

April 2020

# Pardons as an Economic Investment Strategy:

Evaluating a Decade of  
Data in Pennsylvania



**Economy  
League**

GREATER  
PHILADELPHIA

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# Acknowledgments

The Economy League would like to thank members of the legal and workforce development communities across the Commonwealth for their input and guidance throughout this study. The broad expertise of legal and policy experts facilitated important information-gathering and perspectives across a wide set of issues. A very special thank you is extended to Secretary of the Board of Pardons Brandon Flood and his team, for providing important data without which this report would not be possible.

This study was made possible by a grant from the Lenfest Foundation. We would also like to thank Earl Buford, Chief Executive Officer of Partner4Work (Allegheny County's Workforce Development Board) and H. Patrick Clancy, President and CEO of Philadelphia Works, Inc. (Philadelphia County's Workforce Development Board), for supporting the application for that grant.

## **Economy League Project Team**

Nick Frontino

Mohona Siddique

Christian Smith

Ellen Spolar (Primary Author)

# Executive Summary

**Individuals who encounter the criminal justice system are, in many ways, permanently bound to and even defined by their criminal records.** From being prohibited from living in public housing, to losing access to public benefits, from being prohibited by law from working in certain industries, to being denied state licenses for not having the requisite “good moral character,” the formal and informal barriers created by a criminal record expand an individual’s punishment well beyond the criminal justice system.<sup>1</sup>

In Pennsylvania and across the nation these varied losses of opportunity, also known as collateral consequences, are many, meaningful, and well-documented. Experts from legal and social science fields posit that a specific subset of the consequences of a criminal record pointedly impact one’s employment opportunities, earning potential, and overall economic mobility.<sup>2</sup> For example, due to negative bias from employers, an individual’s criminal record leads to depressed future earning potential.<sup>3</sup> Similarly, a 2003 Northwestern University study also found that “ex-offenders are only one-half to one-third as likely as non-offenders to even be considered by employers.”<sup>4</sup> These barriers to employment and opportunity are integral contributors to keeping many individuals with a criminal record, and their families in cycles of poverty.<sup>5</sup> As the chief executive officers of the Workforce Development Boards of both Allegheny and Philadelphia Counties confirmed, “it is undeniable that criminal records are a major factor in keeping people in poverty.”<sup>6,7</sup>

In the Commonwealth of Pennsylvania, these collateral consequences of a conviction affect a very large number of residents; data from the Sentencing

Project reports that as of 2016, 84,794 Pennsylvanians are incarcerated and 296,219 are on probation or parole.<sup>8</sup> It is widely understood by practitioners that these figures vastly underestimate the number of Pennsylvanians who have been convicted at some point in their past, have completed their sentences, were never imprisoned or subject to probation, and who are not currently under carceral control, but who remain identified as “ex-offenders.”

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1 Ryan Hancock, “The Double Bind: Obstacles to Employment and Resources for Survivors of the Criminal Justice System,” *University of Pennsylvania Journal of Law and Social Change* 15 (April 1, 2012)

2 The Pew Charitable Trusts, 2010. *Collateral Costs: Incarceration’s Effect on Economic Mobility*. Washington, DC: The Pew Charitable Trusts

3 Bruce Western, “The Impact of Incarceration on Wage Mobility and Inequality,” *American Sociological Review* 67, no.4 (2002): p. 526.

4 Devah Pager, “The Mark of a Criminal Record,” *American Journal of Sociology* 108, no. 5 (2003): pp. 937-975, <https://doi.org/10.1086/374403>

5 Steven Raphael and Michael A. Stoll, *Do Prisons Make Us Safer?: the Benefits and Costs of the Prison Boom* (New York: Russell Sage Foundation, 2009)

6 Earl Buford, Partner4Work to the Lenfest Foundation, January 10, 2019.

7 H. Patrick Clancy, Philadelphia Works, Inc. to the Lenfest Foundation, March 7, 2019.

8 Nicole D. Porter and Josh D. Rovner, “The Sentencing Project,” *The Sentencing Project*, February 20, 2020, (<https://www.sentencingproject.org/>)

These acute collateral consequences are also geographically predictable. Pennsylvanians reentering into society from the criminal justice system often return to low-income neighborhoods in the state's major cities, with Philadelphia being the most common destination for state residents released from local, state, and federal jails and prisons.<sup>9</sup> Among a slate of tools to mitigate these many collateral consequences, a pardon provides relief from "the consequences, generally in the nature of legal disabilities, resulting from conviction for a crime." In the words of the Pennsylvania Board of Pardons (BOP), a pardon "allows a job applicant to deny he was ever convicted of the crime without worry of any sanction."<sup>10</sup> These factors together raise several important questions: historically, who has taken advantage of pardons in Pennsylvania? How have pardons helped Pennsylvanians with criminal records improve their circumstances? And, given the high overlap between criminal records and poverty, what impact has use of this tool had on communities?

With these questions in mind, the Economy League of Greater Philadelphia (Economy League) embarked on a quantitative analysis to examine the economic impact of pardons on low-income, high-arrest communities in Pennsylvania. To do so, the Economy League broke the analysis into two key components: an assessment of pardons that have been granted in Pennsylvania, and an assessment of pardons' economic impact, particularly in high-arrest, low-income communities. Data provided by the BOP offered the Economy League an unprecedented ability to analyze if and how the pardon process differed across the Commonwealth. While de-identified, application data provides useful information on the residence of applicants, allowing for a deeper understanding of who has applied for and received pardons from 2008-2018.

