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# Rap Sheets

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## What Is A “Rap Sheet”?

If you have ever been arrested in Pennsylvania and fingerprinted, you have a Pennsylvania rap sheet. A “rap sheet” or “yellow sheet” is a record of your arrest and conviction history in Pennsylvania. Rap sheets are maintained by the Pennsylvania State Police Central Repository (PSPCR) in Harrisburg. Each time you are arrested and fingerprinted, the police department sends a report of the arrest to PSPCR.

PSPCR keeps track of arrests made in Pennsylvania only. Criminal cases from other states and federal cases will not appear on your Pennsylvania rap sheet. The FBI keeps a complete list of your arrests in all states, and your PSPCR file will have a notation of your FBI computer code number.

The state and local courts send information to PSPCR as well. After a judge has entered a final decision in your case, the court contacts PSPCR to report the outcome of the case. This information is also known as the “disposition” of the case. There are many different dispositions that could appear on your rap sheet. Some common dispositions include “CONVICTED UPON A PLEA OF GUILTY,” “DISMISSED,” and “NOLLE PROSEQUI.”<sup>1</sup>

**Remember:** You will still have a PSPCR record even if your case was dismissed, you were acquitted, your case was nolle prossed, or you were convicted but served no time in jail.

## What Is A Conviction?

A conviction is a *guilty plea or a court’s finding of guilt for a criminal offense*. An “offense” is any disposition for which a fine or imprisonment may be ordered. Criminal offenses are limited to misdemeanors and felonies.

In Pennsylvania the following types of offenses are recognized and may appear on your rap sheet:

**1. Summary offense:** a minor offense for which a person may be sentenced to a term of imprisonment for not more than 90 days. Common summary offenses include disorderly conduct, criminal mischief, underage drinking, and a **first** offense for retail theft of goods valued at less than \$100 (shoplifting). Conviction of a summary offense is considered conviction of a crime if the individual is sentenced to any period of incarceration.<sup>2</sup>

**2. Misdemeanor:** a lesser criminal offense, for which a person may be sentenced to a term of imprisonment of not more than five years. Common

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<sup>1</sup>A “nolle prosequi” is a discontinuance based on the prosecutor’s decision to not prosecute the case. The accused is cleared of the charges, wiping the slate clean. To reinstate charges against the accused following nolle prosequi, the Commonwealth must seek a new indictment.

<sup>2</sup> 18 PA. CONS. STAT. ANN. § 106.

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misdemeanors include certain drug possession offenses, driving under the influence of alcohol, certain kinds of theft, and prostitution. Conviction of a misdemeanor is considered conviction of a crime.<sup>3</sup> Misdemeanors are categorized by degree of seriousness as Class “1,” “2,” or “3.”

**3. Felony:** a serious offense, for which the length of imprisonment varies according to crime. Some common felony charges are possession or sale of certain drugs, auto theft, burglary, and robbery. Conviction of a felony is considered a conviction of a crime.<sup>4</sup> Felonies are categorized by degree of seriousness as Class “1,” “2,” or “3.”

### Special Dispositions Of Charges

Often criminal charges are disposed of by means other than a conviction or acquittal at trial. These dispositions include:

**1. Dismissal:** the equivalent of an acquittal. All charges are dropped and the accused retains the same status he or she had prior to the arrest.

**2. Accelerated Rehabilitative Disposition (ARD):** The court defers the criminal proceeding against an accused person and places him or her on a form of probation for up to two years, or requires him or her to fulfill other conditions (such as paying restitution). If the person successfully completes probation or fulfills the other conditions imposed by the court, charges will be

dismissed. Dismissal of these cases is not automatic; a person must apply to the court to get a dismissal. However, once an individual’s ARD case is dismissed, expungement of the records should be automatic. An ARD case is not a conviction if it is dismissed.<sup>5</sup>

### 3. Nolle Prosequi or Prosecution

**Withdrawn:** a dismissal based upon the prosecutor’s decision not to prosecute the case. The accused is cleared of all charges.<sup>6</sup>

**4. Suspended Sentence:** a conviction in which the court assigns a sentence but then waives the person’s obligation to serve it.

In addition, certain special dispositions are available for persons who are found by the court to be drug dependent. These include:

**1. Probation Without Verdict (PVD):** A drug dependent individual charged with a non-violent drug offense may be given “probation without verdict” if he or she has not been convicted previously of any other drug offense. In these cases, the court defers the criminal proceeding against the accused person and places him or her on probation for a specified time (not exceeding the maximum sentence for the offense in question). If the person successfully completes the probation, the court will dismiss the charges, and the disposition is not considered a conviction. This disposition is available to an individual only once.<sup>7</sup>

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<sup>3</sup>18 PA. CONS. STAT. ANN. § 106.

<sup>4</sup>18 PA. CONS. STAT. ANN. § 106.

<sup>5</sup>PA. R. CRIM. P. RULES 178 and 320.

<sup>6</sup>PA. R. CRIM. P. RULES 313.

<sup>7</sup>35 PA. CONS. STAT. ANN. § 780-117.

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**2. Disposition in Lieu of Trial:** available only to individuals who are drug dependent or who abuse drugs, and are charged with a nonviolent crime. In these cases, the court may withdraw or hold the criminal charges in abeyance on the condition that the accused person participates in a drug treatment program for a specified time (not exceeding the maximum sentence for the offense in question). At the end of that time, the charges will be automatically dismissed. This disposition is available to an individual only once.<sup>8</sup>

**3. Disposition in Lieu of Criminal Punishment:** available to individuals who are drug dependent or who abuse drugs, and have been convicted of an offense. In these cases, a court may give the individual a suspended sentence and probation instead of imprisonment, on the condition that he or she participate in a drug treatment program.<sup>9</sup>

## Who Can See Your PSPCR Rap Sheet

Pennsylvania is an “open” state, which means that your rap sheet is distributed to anyone who wants to see it.

**Criminal justice agencies** can access an individual’s complete criminal history, including all arrests and convictions.

Criminal justice agencies include police departments, courts, prosecutors, correction facilities, and probation and parole offices.

**Noncriminal justice agencies and individuals** can obtain all conviction and unexpunged arrest information. Arrest records can be expunged if:

- three years have elapsed since the date of the arrest;
- no conviction has occurred; and
- no proceedings are pending seeking a conviction.

For more information on expungement see p. 11.

**Occupational licensing agencies** can consider conviction history when determining the eligibility of an applicant for a license, certification, registration or permission to engage in a trade, profession, or occupation. For more information on occupational licensing and/or statutory bars, see p. 20.<sup>10</sup>

**You** have the right to see your own rap sheet. You are entitled to your complete criminal history, including all convictions and all arrests that have not been expunged. The process to obtain and review your rap sheet is explained on p. 4.

