes to get a hearing.

Step 10: Board holds a public hearing and votes. If a hearing is granted, it will be held virtually. At the hearing, the members of the Board get to ask you any questions they want. The Board then votes on whether to recommend you to the Governor. You need 3 of 5 votes to get to the Governor.

Step 11: Governor makes the final decision. The Governor is the only one who can grant a pardon, and there are no rules on how or when. If the Governor signs your pardon, the court will automatically order that all information about your PA arrests and convictions be erased.

WCBA The Wayne County Bar Association

The Wayne County Bar Association serves as a one-stop-shop for individuals seeking professional legal counsel.

waynecountypalawyers.com

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Pro Bono Partnerships, Inc. is the non-profit legal aid subsidiary of The Wayne County Bar Association.

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