To estimate economic impact, the Economy League relied on a very recent University of Michigan study on the individual economic standing impact of receiving a "set-aside." The study found that "those who obtain expungement experience a sharp upturn in their wage and employment trajectories; on average, within two years, wages go up by 25% versus the pre-expungement trajectory."<sup>12</sup> The Economy League applied these findings to those who filed and received pardons from 2008-2018 in Pennsylvania to estimate how pardons have economically benefited Pennsylvanians.

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9 The Pew Charitable Trusts, 2018. Philadelphia's Poor: Experiences from Below the Poverty Line. Philadelphia, PA: Philadelphia Program of The Pew Charitable Trusts.

10 Under the Constitution of the Commonwealth of Pennsylvania, the Governor has the power to grant clemency, but only to people for whom clemency has been recommended by the Board of Pardons.

11 More precise measurements of the economic effects of pardons would be possible by reviewing data that were not de-identified; but that was not possible within the confines of the study. Please see Data and Data Limitations for an overview of data and methodology.

12 J.J. Prescott and Sonja B. Starr, Expungement of Criminal Convictions: An Empirical Study (March 16, 2019). Harvard Law Review, Forthcoming; U of Michigan Law & Econ Research Paper No. 19-001; U of Michigan Public Law Research Paper No. 635. Available at SSRN: <https://ssrn.com/abstract=3353620> or <http://dx.doi.org/10.2139/ssrn.3353620>

# Key Findings

**The overall assessment of pardons in Pennsylvania yields the following three key findings:**

- 1) Between 2008-2017 the average pardons process took upwards of three years from filing to final decision**
- 2) The average pardon grant rate during this ten-year period was 38.2%, and has been 54% from 2015-2017<sup>13</sup>**
- 3) In 2017 (a year in which race data was provided by sufficient numbers of applicants to make analysis meaningful), pardon grant rates were consistent across racial groups, and in 2017 whites filed three times more pardon applications than minorities.**

**This assessment of pardons' economic impact, particularly in high-arrest, low-income communities yields three key findings:**

- 1) The rate of granted pardons in high-arrest counties falls below the statewide average**
- 2) Pardon grant rates differ by community income level**
- 3) Pardons filed between 2008 and 2018 and ultimately granted allowed recipients to earn an estimated \$16 million in additional wages as of December 2019**

Specifically, this study finds that residents of low-income zip codes in Pennsylvania who filed for pardons between 2008-2017 found their applications granted at a rate of 30%, well below the state average of 38% and even further below the rate at which high-income community residents saw their pardons granted (40%). This study finds that pardons filed by Pennsylvania residents from 2008-2018 had an estimated impact of \$16,494,815 as of December 2019. While the average annual impact of receiving a pardon by an individual in a high-income community is far higher than that of a low-income community resident (\$8,494 vs. \$2,557), the aggregate impact of all pardon recipients is 50% higher in low-income communities than high-income communities (\$1,253,956 vs. \$823,918).

<sup>13</sup> Pennsylvania law does not impose any criteria that must be considered. As a result, how many pardons are granted will vary according to the discretion of the individuals on the BOP and the Governor.

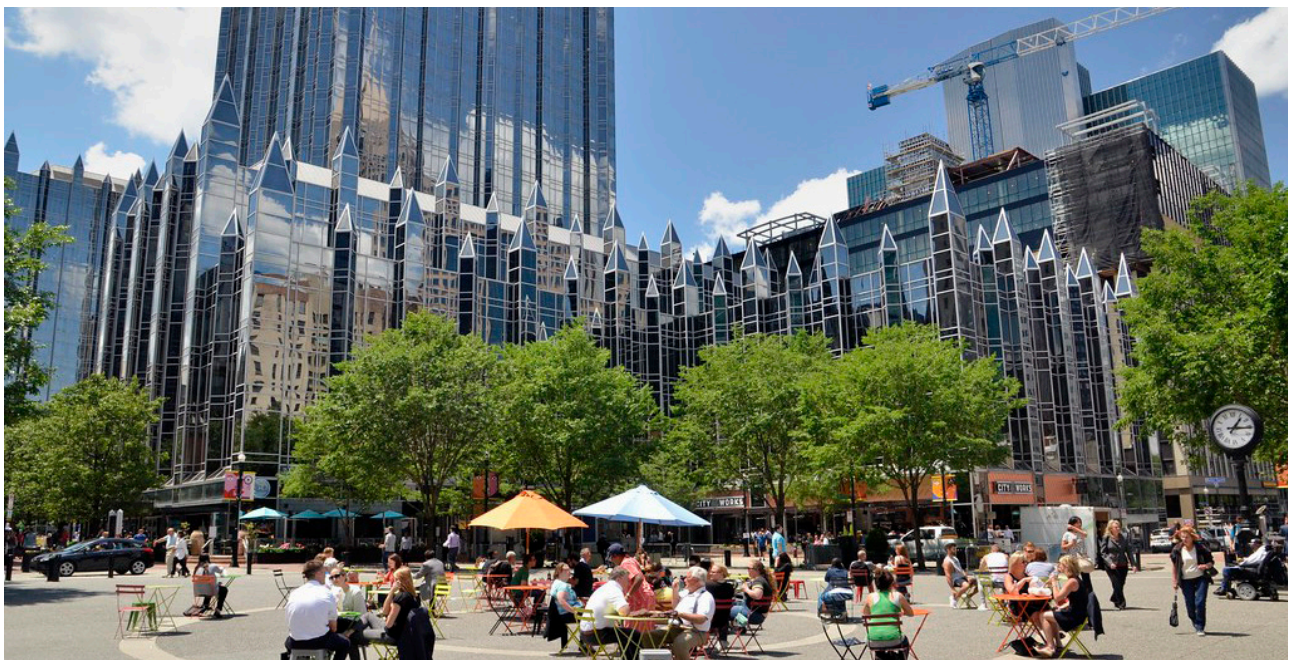


# Policy and Practice Options

**Drawing from the findings, this report offers a series of policy and practice options that consider the potential of pardons as a no-cost workforce development tool and strategies for policymakers and practitioners to expand the impact of pardons. These policy and practice options are:**