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<sup>8</sup> 35 PA. CONS. STAT. ANN. § 780-118.

<sup>9</sup> 35 PA. CONS. STAT. ANN. § 780-118.

<sup>10</sup> 18 PA. CONS. STAT. ANN. § 9124.

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## Why You Should Review Your Rap Sheet

There are three good reasons for reviewing your rap sheet.

### **1. You can check for mistakes.**

Rap sheets are often incomplete and contain mistakes that can affect your ability to get a job if they are seen by an employer or others. You can correct errors before this happens, if you review your record.

For example, your criminal record may contain an arrest charge that was never prosecuted against you. Information concerning this arrest can be expunged from your record. See p. 11.

### **2. You may not remember everything.**

Pennsylvania law permits employers to ask job applicants about their criminal history. If you do not answer truthfully and completely and the employer finds out, you can be denied a job or fired. Therefore, it is important to review the specific details of your criminal history so that you can fill out job applications accurately.

Problems arise because arrests and convictions may have occurred many years ago, and you may not remember all the charges and the courts in which you were tried, or even the charge you were convicted of. Also, court proceedings can be very confusing and you may not fully understand the outcome of a case. For example, a person may plead guilty to

misdemeanor charges and receive an unconditional discharge, meaning that he or she does not have to pay a fine or serve time in jail. Even though there was no penalty, this is a conviction of a criminal offense that must be reported if a job application asks about criminal convictions. If you review your record before filling out a job application, you will be able to list your convictions accurately and not give misleading or false answers.

### **3. You can prepare for a job interview.**

Employers and licensing agencies have legal access to your rap sheet. If you know exactly what your record reveals before you apply for a job or license, you will have the opportunity to think about the best way to explain your convictions to the job interviewer.

For example, your record may report a conviction for a drug-related charge. An employer who sees this charge on your rap sheet might assume that you are currently a drug abuser. If you look at your record before your interview, you can prepare to talk about this issue. You might decide to present the employer with a letter from your drug treatment program as proof of your rehabilitation and recovery.

## How To Get A Copy Of Your Rap Sheet

You are entitled to obtain a copy of your Pennsylvania rap sheet from PSPCR.<sup>11</sup> To do so, send for a “Request for Criminal

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<sup>11</sup> 18 PA. CONS. STAT. ANN. § 9151.

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Record Check” form SP4-164 at the following address:

Pennsylvania State Police Central  
Repository - 164  
1800 Elmerton Avenue  
Harrisburg, PA 17110-9758  
(717) 783-9973

A copy of this form can be found on p. 27. You may also download search request forms from the internet at <http://www.psp.state.pa.us/>. Return the completed form to PSPCR with a certified check or money order in the amount of \$10 payable to the “Commonwealth of Pennsylvania.” PSPCR will not waive the application fee for individuals facing “financial hardship” or inmates. Make sure that you checkmark the box labeled “Individual Access and Review.”

In order to obtain a copy of your rap sheet from the FBI, write to:

Federal Bureau of Investigation  
Criminal Justice Information Services  
Division  
1000 Custer Hollow Road  
Clarksburg, WV 26306

Your letter to the FBI should state that you are requesting your rap sheet under the Freedom of Information Act. Include your name, address, date of birth, place of birth, and a complete set of fingerprints. The FBI will charge you \$18 for your FBI record, which can be paid by certified check or money order made out to the U.S. Treasury. The fee will be waived if

you send a notarized letter explaining that you cannot pay the fee.

**NOTE:** If you think that there may be an outstanding warrant for your arrest, you should clear it up before you contact PSPCR. To clear up an outstanding warrant, contact an attorney or your local public defender.

### Other Options

There are a couple of other ways you may be able to see, and perhaps get a copy of your rap sheet. First, when you were arraigned for a criminal case, your lawyer may have been given a copy of your rap sheet. This copy will remain in your lawyer’s file and you can ask to see it. If you were represented by a Legal Aid Society attorney or public defender, you may be able see your rap sheet by calling the office that represented you.

Second, if you are currently on parole or probation or were released recently, your parole or probation officer (P.O.) may have a copy of your rap sheet and be willing to show it to you.

## How To Read Your Rap Sheet

Each entry on your rap sheet is divided by a dotted line. Each line contains different information concerning your arrest and conviction. The first line contains the name used at the time of arrest and a

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number assigned by the District Justice. The second line indicates the date of the arrest, the arresting agency and a number assigned by the Police Department. On the third line are the disposition date and the docket number of the case. The next lines indicate the date of the offense, the charge under the criminal code and the section number, the name of the charge, and the disposition of the charge. There is a notation under the charge to indicate the grade of the crime. The sample rap sheet on p. 7 is annotated to help you find the above information and other information you may need to know.

## What To Look For On Your Rap Sheet

The first thing you should do when you review your rap sheet is check it carefully for mistakes. Rap sheets very often have one or more mistakes. The simplest explanation for this is that your case was processed by a number of different agencies: the arresting agency; the prosecutor's office; the court; the probation or parole department; and, finally, PSPCR itself. There are plenty of opportunities for part of your file to get lost or for someone to make an error at some stage of the process.

Here are some common mistakes:

### 1. Incomplete entries

Rap sheets often report arrests without stating the final disposition. An omission

like this can be damaging because people who see your record might assume you were found guilty of the original arrest charges, when you may have been acquitted or convicted of a less serious charge. Or people might assume that the charges are still outstanding and there is an outstanding warrant for your arrest.

### 2. Incorrect entries

Any computer system is subject to human error. A simple error made while typing the penal code number could result in a terrible mistake. For example, a rap sheet could report a conviction for arson<sup>12</sup> when an individual had, in fact, only been arrested for and pleaded guilty to criminal mischief.<sup>13</sup> Check your rap sheet carefully to make sure that, as far as you can tell, all of the information on your rap sheet is correct.

### 3. Double entries

Sometimes, information about one arrest will get split into two or more separate entries on your rap sheet. This mistake makes your criminal record look longer and more serious than it is.

### 4. Cases that should have been expunged but were not

You may have cases that could have been expunged under Pennsylvania law but were not, since expungement in Pennsylvania is not automatic. You must actively seek expungement of all cases that are eligible for expungement. For a full discussion of expungement see p. 11.

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<sup>12</sup> 18 PA. CONS. STAT. ANN. § 3308.

<sup>13</sup> 18 PA. CONS. STAT. ANN. § 3304.

# SAMPLE CRIMINAL HISTORY REPORT

SP4-137B

PENNSYLVANIA STATE POLICE  
CENTRAL REPOSITORY  
1800 ELMERTON AVENUE  
HARRISBURG, PENNSYLVANIA 17110  
(717) 787-9092

COMPILED: 06/07/97

PAGE: 1

USE OF THE FOLLOWING CRIMINAL HISTORY RECORD FOR \*SID#900-01-23-6\*  
REGULATED BY ACT 47, AS AMENDED.

