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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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PA LEGISLATIVE BLACK CAUCUS,
CHAIRMAN

MEMORANDUM

DATE: January 24, 2011

TO: All Members of the House of Representatives

FROM: Rep. Ronald G. Waters

SUBJECT: Expungement of Record for the Wrongfully Convicted

Imagine spending 10, 20 years in prison for a crime you didn't commit. You fight for DNA testing which eventually provides irrefutable proof of your innocence and charges are withdrawn. Finally, you are freed with nothing more than the shirt on your back and the change in your pocket you came to prison with. No apologies, no compensation. You have the grace to put it all behind you and move on with your life. You try to make up for lost times with your family...reacquaint yourself with the community and church. You're back in the real world and need a job. But wait...the nightmare isn't over.

No one will consider hiring you because you're a convicted felon. You've spent years in prison. You MUST have been guilty. Why would you have a record otherwise?

Because in the Commonwealth of Pennsylvania, current law completely fails to address individuals exonerated of crimes post conviction. In fact, section 9122 (b) of the crimes code dictates that criminal history records cannot be expunged unless the individual has reached the age of 70 and is free of arrest for 10 years or he has been DEAD for three years.

I plan to introduce legislation that rectifies Pennsylvania's unfair and inflexible expungement law with respect to those who have been wrongfully convicted and subsequently exonerated.

To co-sponsor, please contact Danielle Bowers at 772-6955 or dbowers@pahouse.net.

Thank you.