- 1) Increasing the number of pardon applicants**
- 2) Increasing the share of applications that are granted pardons**
- 3) Shortening the pardon processing timeline**

The public perception of pardons has long focused on the individual narrative of redemption. While the moral and psychological impact of receiving a pardon remain of importance, policy makers and government officials can broaden their understanding of pardons to include their potential to generate economic investment and growth in areas of the state in which formerly incarcerated individuals often live. Expanding the use of pardons stands to economically improve the individual lives of those formerly incarcerated, their families, the communities in which they live, and the Commonwealth as a whole.



# Introduction

A growing body of academic research demonstrates the broad scope of impacts that public criminal records have on the lives of returning citizens and the lives of those who have been convicted of crime.<sup>14</sup> Among a wide variation of well-documented collateral costs, consequences of conviction include a specific subset of the consequences of a criminal record pointedly impact one's employment opportunities, earning potential, and overall economic mobility.<sup>15</sup> Nationwide, a past conviction history can raise well over 40,000 barriers to employment, education, housing, loan borrowing, professional licensing, voting among numerous other post-punishment punishments.<sup>16</sup> In Pennsylvania, criminal histories prevent or limit access to over 100 careers.<sup>17</sup> Further, regarding occupational licensing alone, over 46,000 state and federal laws restrict employment and professional licenses for individuals with criminal records.<sup>18</sup> From preclusion from trade schools, to denial of professional licenses, to limited employment opportunities due to negative bias from employers, to depressed future earning potential, the far-reaching consequences on an individual's economic mobility are well-documented across the legal and social science fields.<sup>19</sup>

In Pennsylvania, these dynamics limit opportunities for a very large number of residents. Data from the Sentencing Project reports that as of 2016, 84,794 Pennsylvanians are incarcerated, and 296,219 are on probation or parole.<sup>20</sup> Across the Commonwealth, where these consequences of conviction are most acutely felt is also geographically predictable. Pennsylvanians reentering into society

from the criminal justice system often return to low-income neighborhoods in the state's major cities, with Philadelphia being the most common destination for state residents released from local, state, and federal jails and prisons.<sup>21</sup> These factors together raise several important questions: How have pardons helped Pennsylvanians with criminal records improve their circumstances? And, given the high overlap between criminal records and poverty, what impact has use of this tool had on communities?

With these questions in mind, the Economy League of Greater Philadelphia (Economy League) embarked on a quantitative analysis to examine the economic impact that pardons could have on low-income, high-arrest communities in Pennsylvania. This work, made possible by a grant from the Lenfest Foundation, builds on the Economy League's 2011 report, *The Economic Benefits of Employing Formerly Incarcerated Individuals in Philadelphia*. It also draws heavily from literature review of studies on the impacts of criminal records on economic outcomes, including, but not limited to a 2003 Northwestern University study by Devah Pager, *The Mark of a Criminal Record*, and a recent University of Michigan study, *Expungement of Criminal Convictions: An Empirical Study* that was published in 2019. This study begins with an analysis of all BOP data, examines the impact of pardons in high-arrest, low-income communities across the Commonwealth, and ends with a reflection on policy and practice opportunities to expand the impact of pardons in Pennsylvania.



# Data and Data Limitations

This study utilizes three unique sets of data to inform its analysis: the U.S. Census 2017 American Community Survey (ACS) five-year estimates, the Pennsylvania Uniform Crime Reporting System (PAUCRS), and clemency application data provided by the Pennsylvania Board of Pardons (BOP). This section discusses broadly how each of these data sets were used, and limitations associated with some of the data sets.

## ACS & PAUCRS

This study uses year-to-date arrest data from 2018 reported by the Pennsylvania Uniform Crime Reporting System to determine high-arrest counties. The study then uses 2017 ACS 5-year estimates to determine arrests per capita for counties. Through these high-arrest counties, urban, urban/suburban, and rural counties are then selected to yield a short list of case study counties. Building upon the high-arrest counties, this study utilizes 2017 ACS 5-year estimates to identify the low-income zip codes within these counties.

## BOP Data

Data from the BOP includes every clemency application filed with BOP from 2008 to 2018. BOP defines “filed” as an application that is “received at the Board of Pardons office and is found to be complete and accurate.”

There are multiple clemency types for which a person convicted of a criminal offense may apply. For example, individuals may seek to commute a sentence of life imprisonment to life on parole or to commute a death sentence to life imprisonment. The data analyzed in this report examines only

applications for pardons, which completely erases a conviction from the applicants’ criminal record. Of the 4,577 applications accepted for filing by BOP from 2008-2018, 3,951, or 86%, sought a pardon.

It is important to note that applicants can and do submit a single application to request clemency for convictions in multiple cases. This creates multiple entries for the same applicant in the raw data provided by BOP. To avoid confusion and duplication, the data analyzed for this study includes only one application per applicant and relies on the latest sentencing date for analysis. The latest sentence date reflects the most recent occasion on which the formerly incarcerated individual was sentenced for a criminal conviction.