III - SINGLE STATE OFFENDER

Single State Offender indicates Record only in PA. Multiple State Offender indicates fingerprints on file in another state.

Name used when arrested

DOB: 08/25/44 SEX: M RAC: W SOC: 202-22-5555 FBI: 898989A

Date Arrested

NAME: TEST, RECORD OTN: Q33333-0  
ARRESTED: 08/15/87 PAPSP3600 HARRISBURG PSP OCA: E19804  
DISTRICT JUSTICE: 06306

OTN=Offense Tracking is assigned by the District Justice

Police Dept. Making arrest

07/24/87 CC5505 PUBLIC DRUNKENNESS - S PLEAD GUILTY  
07/24/87 CC5503A DISORDERLY CONDUCT - S PLEAD GUILTY

OCA=Number Assigned by the Police Department

Date of Offense

NAME: TEST, RECORD OTN: E123456-1  
ARRESTED: 06/30/90 PA0350400 SCRANTON PD OCA: B25000  
DISPOSITION DATE: 10/25/90 COMMON PLEAS DOCKET: 90-1990

Date Disposition made by Court

06/30/90 CC6106 FIREARM CARRIED W/O A LICENSE - M1

Common Pleas Court Docket Number assigned to the case.

Code charged with and the section number:  
CC-Crimes Code  
CS-The Controlled Substance, Drug, Device & Cosmetic Act

06/30/90 CC0908 PROHIBITED OFFENSIVE WEAPONS - M1

GUILTY  
CO. PROBATION  
05 YRS - 06 YRS

Disposition of the Charge

GUILTY  
CO. PROBATION  
05 YRS - 06 YRS

Grade of Crime most serious to least serious:

- F-1
- F-2
- F-3
- M-1
- M-2
- M-3
- S

NAME: RECORD, TEST OTN: E949949-7  
ARRESTED: 07/04/97 PAPSP54111 McCONNELLSBURG PSP OCA: G12345  
DISPOSITION DATE:

07/04/97 CS13A30 VIO CS/DRUG/DEV & COSMETIC ACT DISPOSITION UNREPORTED

IF THE ARREST IS 3 YEARS OR LESS FROM THE DATE OF YOUR REQUEST AND WE HAVE NOT RECEIVED A DISPOSITION FROM THE CLERK OF COURTS, IT IS SHOWN AS "DISPOSITION UNREPORTED" TO LET YOU KNOW CHARGE(S) MAY BE PENDING.

F - FELONY, M - MISDEMEANOR, S - SUMMARY AND THE NUMERIC = THE DEGREE

IF YOU DESIRE A DISPOSITION ON THE CHARGE(S), YOU MUST CONTACT THE CLERK OF COURTS IN THE COUNTY WHICH THE POLICE DEPARTMENT THAT MADE THE ARREST IS LOCATED.

ARREST (S) SUPPORTED BY FINGERPRINT CARD (S) ON FILE.

RESPONSE BASED ON COMPARISON OF REQUESTER FURNISHED INFORMATION AND/OR FINGERPRINTS AGAINST A NAME INDEX AND/OR FINGERPRINTS CONTAINED IN THE FILES OF THE PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY ONLY, AND DOES NOT PRECLUDE THE EXISTENCE OF OTHER CRIMINAL RECORDS WHICH MAY BE CONTAINED IN THE REPOSITORIES OF OTHER LOCAL, STATE OR FEDERAL CRIMINAL JUSTICE AGENCIES.

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## Arrests That Happened When You Were A Youth

In Pennsylvania, a person under eighteen years old is generally not criminally responsible for his or her conduct.<sup>14</sup> Persons under age eighteen who engage in conduct that would otherwise subject him or her to criminal charges are processed in the Juvenile Court. Those who are found to have committed a “delinquent act” are adjudicated a juvenile delinquent. A person eighteen years or older, on the other hand, is considered an adult under the Crime Code, and may be tried for and convicted of criminal charges.

A juvenile delinquency adjudication is not considered a conviction.<sup>15</sup> Consequently, most juvenile delinquency adjudications will not appear on your PSPCR rap sheet. It also does not impose any of the civil disabilities a conviction imposes (loss of rights based on conviction history), nor does such a finding disqualify a person from civil service employment.<sup>16</sup> However, if you were adjudicated delinquent for certain violent offenses, such as burglary, arson, rape, robbery, or kidnapping, or for specific offenses relating to firearms, the information will appear on your rap sheet.<sup>17</sup> If you were tried as an adult, the records will be forwarded to PSPCR and the case will appear on your rap sheet.

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<sup>14</sup> 18 PA. CONS. STAT. ANN. § 11.103(1).

<sup>15</sup> 42 PA. CONS. STAT. ANN. § 6354.

<sup>16</sup> 42 PA. CONS. STAT. ANN. § 6354.

<sup>17</sup> 42 PA. CONS. STAT. ANN. § 6308.

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# Cleaning Up Your Rap Sheet

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In Pennsylvania there are two processes for cleaning up your rap sheet: correcting mistakes and expunging records. The first step for both is to obtain a copy of the disposition, which is a copy of the official outcome of your criminal case. You can obtain a copy from the Court Clerk where your case was heard. The disposition should have correct information concerning your criminal case. Compare the disposition to your rap sheet, looking for information on the rap sheet that doesn't match the disposition. The quickest way to get a copy of a disposition is to go to the clerk's office in person. If you are incarcerated or cannot get to the court, you can write to the clerk's office. However, it may take two to three months to obtain a copy of your disposition by mail. (See Model Letter #1, Letter to court requesting a copy of case disposition on p. 10. See also Appendix #7 for a list of addresses of major courts in Pennsylvania.)

## Correcting Mistakes

### Challenging Mistakes

Once you have received your rap sheet you should compare your disposition slips with your rap sheet. Challenge any entry that you believe is in error. A challenge form will be attached to your rap sheet. Use that form to challenge any errors.

You should specify which portion of the record is incorrect and what the correct version should be. The challenge form must be completed and returned to the Central Repository within thirty days of receipt.

### Review of Accuracy

All criminal justice agencies have sixty days to conduct a review of any challenge, and they have the obligation of proving the accuracy of the record. If your challenge is deemed valid, the appropriate officials must ensure that:

1. The criminal history record information is corrected.
2. A certified and corrected copy of the rap sheet is provided to you.
3. Prior erroneous information sent to criminal justice agencies is destroyed or returned and replaced with corrected information.
4. You are supplied the names of those noncriminal justice agencies and individuals that have received erroneous criminal history record information.

If you fail to challenge an entry that you believe is in error, you will have the obligation of proving the inaccuracy of the entry at a later date.