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14 While the term “returning citizen” is sometimes used in this report and in existing literature, it can be a misleading term in the context of this report. In many cases, those seeking pardons finished their sentences years if not decades ago (so are well past the “returning” stage), and a high percentage of people who were convicted of crimes were not imprisoned (e.g., those who pled guilty and received sentences of “time served” awaiting trial, or only received financial penalties).

15 The Pew Charitable Trusts, 2010. *Collateral Costs: Incarceration’s Effect on Economic Mobility*. Washington, DC: The Pew Charitable Trusts

16 “National Inventory of Collateral Consequences of Conviction,” National Inventory of Collateral Consequences of Conviction – American Bar association (2016) accessed September 31, 2019, <https://niccc.csgjusticecenter.org/>

17 Community Legal Services, 2018. *Legal Remedies and Limitations: Employment of People with Criminal Records in Pennsylvania*. Philadelphia, PA: Community Legal Services.

18 “National Inventory of Collateral Consequences of Conviction,” National Inventory of Collateral Consequences of Conviction – American Bar association (2016) accessed September 31, 2019, <https://niccc.csgjusticecenter.org/>

19 Bruce Western, “The Impact of Incarceration on Wage Mobility and Inequality,” *American Sociological Review* 67, no.4 (2002): p. 526

20 Nicole D. Porter and Josh D. Rovner, “The Sentencing Project,” The Sentencing Project, February 20, 2020, (<https://www.sentencingproject.org/>)

21 Ibid.

# An Analysis of BOP Data

**The BOP's role in processing clemency requests, including pardons, is to evaluate applications and decide whether the applicant merits relief.** Filing an application is the first step in the process.

After an application is accepted, it is submitted to and investigated by the Department of Probation and Parole. Upon receipt of the DPP report, the BOP votes whether to grant the applicant a hearing, which then takes place in the Supreme Courtroom in Harrisburg after notice of the hearing has been published.

At the hearing, the applicant is given time to present her/his case, including people speaking in favor of clemency; the victim(s) and district attorneys are also given time, as is any member of the public who wishes to be heard. After hearing all the presentations, the Board then votes (that same day) in public on whether to recommend an individual to the Governor for a pardon. The law does not require the Board or the Governor to consider any particular factors; rather, it is left to their discretion. Factors considered by the BOP when making their recommendation include how much time has elapsed since the commission of the crime, compliance with all court

requirements, successful rehabilitation and positive changes made to the applicant's life since the offense(s), the specific need for clemency, the impact of the offense(s) on the victim(s), and contributions made by the applicant to the public.<sup>23</sup> If a majority of the BOP finds the applicant worthy of relief, BOP recommends the applicant for pardon to the Governor. The Governor then either agrees with the recommendation and grants a pardon or disagrees and denies the application. Drawing from a ten-year span of data from 2008-2018, the following section outlines key findings from analysis of BOP data for all applications for clemency. Many pieces of analysis in this report only include data from 2008-2017, as over half of the applications filed in 2018 remain outstanding as of January 2020.

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<sup>23</sup> "Applications Process." Board of Pardons. Accessed September 31, 2019. <https://www.bop.pa.gov/application-process/Pages/Process.aspx>.

## Between 2008-2017 the average pardons process took upward of 3 years from filing to final decision

This pardon process can result in a variety of outcomes (See Box 1), and the process from filing to outcome (i.e. application granted or denied) can take years.<sup>24</sup> Between 2008-2018, a total of 3,951 applications for pardon were filed with the BOP. This means an average of 359 applications are filed annually. Our analysis found that on average, an applicant who filed between 2008 and 2017 waited 3.17 years from the date of filing to any outcome.<sup>25</sup> For applicants whose filing resulted in a pardon, the average length within the pardons process was 3.68 years. It should be noted that recent improvements in processing have accelerated the time applicants are made to wait—all but five applications filed in 2017 have reached an outcome. As of January 2020, 234 of the 521 applications filed in 2018 had been heard and recommended by the BOP but not been acted upon by the Governor.

<sup>24</sup> "Frequently Asked Questions." Board of Pardons. Accessed September 31, 2019 <https://www.bop.pa.gov/application-process/Pages/Frequently-Asked-Questions.aspx>.

<sup>25</sup> Applications filed in 2018 have been removed; enough time has not passed as of December 2019 for applications filed in 2018 to reach their outcome given the length of the pardon process.

BOX 1: LIST OF APPLICATION STATUSES OF CLEMENCY REQUESTS
Administratively Withdrawn
Administratively Withdrawn - No Show
Application Denied
Application Filed
Application Issued
Application Recommended
Continued
Deactivated
Denied by Governor
Denied Public Hearing
Granted by Governor
Held Under Advisement
Merit Review Date Set
Merit Review Ready
Reconsideration Denied
Withdrawn

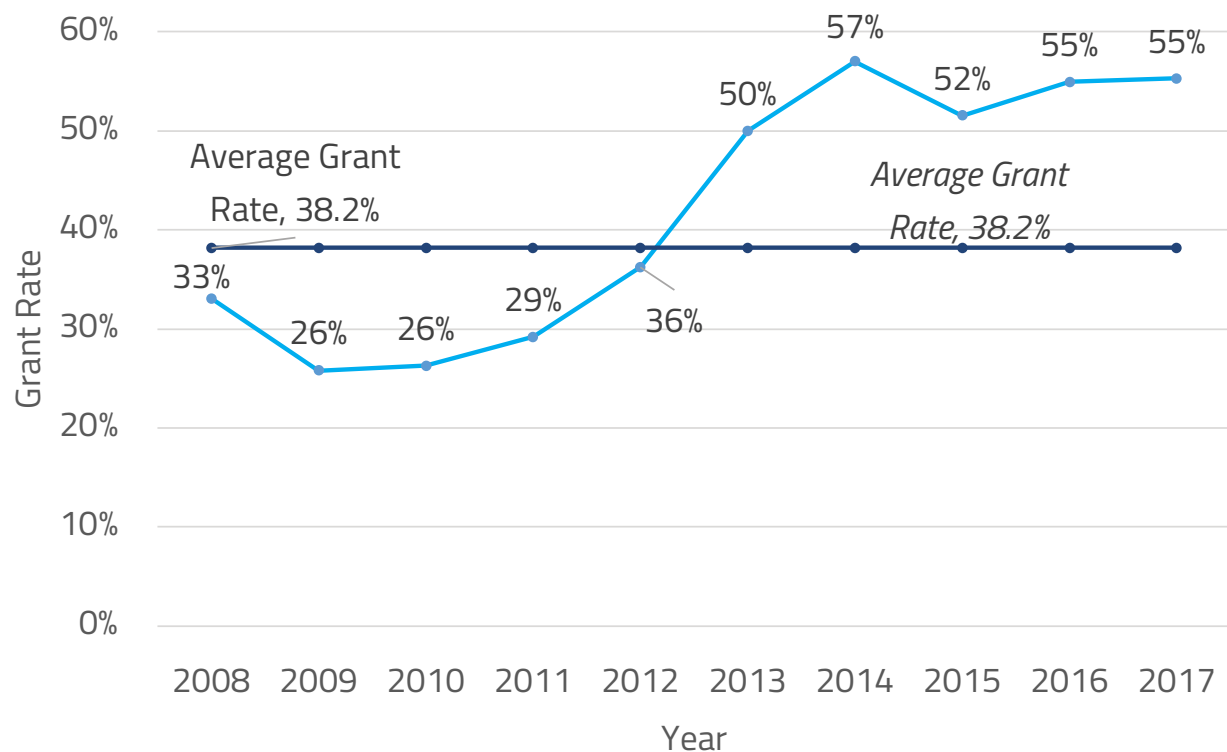
Source: PA Board of Pardons

## The average pardon grant rate during this ten-year period was 38.2%, and has been 54% from 2015-2017

From 2008-2017, the BOP accepted for filing a total of 3,430 applications for pardon. As of January 2020, 1,310 of those applications have been granted a pardon by the Governor. This means, on an annual basis during this period, an average of 343 applications for pardon were filed and 131 were granted, resulting in an average “grant rate” of 38.2%. Figure 1 displays

the grant rate for pardons filed by year between 2008 and 2017 (See Figure 1) and Box 2 the status of all applications filed from 2008-2018 (See Box 2). In particular, Figure 1 records how many of the pardon applications filed in one year were eventually granted. The grant rate has remained at or above 50% since 2013, and peaked at 57.0% in 2014.

FIGURE 1: RATE OF FILED PARDON APPLICATIONS GRANTED IN PENNSYLVANIA MORE THAN DOUBLES FROM 25.8% IN 2009 TO 57.0% IN 2014



Sources: PA Board of Pardons; Economy League analysis

BOX 2: STATUS OF ALL PARDON APPLICATIONS FILED FROM 2008-2018					
Year	Review Ongoing	Application Recommended	Granted by Governor	Negatively Adjudicated	Grand Total
2008			176	356	<b>532</b>
2009			104	299	<b>403</b>
2010			124	348	<b>472</b>
2011	1		138	334	<b>473</b>
2012			142	250	<b>392</b>
2013			127	127	<b>254</b>
2014			195	147	<b>342</b>
2015	1	1	84	77	<b>163</b>
2016		1	89	72	<b>162</b>
2017		5	131	101	<b>237</b>
2018	114	234	43	130	<b>521</b>
<b>TOTAL</b>	<b>117</b>	<b>240</b>	<b>1353</b>	<b>2241</b>	<b>3951</b>

Sources: PA Board of Pardons; Economy League analysis



In 2017 (a year in which race data was provided by sufficient numbers of applicants to make analysis meaningful), pardon grant rates were consistent across racial groups, and in 2017 whites filed three times more pardon applications than minorities.

The incarcerated population in the United States has long failed to reflect the racial make-up of the citizen population; people of color in America are jailed at rates disproportionate to their share of the national population. A study in 2017 found that “Blacks represented 12% of the U.S. adult population but 33% of the sentenced prison population.”<sup>26</sup> That same study found whites make up 30% of the prison population and 64% of the citizen population.

Similar disparities exist at the state level—with Pennsylvania having one of the most racially disparate state prison populations in the country. According to the U.S. Census 2017 ACS 5-year estimates, the Commonwealth is roughly 81.8% white, and roughly 12% African American or Black. However, according to a 2016 study by the Sentencing Project, the average state prison system jails African Americans at a rate 5.1 times the imprisonment of whites, but “Pennsylvania had 8.9 African American people incarcerated for every white person in 2014.”<sup>27</sup> In light of these facts, it is valuable to understand if the pardon system has been a counterweight to or a continuation of the racial disparities in the state prison system.