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**Model Letter #1, Letter to court requesting certified copy of case disposition**

(Date) \_\_\_\_\_

(Court) \_\_\_\_\_

(Address) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sir/Madam:

Please send me a certified copy of a court disposition for the following case. I was the defendant in this matter.

ARREST DATE \_\_\_\_\_

ARREST CHARGES \_\_\_\_\_

DOCKET/INDICTMENT # \_\_\_\_\_

NAME/ALIASES \_\_\_\_\_

Thank you for your attention.

Sincerely,

(Name) \_\_\_\_\_

(Address) \_\_\_\_\_  
\_\_\_\_\_

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## Appeals

If the challenge is ruled invalid, you have the right to appeal the decision to the Attorney General within thirty days of notification of the decision. The Attorney General has the authority to conduct an administrative appeal hearing. If you do not agree with the decision of the Attorney General, you may appeal to the Commonwealth Court.<sup>18</sup>

If you believe the copy of the criminal history that you receive is not yours, the PSPCR will do a fingerprint comparison. You must contact them for information on how to institute the fingerprint comparison. The phone number at the PSPCR is (717) 705-7112. If you cannot call them, write to them at PSPCR, 1800 Elmerton Ave., Harrisburg, PA 17110.

## Expunging Police And Court Records

### What is an expungement?

Under Pennsylvania law, individuals can obtain permission to have their name and case files removed from the criminal justice system network in certain circumstances.<sup>19</sup> Expungement means that information about an arrest is removed from the version of your rap sheet that will be sent to employers and others. However, it is important to understand that the record of an expunged arrest or charge is never completely destroyed. It will remain in a confidential

file in the PSPCR computer. Expunged information can be released under very limited circumstances.

### Why should I petition for expungement?

Arrests that did not lead to convictions will appear on your rap sheet unless they are expunged. This means that employers and others who request a copy of your rap sheet will see information about your criminal history that they would not have had access to if it had been expunged.

### What cases can be expunged?

Any person found “not guilty” of a crime has the right to petition the court for expungement, regardless of the offense. You may also move to expunge your record if charges against you were dismissed, suspended, or nolle prossed. If you are a first time offender who participated in the Accelerated Rehabilitative Disposition (ARD) or Probation Without Verdict (PWV) programs, you are entitled to expungement as part of the plea bargain package.<sup>20</sup> Expungement should be done automatically after you have paid all your fines and successfully completed the program. However, if you participated in ARD before 1989, you must file a petition to expunge.

### Where do I begin?

You must petition the Court to have your record expunged, unless it was done automatically. Some courts have standard forms that must be used to file a petition;

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<sup>18</sup> 18 PA. CONS. STAT. § 9152.

<sup>19</sup> 18 PA. CONS. STAT. § 9122.

<sup>20</sup> PA. R. CRIM. P. RULE 320; 35 P.S. § 780-119.

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call or visit the Court Clerk of the court in which your case was adjudicated.

Petitions must be typed and include the following information:

**1. Cover sheet\*<sup>21</sup>:** featuring your name, address, phone number, Origination (OTN) and/or Criminal Complaint (CC) number.

**2. Petition/Motion:** a personalized account of your case, including the arrest date, charges, and outcome of the hearing or trial. Although there is no set format, be brief and to the point.

**3. Copy of Disposition:** a copy of the official outcome of your case. You may obtain a copy of summary offense cases from your District Justice's office or the Bureau of Criminal Investigations. The Clerk of Courts has the files of cases heard in the Common Pleas Court, Criminal Division.

**4. Preliminary Order\*:** a form that will be completed by the Judge with the assigned hearing date.

**5. Expungement Order of Court\*:** the official directive from the Court to expunge records, which is filled out by the Court following its decision.

**6. Verification/affidavit\*:** a statement swearing that all of the information provided is true and correct. A sample of this form is provided in Appendix #5.

## How do I file my petition?

To file your petition, complete the following steps:

1. Bring a copy of your petition, plus the original, to the Clerk of Courts office for approval.

2. If it is all in order, the petition can be filed for a fee of \$50 payable in cash or money order only to the Clerk of Courts.

3. The best time to file your petition is on weekdays from 8:30 a.m. to 11:30 a.m., and 1:30 p.m. to 4:30 p.m.

**Be sure to make a copy of the petition for your personal files.**

## What happens next?

Once the judge grants the expungement, the Clerk eliminates your name and case file from its system. The appropriate record-keeping agencies are then notified that they must destroy all records related to your arrest or prosecution and request the return of your records that were made available to other states. These record-keeping agencies include Adult Probation, Behavior Clinic, Bureau of Criminal Investigations, District Attorney, District Magistrate, the Pennsylvania State Police and the County Sheriff. It takes these agencies at least six weeks to purge your case record from their systems.

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<sup>21</sup> Starred forms (\*) are standard forms available at the Clerk of Courts office.

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### **What if I am incarcerated and cannot make an appearance in court?**

A court that requires people to appear in person to petition for expungement will generally waive the requirement if you are incarcerated. You can mail your petition to the court clerk and enclose a letter explaining your situation. (See Model Letter #2, Cover letter to send to court with expungement petition on p. 14.) It is a good idea to mail your petition papers by certified mail, return receipt requested, to make sure that your request does not get lost.

### **What if I need written proof of expungement?**

If you need written proof of expungement, a certified copy of the expungement order can be obtained from the Clerk of Courts office.

### **How do I know that my case has been expunged?**

The easiest way to check whether your records have been expunged from the PSPCR is to request a second copy of your rap sheet.

### **How do I expunge a case on my FBI rap sheet?**

The FBI does not purge its records of expunged state offenses on its own; it responds to information received from the agency that reported it to them. If a case that has been expunged on your PSPCR

rap sheet appears on your FBI rap sheet, or if there is an error on your FBI rap sheet, contact the agency that reported the information to the FBI and ask that it send an expungement order to the FBI to correct the error. Once again, the only way to be sure the FBI record is cleaned up is to send for another copy of it.

### **Can I ever get my misdemeanor or felony convictions expunged?**

Pennsylvania law does not allow misdemeanor or felony convictions to be expunged. There are two exceptions to this rule. Your criminal justice history may be expunged when you reach seventy years of age and have been free of arrest or prosecution for ten years following your final release from confinement or supervision. Criminal justice history information may also be expunged if an individual has been dead for three years.<sup>22</sup>

## **Expunging Juvenile Records**

Juvenile records may be expunged by the court, under its own motion, or upon the motion of a child, or the parents or guardian.<sup>23</sup> The court must find that one of the following circumstances exist:

1. A complaint filed was unsubstantiated or dismissed;
2. Six months have elapsed since final discharge from supervision under a consent decree (a court order committing a child to

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<sup>22</sup> 18 PA. CONS. STAT. ANN. § 9122.

<sup>23</sup> 18 PA. CONS. STAT. ANN. § 9123.