The data provided by BOP shows that of 237 applications for pardon filed in 2017, 131 or 55.3% were granted by the Governor. Five applications remain outstanding, of

which four have been recommended for a pardon. The data is limited here to only 2017 because from 2008 through 2016, the average response rate to the “Race/Ethnicity” question on the application was 2.84%—insufficient for meaningful analysis. In 2017, the response rate to the “Race/Ethnicity” question rose to 66%, making it easier to draw conclusions with confidence. The response rate rose again in 2018, to 92%; however, 348 of the 521 applications filed in 2018 have yet to be resolved and therefore including 2018 data would unfairly skew the results.

Of the 117 White/Caucasian applicants (in 2017), 51.3% were granted pardons. African Americans’ and Hispanics’ grant rates sat at 50% of 34 and 50.0% of 4, respectively, reflecting consistency across “Race/Ethnicity” (See Figure 2.) The 34% of 2017 applicants who either actively chose not to disclose their race or ethnicity or failed to do so on the form recorded grant rates significantly higher than the average, 62.5% of 81 requests. It bears mentioning again that minorities are incarcerated at five times the rate of whites, and yet in 2017,

26 John Gramlich, “The Gap between the Number of Blacks and Whites in Prison Is Shrinking,” FactTank, April 30, 2019, <https://www.pewresearch.org/fact-tank/2019/04/30/shrinking-gap-between-number-of-blacks-and-whites-in-prison/>

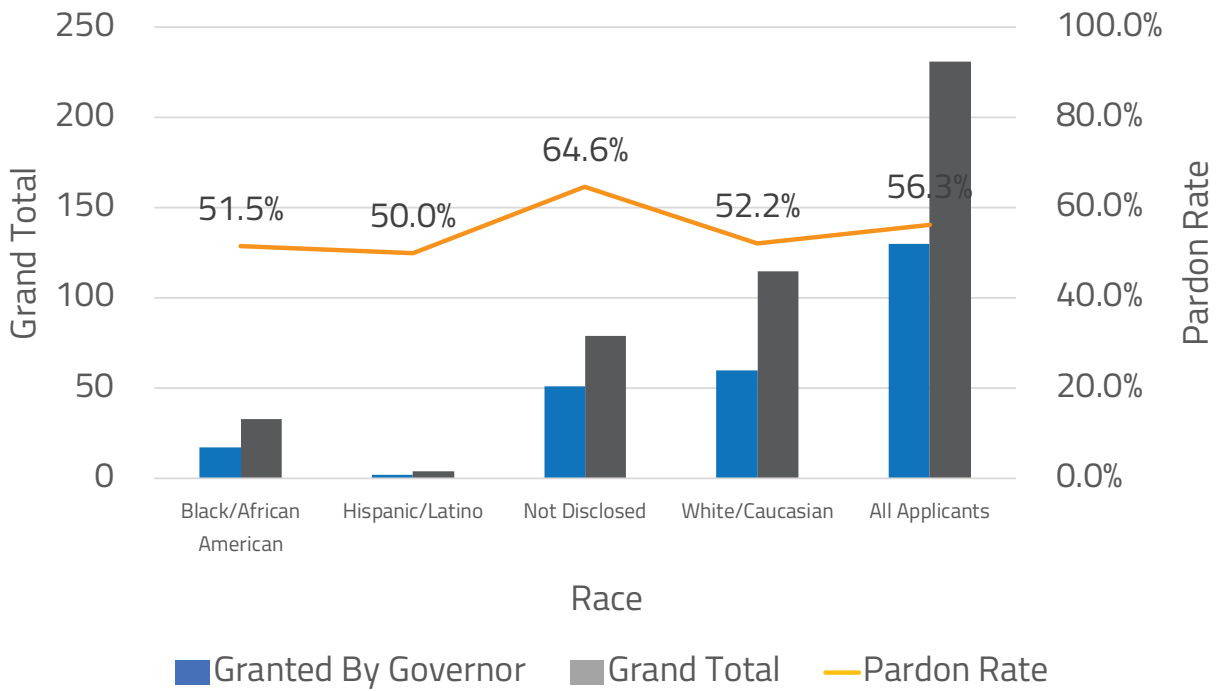
27 Ashley Nellis, “The Color of Justice: Racial and Ethnic Disparity in State Prisons” (Washington, DC: The Sentencing Project, 2016)



persons of color fell well below the number of white pardon applicants. Increasing the number and share of minority applicants to where they mirrored those of whites would correspondingly multiply the economic impact of the pardon tool statewide.<sup>28</sup>

<sup>28</sup> As noted in this report, the BOP made many changes to the application form and process in 2019 (including simplifying the form, making it available online and eliminating all fees). This caused a major increase in the number of pardon applications filed. One notable change is that the form no longer asks the race of the applicant. As a result, the impact of the reforms will not be analyzable by race.

FIGURE 2: RATE OF GRANTED PARDONS ARE CONSISTENT ACROSS RACIAL GROUPS IN 2017



Sources: PA Board of Pardons; Economy League analysis

# An Examination of Pardons in High-Arrest, Low-Income Communities

**Pennsylvania is a large and diverse state. Arrest rates and income levels differ widely across the Commonwealth, and communities are affected in varying degrees by policy shifts related to incarceration and clemency.** The analysis that follows focuses on findings regarding five counties with above-average arrest rates and below-average income levels (See Figure 3). Pennsylvanians reentering society from the criminal justice system often return to low-income neighborhoods, with Philadelphia being the most common destination for state residents released from local, state, and federal jails and prisons. It is therefore important to understand if these communities have benefited from the use of pardons at a rate higher, lower, or equal to the rest of the state. For a full methodology for selecting counties, please see Appendix A.

FIGURE 3: ALL COUNTIES LISTED EXPERIENCE ABOVE-AVERAGE ARRESTS PER CAPITA. PHILADELPHIA, LYCOMING, ALLEGHENY, AND BRADFORD COUNTIES RECORD MEDIAN INCOMES LOWER THAN AVERAGE. DAUPHIN SITS ABOVE STATE AVERAGE

COUNTY	DIFFERENCE BETWEEN COUNTY ARREST PER CAPITA (PER 100,000) AND STATE AVERAGE	DIFFERENCE BETWEEN MEDIAN INCOME AND STATE AVERAGE
ALLEGHENY	+5.09	-\$618.00
BRADFORD	+10.33	-\$6,051.00
DAUPHIN	+14.95	+\$120.00
LYCOMING	+0.72	-\$6,317.00
PHILADELPHIA	+3.96	-\$16,302.00

Sources: U.S. Census, PA Uniform Crime Reporting System

## The rate of granted pardons in high-arrest counties falls below the statewide average

Analysis shows that the average rate of granted pardons in high-arrest counties falls below the statewide average. Figure 4 below directly compares the rate of granted pardons in the five high arrest counties (H.A.C.s) identified in the section above

against all other counties (non-H.A.C.) of granted pardons from 2008-2017. The average rate of granted pardons in the five High-Arrest Counties (34.0%) falls well below the rate in the non-High Arrest Counties (40.0%) (See Figure 4).

FIGURE 4: WITH THE EXCEPTION OF TWO YEARS, HIGH ARREST COUNTIES (H.A.C.s) EXPERIENCED A LOWER-THAN-AVERAGE RATE OF GRANTED PARDONS WHEN COMPARED TO ALL OTHER COUNTIES FROM 2008-2017



Sources: PA Board of Pardons; Economy League analysis

# What Impact Does a Pardon Have on Income? Community Income Level Analysis

**Pennsylvania is an economically diverse state and it is valuable to understand how both access to and receipt of pardons may differ between communities based on their economic standing.** In the analysis below, the Economy League examines the rate at which applicants living in communities of three different income levels who filed for pardons from 2008-2018 were granted pardons by the Governor. As county-level median incomes can mask wide disparities between communities, examining income data and the zip-code level provides a clearer view into community-level earnings. Using Census data, zip codes within each high-arrest county were identified as “low income” (See Box 3 and Figure 5) and pardon data for these geographies are further analyzed below.

BOX 3: LIST OF LOW INCOME COMMUNITIES IN HIGH-ARREST COUNTIES				
PHILADELPHIA	ALLEGHENY	DAUPHIN	BRADFORD	LYCOMING
19121	15104	17104	17724	17810
19122	15112	17101	18840	17752
19132	15132	17025	18810	17763
19140	15110	17033	16947	
	15219	17097		
	15221	17048		
	15213			

# Methodology, Assumptions, and Criteria for Community Income Level Analysis

The analysis relies on zip code level data. All zip codes in the state are placed into three categories: Low, Middle, and High Income. This is done using household-level income data from the 2017 American Community Survey (ACS) 5-year estimates. The process for determining low, middle, and high-income levels relies on methodology from 2018 Pew Research Center study conducted that determined “middle-income” individuals to be adults whose annual household income is two-thirds to double the national median. This same logic is applied to zip-code level household income in Pennsylvania for the purposes of our analysis.

FIGURE 5: MEDIAN HOUSEHOLD INCOMES IN PHILADELPHIA		
CATEGORY	LOW END	HIGH END
MEDIAN HH IN-COME IN PA	\$56,951	
LOW INCOME	X	\$37,967.33
MIDDLE INCOME	\$37,967.33	\$113,902.00
HIGH INCOME	\$113,902.00	X

**2017 Federal Poverty Level for a Family of Three:**  
\$20,420

**Census Definition of Household Income:** Includes income of the householder and all other people 15 years and older in the household, whether or not they are related to the householder.

**Average Household Size in 2017:** 2.54

The analysis uses the zip code of residence listed on an individual’s application at the time of filing. Based on the median annual household income in their zip code of residence, the individual is designated high, middle, or low income. We accept that at this time, we are

Sources: U.S. Census

unable to determine if that specific individual is earning below, above, or at the median income level of their resident zip code. We instead rely on community-level data. Our analysis then divides the number of applications granted pardons by the Governor by the total number of applications filed for each income level, giving us the grant rate at each income level.

## Criteria

This analysis also relies on exclusion of certain individuals from analysis. Specifically: non-pardon clemency types, out of state residents, individuals incarcerated at the time of pardon application filing, applications in interim phases, pardons granted in 2019, and applications listing zip codes without available income data. The specifications of each of these criteria are listed below:

**Non-Pardon Clemency Types** – this study focused exclusively on the impact of a full pardon.

**Out of State Residents** – the economic impact is limited in scope to those living in Pennsylvania at the time their application was filed.

**Individuals Incarcerated at the Time of Pardon Application Filing** – the analysis relies on the applicant’s resident zip code at the time of filing to determine their per capita income. Many prison facilities have their own zip codes and the per capita income data is either unavailable or is significantly depressed compared to other zip codes in the state. It is therefore unrealistic to assume that individuals released on a pardon would remain in the same zip code for post-release employment.

**Applications in Interim Phases** - 1) Application Recommended and 2) Review Ongoing – applications without a resolution are not included at this time given that the model relies on whether the applicant has been affirmatively or negatively adjudicated.