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**Model Letter #2, Cover letter to send to court with expungement petition**

(Your address)

\_\_\_\_\_

\_\_\_\_\_

(Date)

\_\_\_\_\_

**Certified Mail**

Court Clerk's Office

(Address)

\_\_\_\_\_

\_\_\_\_\_

Dear Sir/Madam:

Enclosed please find a copy of my Petition for Expungement. I have enclosed a money order in the amount of \$50 payable to the Clerk of Courts.

Please process my petition and order for expungement accordingly. I cannot deliver this motion in person or make an appearance in court because I am incarcerated.

Please notify me of the outcome of this motion.

Sincerely,

(Your name)

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supervision in his or her own home) and there is no proceeding seeking adjudication or conviction pending in a court;

3. Five years have elapsed since final discharge from any other disposition, the individual has not had any other convictions or juvenile delinquency adjudications and no other proceedings are pending against the individual; or

4. The individual is eighteen years of age or older, the Commonwealth Attorney consents, and the court orders expungement after considering the following factors:

- the type of offense;
- the individual's age;
- employment history;
- criminal record;
- history of drug or alcohol dependence;
- adverse consequences of retaining the record; and
- whether record retention is necessary for public safety.

### **Do I have to disclose information about my expunged records to a prospective employer?**

No. You are not required to disclose information about arrests that have been expunged. Courts have ruled that it is against public policy for an employer considering the hiring of an individual to consider any experience the applicant has had with the criminal justice system that falls short of conviction.

## **What You Can Do About Misdemeanor And Felony Convictions: Pardons**

Although granted infrequently, a pardon is the only way to eliminate the civil disabilities — the loss of certain rights — resulting from a criminal conviction. These rights include the right to vote; hold public office; serve on a jury; and be a notary public. A pardon does not, however, make you eligible for jobs that have statutory bars. (See p. 20.) Any individual with a criminal record or incarcerated person is eligible for a pardon. No written standards exist for when a pardon will be granted. However, persons with a record of only one minor offense committed at least five years ago are most likely to receive a pardon.

### **How do I begin?**

To begin the process, you must request an application for a hearing from the Board of Pardons. This application serves as your request for a hearing before the Board. If this application is denied, you will not be granted a pardon. When considering whether to grant a hearing, the Board considers factors such as:

- severity of the offense;
- recency of the conviction;
- financial stability;
- length of time elapsed since last arrest or conviction; and
- family status.

---

You must pay a \$4 fee to obtain an application. Only certified/cashier's checks or money orders payable to the Commonwealth of Pennsylvania will be accepted as payment. A letter requesting the application, a stamped self-addressed business-size envelope, and payment should be sent to the address listed on this page. (See Model Letter #3, Letter requesting an application for clemency/pardon, on p. 17.)

### **What information do I need to submit?**

The application makes inquiries regarding general personal information as well as employment information. While the Board will not contact your employer, you must demonstrate a means of personal financial support. The most important questions are those relating to your conduct since the crime was committed, and why you believe you should be pardoned.

You must pay a \$20 fee to have an application processed. The fee may be waived if you file an "in forma pauperis" application, demonstrating financial hardship, or are incarcerated. However, having the fee waived might prejudice your application because financial self-sufficiency is one of the factors the Board considers in deciding whether to grant a pardon.

You must also submit five passport-size photos, ten copies of the application, and six copies of your criminal record. If any

traffic violations are involved, you must include the original and five copies of your driving record. After these materials are compiled, make copies of these materials for your records. The application, photos, criminal record, driving record (if necessary), and copies should be sent to the following address:

Board of Pardons  
333 Market Street, 15<sup>th</sup> Floor  
Harrisburg, PA 17126  
(717) 787-2596

### **After the application is filed**

After an application is filed, a probation officer conducts an investigation to determine whether you are a "responsible, contributing member of society." For instance, participation in community organizations, volunteer work, child care, elder parent care, or membership in religious organizations can be evidence of such character.

Once the probation officer prepares a report, it might take another four to eight months for the Board to even look at your file. The Board consists of five members. When the Board votes, two must agree to grant you a hearing. Hearings are public and last for only fifteen minutes. Prior to the hearing, a notice will appear in the newspaper of the county where the your trial was held. While representation by an attorney is not necessary, you may be represented by an attorney or anyone else. The hearing consists primarily of the Board's inquiries regarding whether you

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**Model Letter #3, Letter requesting an application for clemency/pardon**

(Your address)

(Date)

Board of Pardons  
333 Market Street, 15<sup>th</sup> Floor  
Harrisburg, PA 17126

Dear Sir/Madam:

Please forward to me the forms required to apply for Clemency. Enclosed is the \$4 filing fee and a self addressed business-sized envelope with the appropriate postage attached.

Thank you for your attention.

Sincerely,

(Your name)

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feel remorse, seeking to ensure that you will not commit another offense. You should be certain to inform the Board of the barriers presented by the criminal conviction(s), particularly with respect to employment. If three members of the Board agree that you should be pardoned, the Board will send a recommendation to the Governor. It can take up to a year for the Governor to issue a final decision.

If the Governor decides to grant you a pardon, a signed charter will be issued. Then you can proceed to the clerk of the court in the city where the offense was committed and petition for expungement of the criminal record. Thus, the entire process generally takes over a year to complete.

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# Completing Employment Applications

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**“I’ve received my rap sheet, reviewed it, and made corrections.  
I still do not know what to put on employment applications!”**

## What Must I Disclose About My Criminal Record?

Pennsylvania law requires that you disclose conviction information if you are asked by a prospective employer about your criminal history. If the employer asks about arrests, you must disclose all arrests that have not been expunged — even if they did not result in a conviction — as well as convictions. As described in the beginning of this manual (p. 1), a conviction is a guilty plea or a court’s finding of guilt for a “crime” or an “offense.” The dispositions Accelerated Rehabilitative Disposition (ARD), Probation without Verdict (PVD), and Disposition in Lieu of Trial are not convictions.

## How Do I List My Convictions?

Pay attention to the questions you are asked. If the application allows you to eliminate some cases, such as those that resulted in a traffic infraction or an arrest that has been expunged, or the employer is only interested in knowing about convictions within the past five or seven years, then only disclose the information requested. Most employers want to know — and are entitled to know — the “disposition” (or outcome) of those cases that resulted in conviction. In addition, employers are entitled to inquire about arrests that have not been expunged. You should be prepared to provide some basic information, such as the arrest date, disposition date, crime or offense you were convicted of, and sentence. As an example, turn to the sample rap sheet on p. 7. Here is how you could explain this record if it were yours:

---

<u>Arrest Date</u>	<u>Disposition Date</u>	<u>Disposition</u>	<u>Sentence</u>
08/25/87	10/25/90	CC5505 CC5503A	None None
06/30/90	10/25/90	CC6106 CC0908	05-06 yrs probation 05-06 yrs probation
07/04/97		CS13A30	Pending

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Under the conviction heading, notice the Pennsylvania Crime Code citation for the charge. This number refers to the section of the Crime Code that defines the charge.

Here are some questions you may see on an employment application and appropriate responses:

**Q: “Have you ever been arrested? If so, explain.”**

**A:** Answer “yes.” List all convictions. List any arrest that has not been expunged.

**Q: “Have you ever been convicted of a crime or offense? If so, explain.”**

**A:** If “yes,” list all convictions, including summary offenses, misdemeanors, and felonies.

**Q: “Have you ever pled guilty or been found guilty of a crime or an offense? If so, explain.”**

**A:** If “yes,” list all convictions.

**Q: “Have you been convicted of a crime in the past 7 years? If so, explain.”**

**A:** If “yes,” list summary offenses only if the sentence included incarceration, misdemeanor, and felony convictions during the past seven years. (See definition of summary offenses on p. 1.)

**Q: “Have you ever been convicted of an offense or violation of the law anywhere? If so, explain.”**

**A:** If “yes,” list all convictions.

## Seeking A Job That Has A Statutory Bar Or License Requirement

Individuals who have certain convictions are prohibited from holding some jobs in Pennsylvania. Some of the most common Pennsylvania employment bars include:

- handling firearms<sup>24</sup>
- school employees (public, private, vocational/technical) who have contact with children and who have been convicted of certain violent or sexual offenses within the last 5 years<sup>25</sup>
- child care<sup>26</sup>
- home health care<sup>27</sup>
- public office<sup>28</sup>
- judge<sup>29</sup>

Some jobs require that you have a license or certificate, or be registered, or have permission to engage in a trade, profession, or occupation. Under Pennsylvania law, a board, commission, or department of the Commonwealth may consider an applicant’s convictions of crimes when determining eligibility for a license, certification, registration, or permission to engage in a trade, profession, or occupation.<sup>30</sup> A conviction will not

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<sup>24</sup> 18 PA. CONS. STAT. ANN. § 6105.

<sup>25</sup> 24 PA. CONS. STAT. ANN. § 1-111.

<sup>26</sup> 23 PA. CONS. STAT. ANN. § 6344.

<sup>27</sup> 35 PA. CONS. STAT. ANN. § 10225.503.

<sup>28</sup> PA. CONS. ART. 2, § 7

<sup>29</sup> PA. CONS. ART. 5, §18.

<sup>30</sup> 18 PA. CONS. STAT. ANN. § 9124.

---

automatically prevent you from getting a license, certificate, registration or permit.

### **Which criminal history cannot be considered in the application process for a professional license?**

- records of arrest with no conviction (this would include ARD and PVD cases)
- expunged or annulled convictions
- convictions of a summary offense
- convictions for which a pardon has been received
- convictions that do not relate to the applicant's suitability for the license, certificate, registration or permit being sought.<sup>31</sup>

### **When can an agency refuse to grant, renew, or suspend an application?**

These agencies may refuse to grant, renew, suspend, or revoke any license, certificate, registration, or permit for the following causes:

- the applicant has been convicted of a felony
- the applicant has been convicted of a misdemeanor that relates to the trade, occupation or profession for which the license, certificate, registration or permit is sought.<sup>32</sup>

### **How does the agency notify you of their decision?**

The agency must notify you in writing of the reason it has denied your application if the decision is based in part or wholly on the conviction of any crime.

### **Final Note**

Keep in mind that when looking for a job, you may have to explain your cases in detail at an interview. To do this you will need to understand the charges that you have been convicted of. This means you should review your record and be able to briefly explain the circumstances underlying your convictions, so that you can highlight all of your successes and accomplishments since that time. Most important, you should provide evidence of rehabilitation that addresses the nature of your convictions. For example, if your convictions were drug-related, provide reference letters from a treatment provider or counselor, who can confirm your successful recovery, and from a clergy, community, or family member who can say how you have changed.

### **The Key To Your Success Is Preparation.**

**Good Luck!**

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<sup>31</sup> 18 PA. CONS. STAT. ANN. § 9124 (b)1-5.

<sup>32</sup> 18 PA. CONS. STAT. ANN. § 9124 (c)(1)(2).

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# Appendices

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## Appendix #1

### **COVER SHEET (FOR EXPUNGEMENT)**

**NAME**

**ADDRESS**

**TELEPHONE #**

**OTN OR CC#**

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## Appendix #2: Petition Of Expungement

**This is a personalized account of your case, including the arrest date, charges, and outcome of the hearing or trial. There is no set format; be brief and to the point.**

### **PETITION EXAMPLE**

On July 4, 1997 I, (    Your name    ), was arrested by the Pennsylvania State Police in the town of McConnellsburg, PA. I was charged with CS13A30, VIO CS/DRUG/DEV & Cosmetic Act. A hearing was held on July 25, 1997 at the Court of Common Pleas, Lehigh County Courthouse, Allentown, PA. At this time all charges against me were dismissed by the judge.

---

## Appendix #3: Preliminary Order

COMMONWEALTH OF PENNSYLVANIA

CRIMINAL DIVISION

PLAINTIFF

OTN:

VS.

CC NO:

\_\_\_\_\_  
DEFENDANT

### PRELIMINARY ORDER

AND NOW, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 199\_\_\_\_\_,  
IT IS HEREBY ORDERED THAT A HEARING ON THE WITHIN PETITION TO  
EXPUNGE RECORDS OF CRIMINAL PROCEEDINGS SHALL BE HEARD BY THE  
COURT ON \_\_\_\_\_, AT \_\_\_\_\_ A.M.

BY THE COURT

\_\_\_\_\_ J.

# Appendix #4: Expungement Order of Court

Form 311

## IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

vs.

OTN NO.: \_\_\_\_\_

DATE OF ARREST: \_\_\_\_\_

ARRESTING AGENCY: \_\_\_\_\_

Defendant

DOB: \_\_\_\_\_ SEX: \_\_\_\_\_ RACE: \_\_\_\_\_

D. I. NO: \_\_\_\_\_

SOC. SEC. NO.: \_\_\_\_\_

CC NO.: \_\_\_\_\_

CHARGES: \_\_\_\_\_

DISPOSITION: \_\_\_\_\_

THIS DOCUMENT TO WHICH CERTIFICATION IS ATTACHED IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE

ATTEST: \_\_\_\_\_

BY: \_\_\_\_\_

### EXPUNGEMENT ORDER OF COURT

AND NOW, to-wit, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the within petition having presented in open Court and, upon consideration thereof, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Clerk of Courts shall serve a certified copy of this Order upon the following persons, keepers of records, pertaining to the above captioned criminal proceedings:

- |                             |                                      |
|-----------------------------|--------------------------------------|
| 1. District Attorney        | 5. Behavior Clinic                   |
| 2. Bail Agency              | 6. Bureau of Criminal Identification |
| 3. _____                    | 7. Pennsylvania State Police/T.B.I.  |
| District Justice/Magistrate | 8. Sheriff's Office                  |
| 4. _____                    | 9. Pittsburgh Police Record Room     |
| Arresting Agency            | 10. Adult Probation                  |
|                             | 11. Allegheny County Jail            |

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the aforementioned keepers of criminal records shall expunge and destroy the official and unofficial arrest, expungement and other documents pertaining to the arrest or prosecution or both of the above named defendant in the above captioned criminal proceedings, and that each shall request the return of such records which its agency made available to State or Federal agencies and immediately upon receipt thereof shall destroy such records, with the exception of District Attorney's records concerning ARD and PWV, which shall be used solely for the purpose of determining subsequent eligibility for ARD or PWV, and that said keepers of such criminal records shall file with this court an Affidavit stating that the mandates of this Order have been fulfilled.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Clerk of Courts shall expunge the indices of the official and unofficial arrest and other documents pertaining to the arrest or prosecution or both of the above named defendant in the above captioned criminal proceedings.

BY THE COURT:

\_\_\_\_\_  
JUDGE

#### AFFIDAVIT OF EXPUNGEMENT

This is to certify that the official arrest and criminal records and other documents filed pertaining to the particular arrest or prosecution or both of the above named defendant in the above captioned criminal proceedings, which are in custody of and in control of this Office, have been expunged and destroyed.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Certifying Officer

---

## Appendix #5: Verification Form

### **VERIFICATION**

AND NOW, comes the Defendant, who verifies that the facts contained in the within Petition are true and correct upon his/her personal knowledge, information or belief. The Defendant also verifies that all costs, fines and restitution are paid in full concerning said case/s.

This verification is made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities, which provides for criminal penalties if a person, with the intent to mislead, makes a written false statement which he does not believe to be true.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

# Appendix #6: Request for Criminal Record Check

<p>RP 4-164 (12-99)</p> <p style="text-align: center;"><b>PENNSYLVANIA STATE POLICE</b> <b>REQUEST FOR CRIMINAL RECORD CHECK</b></p>	<p><b>FOR CENTRAL REPOSITORY USE ONLY</b> <b>(LEAVE BLANK)</b></p>																				
<p><b>PART I TO BE COMPLETED BY REQUESTER</b></p>	<p>DATE OF REQUEST</p>																				
<p style="text-align: center;"><b>*** TYPE OR PRINT LEGIBLY WITH INK ***</b></p> <p>NOTE: IF THIS FORM IS NOT LEGIBLY OR NOT PROPERLY COMPLETED, IT WILL BE RETURNED UNPROCESSED TO THE REQUESTER. A RESPONSE MAY TAKE THREE WEEKS OR LONGER TO PROCESS.</p> <p>WARNING: A PERSON COMITS A MISDEMEANOR OF THE THIRD DEGREE IF HE/SHE MAKES A WRITTEN FALSE STATEMENT, WHICH HE/SHE DOES NOT BELIEVE TO BE TRUE.</p>																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">REQUESTER NAME</td> <td colspan="3"></td> </tr> <tr> <td>ADDRESS</td> <td colspan="3"></td> </tr> <tr> <td>CITY</td> <td>STATE</td> <td colspan="2">ZIP</td> </tr> </table>		REQUESTER NAME				ADDRESS				CITY	STATE	ZIP									
REQUESTER NAME																					
ADDRESS																					
CITY	STATE	ZIP																			
<p>CONTACT TELEPHONE NUMBER (INCLUDING AREA CODE)</p> <table border="1" style="margin: auto; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>																					
<p>REQUESTER IDENTIFICATION (ONLY CHECK ONE BLOCK)</p> <p><input type="checkbox"/> INDIVIDUAL/NONCRIMINAL JUSTICE AGENCY - ENCLOSE A CERTIFIED CHECK/MONEY ORDER IN THE AMOUNT OF \$10.00 PAYABLE TO: "COMMONWEALTH OF PENNSYLVANIA" THE FEE IS NONREFUNDABLE.</p> <p><input type="checkbox"/> FEE EXEMPT/NONCRIMINAL JUSTICE AGENCY <span style="float: right;"><b>*** DO NOT SEND CASH OR PERSONAL CHECK ***</b></span></p>																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">NAME/SUBJECT OF RECORD CHECK (LAST)</td> <td style="width: 20%;">(FIRST)</td> <td style="width: 40%;">(MIDDLE)</td> </tr> <tr> <td>MAIDEN NAME AND/OR ALIAS</td> <td>SOCIAL SECURITY NUMBER (NO#)</td> <td>DATE OF BIRTH (MM/DD)</td> </tr> <tr> <td></td> <td></td> <td>SEX</td> </tr> <tr> <td></td> <td></td> <td>RACE</td> </tr> </table>		NAME/SUBJECT OF RECORD CHECK (LAST)	(FIRST)	(MIDDLE)	MAIDEN NAME AND/OR ALIAS	SOCIAL SECURITY NUMBER (NO#)	DATE OF BIRTH (MM/DD)			SEX			RACE								
NAME/SUBJECT OF RECORD CHECK (LAST)	(FIRST)	(MIDDLE)																			
MAIDEN NAME AND/OR ALIAS	SOCIAL SECURITY NUMBER (NO#)	DATE OF BIRTH (MM/DD)																			
		SEX																			
		RACE																			
<p>REASON FOR REQUEST (CHECK ONE BLOCK)</p> <p><input type="checkbox"/> EMPLOYMENT (IF APPLICABLE, CHECK ONE OF THE FOLLOWING) <input type="checkbox"/> FOSTER CARE <input type="checkbox"/> CHILD CARE <input type="checkbox"/> SCHOOL DRUG I</p> <p><input type="checkbox"/> ADOPTION/FOSTER CARE</p> <p><input type="checkbox"/> OTHER (SPECIFY)</p> <p>ONLY CHECK THIS BLOCK IF YOU WANT TO REVIEW <u>YOUR ENTIRE</u> CRIMINAL HISTORY</p> <p><input type="checkbox"/> INDIVIDUAL ACCESS AND REVIEW OR FIREARMS CHALLENGE-ENTIRE CRIMINAL HISTORY (AVAILABLE ONLY TO SUBJECT OF RECORD CHECK OR LEGAL REPRESENTATIVE WITH LEGAL AFFIDAVIT OF LEGAL REPRESENTATIVE ATTACHED)</p>																					
<p>REQUESTER CHECKLIST</p> <p>DID YOU ENTER THE FULL NAME, DOB, AND SOC#</p> <p>DID YOU ENCLOSE THE \$10.00 FEE (CERTIFIED CHECK/MONEY ORDER)?</p> <p style="text-align: center;"><b>*** DO NOT SEND CASH OR PERSONAL CHECK ***</b></p> <p>DID YOU ENTER YOUR COMPLETE ADDRESS INCLUDING ZIP CODE AND TELEPHONE NUMBER IN THE BLOCKS PROVIDED?</p>	<p>AFTER COMPLETION MAIL TO</p> <p style="text-align: center;"><b>PENNSYLVANIA STATE POLICE</b> <b>CENTRAL REPOSITORY - 164</b> <b>1800 ELMERTON AVENUE</b> <b>HARRISBURG, PA 17110-9758</b> 717-785-9973 BUSINESS HOURS 8:15 am - 4:15 pm (Monday - Friday)</p>																				
<p><b>PART II - CENTRAL REPOSITORY RESPONSE ONLY</b> <span style="float: right;"><b>DO NOT WRITE BELOW THIS LINE</b></span></p>																					
<p>INFORMATION DISSEMINATED</p> <p><input type="checkbox"/> NO RECORD <input type="checkbox"/> CRIMINAL RECORD ATTACHED</p> <p>THE INFORMATION DISSEMINATED BY THE CENTRAL REPOSITORY IS BASED ON THE FBI'S OWNING IDENTIFIERS THAT MATCH THOSE FURNISHED BY THE REQUESTER.</p> <p><input type="checkbox"/> NAME <input type="checkbox"/> SOCIAL SECURITY NUMBER</p> <p><input type="checkbox"/> DATE OF BIRTH <input type="checkbox"/> RACE</p> <p><input type="checkbox"/> SEX <input type="checkbox"/> MAIDEN/ALIAS NAME</p>	<p>INQUIRY DISSEMINATED BY</p> <p>SSO NUMBER</p> <p>CERTIFIED BY</p> <p style="text-align: center;">(DIRECTOR, CENTRAL REPOSITORY)</p>																				
<p>This response is based on a comparison of data provided by the requester in Part I against the information contained in the files of the Pennsylvania State Police Central Repository only, and does not preclude the existence of criminal records which might be contained in the repositories of other local, state, or federal criminal justice agencies.</p>																					

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## Appendix #7: Court Of Common Pleas

Court of Common Pleas  
Dauphin County Courthouse  
Front & Market Streets  
Harrisburg, PA 17101

Court of Common Pleas  
Lackawanna County Courthouse  
200 North Washington Avenue  
Scranton, PA 18503

Court of Common Pleas  
Courthouse of Allegheny County  
436 Grant Street  
Pittsburgh, PA 15219-2495

Magistrate's Court  
660 First Ave.  
Pittsburgh, PA 15219

Court of Common Pleas  
Prothonotary Dept., Room 286  
City Hall  
Philadelphia, PA 19107

Court of Common Pleas  
Erie County Court House  
140 West Sixth St.  
Erie, PA 16510-1303

Court of Common Pleas  
County of Lancaster  
50 North Duke St.  
P.O. Box 83480  
Lancaster, PA 17608-3480

Court of Common Pleas  
20 East Market St.  
York, PA 17401

Court of Common Pleas  
903 Diamond Sq.  
Meadville, PA 16335

Court of Common Pleas  
Lehigh County Courthouse  
455 West Hamilton St.  
Allentown, PA 18105-1548

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**How to Get  
and Clean Up Your  
Pennsylvania  
Rap Sheet**

**LEGAL  
ACTION  
CENTER**



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This booklet was made possible through the generous support of the **Charles Stewart Mott Foundation**.

The Legal Action Center would also like to thank **Public/Private Ventures** for its advice and assistance in preparing this manual.

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The **Legal Action Center** is the only nonprofit law and policy organization in the United States whose sole mission is to fight discrimination against people with histories of alcohol and drug dependence, HIV/AIDS, or criminal records, and to advocate for sound public policies in these areas.

## **Legal Action Center**

153 Waverly Place, New York, NY 10014  
(212) 243-1313 • FAX (212) 675-0286

236 Massachusetts Avenue, NE, Suite 505, Washington, DC 20002  
(202) 544-5478 • FAX (202) 544-5712

**[www.lac.org](http://www.lac.org)**

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# Foreword

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- **Do you have a criminal record?**
- **Have you ever been arrested?**
- **Do you have arrest charges that were never heard in court or dismissed, or were you acquitted of the charges?**
- **Have you recently filled out a job application and been asked the question: “Have you ever been convicted of a crime?”**

“How to Get and Clean Up Your Pennsylvania Rap Sheet” has been written by staff at the Legal Action Center to help you understand your criminal history record and answer questions about it. After reading this manual you will know:

- how to obtain a copy of your state rap sheet
- how to read what is on your rap sheet
- how to correct any errors that may be on your rap sheet
- whether you are eligible to and how to expunge/erase or seal portions of your criminal record
- who is entitled to see your rap sheet

There is also a section in the manual that will advise you how to answer questions on job applications that ask about your criminal history. You will be shown how to list your convictions. There is even a section on how to present yourself at a job interview. Being prepared is one of the most important steps you can take to overcome obstacles to obtaining employment.

This manual provides the most up-to-date information possible. But remember that laws and rules can change and could affect some of the advice. The agencies that have been identified in the manual should provide assistance if you need additional information.





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# Introduction

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In Pennsylvania, all State criminal history data is maintained in the Pennsylvania State Police Central Repository (PSPCR). If you have ever been arrested and fingerprinted for violating a state or local law in Pennsylvania, even if you were never found guilty of the charges, you have a permanent record at PSPCR. These records — also called “rap sheets” — cannot be completely destroyed or expunged (also known as set aside and dismissed). However, there is a way to get cases that did not result in convictions expunged from the files of certain state and local agencies.

Pennsylvania law grants criminal justice agencies, such as police departments, courts, prosecutors, correction facilities, and probation and parole offices, the right to see your rap sheet. Employers, licensing agencies and others also have access to your criminal records. Consequently, if you have a rap sheet, it is important for you to review it. You should know what information it contains and you should make sure that the information is accurate. It is also important to review your rap sheet in order to see if it contains any information that can be expunged.

This booklet will teach you how to get a copy of your rap sheet and understand it. It will also explain what you can do to make your record appear less threatening to potential employers and anyone else who may be entitled to see it. This will help prepare you for finding a job. This booklet will also explain, step-by-step, the procedures for getting criminal records expunged.

Throughout this manual, the terms “rap sheet,” “record,” “criminal history record,” “criminal record,” “arrest record,” and “PSPCR record” will be used interchangeably.

The **Legal Action Center** is a non-profit, public interest organization that works with people with criminal records, people with histories of drug or alcohol dependence, and people with HIV/AIDS. The Center has helped thousands of individuals “clean up” their arrest records.