**Applications filed in 2018** - The process from filing to outcome (i.e. application granted or denied) can take more than two years. Therefore, when calculating the rate at which filed applications for pardons are granted, we removed data from 2018. Enough time has simply not passed as of December 2019 for applications filed in 2018 to reach their outcome given the known length of the pardon process.

**Applications listing zip codes without available income data** – application with zip codes not found in the 2017 American Community Survey (ACS) 5-year estimates.

## Pardon grant rates differ by community income level

The analysis found 1,029 pardon applications granted and 1,675 applications negatively adjudicated that matched the criteria listed above. This means that, overall, 38% of all pardon applications filed between 2008 and 2017 were granted (“grant rate”). The results differ greatly when examining the rates by income-level. In low-income zip codes across the state, 136 of 456

applications filed were granted and 328 have been negatively adjudicated. This results in a grant rate of just 30%. In contrast, the total number of pardon applications granted in high income zip codes sits at 22 and those rejected at 33. This results in a grant rate of 40% - 33% higher than the rate at which offenders from low income communities have had their applications granted.

FIGURE 6: LOW INCOME ZIP CODES GRANTED PARDONS AT RATE LOWER THAN STATE AVERAGE

	GRANTED	NEGATIVELY ADJUDICATED	TOTAL APPLICATIONS	GRANT RATE
LOW INCOME ZIP CODES	136	320	456	30%
MIDDLE INCOME ZIP CODES	871	1322	2193	40%
HIGH INCOME ZIP CODES	22	33	55	40%
<b>TOTAL</b>	<b>1029</b>	<b>1675</b>	<b>2704</b>	<b>38%</b>

Sources: PA Board of Pardons; Economy League analysis





# What Impact Does A Pardon Have on Income? Individual Income Level Analysis

**Across social science and legal fields, criminal records are largely considered both a cause and a consequence of poverty.<sup>30</sup>** However, the acute impact of a criminal record on an individual's ability to gain employment and earn a livable wage in the United States has been particularly researched and documented. A 2003 Northwestern University study entitled "Mark of a Criminal Record" found that, "ex-offenders are only one-half to one-third as likely as non-offenders to be considered by employers."<sup>31</sup>

Similar studies find that no criminal record is too old or too inconsequential to serve as a barrier to employment-- even minor offenses that are graded below misdemeanors and arrests without conviction can be consequential for employment.<sup>32</sup> These dynamics offer insight into the pervasive connection between employment and wages for individuals with criminal records, and their earnings. For example, a Pew Research study in 2010 found, "by age 48, the typical former inmate will have earned \$179,000 less than if he had never been incarcerated."<sup>33</sup>

In the analysis that follows, the Economy League examines the individual economic impact of receiving a pardon in Pennsylvania.

30 Rebecca Vallas and Sharon Dietrich, "One Strike and You're Out: How We Can Eliminate Barriers to Economic Security and Mobility for People with Criminal Records" (Washington, DC: The Center for American Progress, 2014)

31 Devah Pager, "The Mark of a Criminal Record," *American Journal of Sociology* 108, no. 5 (2003): pp. 937-975, <https://doi.org/10.1086/374403>

32 Gary Fields and John Emshwiller, "As Arrest Records Rise, Americans Find Consequences Can Last a Lifetime," *The Wall Street Journal*, August 18, 2014.

33 Bruce Western and Becky Pettit "Collateral Costs: Incarceration's Effect on Economic Mobility," The Pew Research Center (2010)

# Methodology, Assumptions, and Criteria for Individual Income Level Analysis

The effect of a criminal record on an individual's ability to gain employment and earn a livable wage in the United States has been thoroughly researched and documented. A 2003 Northwestern University study entitled "Mark of a Criminal Record" found that, "ex-offenders are only one-half to one-third as likely as non-offenders to be considered by employers." A Pew Research study in 2010 found, "by age 48, the typical former inmate will have earned \$179,000 less than if he had never been incarcerated." These studies leave little ambiguity surrounding the negative effects of a criminal record on one's economic wellbeing. For the purposes of this study, we focused on annual earnings. The same Pew Research study concluded that "serving time reduces hourly wages for men by approximately 11 percent, annual employment by 9 weeks and annual earnings by 40 percent."

Pardons and expungements are, by design, intended to relieve many of these hardships felt by those formerly convicted. But studies that examine the direct economic impact of receiving a pardon have been difficult to perform. It is challenging to track individual economic outcomes after a person is released from custody and has his or her record expunged. In spite of these challenges, the University Of Michigan School Of Law recently completed a study assessing the impact on individual economic standing of receiving a "set-aside," more commonly known as an expungement. The success of the study was the result of a unique data-sharing agreement across several Michigan state agencies. The agreement allowed researchers access to financial and employment data of all individuals who had obtained criminal record "set-asides" (Michigan's term for record-sealing) both prior to and after the expungement. The study found that "those who obtain expungement experience a sharp upturn in their wage and employment trajectories; on average, within two years, wages go up by 25% versus the pre-expungement trajectory."

The model developed for this analysis relies on the two studies mentioned above to draw conclusions regarding the economic impact of receiving a pardon in Pennsylvania. The model applies the findings of the Pew Research study and the University of Michigan study to data provided by the Pennsylvania Board of Pardons to model the economic impact of pardons granted from applications filed from 2008-2018. A diagram of the model's logic can be found on the next page (See Figure 7).

Similar to the first analytical model, the Economy League excluded certain individuals from the analysis based on the following parameters:

**Non-Pardon Clemency Types** – this study focused exclusively on the impact of a full pardon.

**Out of State Residents** – the economic impact is limited in scope to those living in Pennsylvania at the time their application was filed.

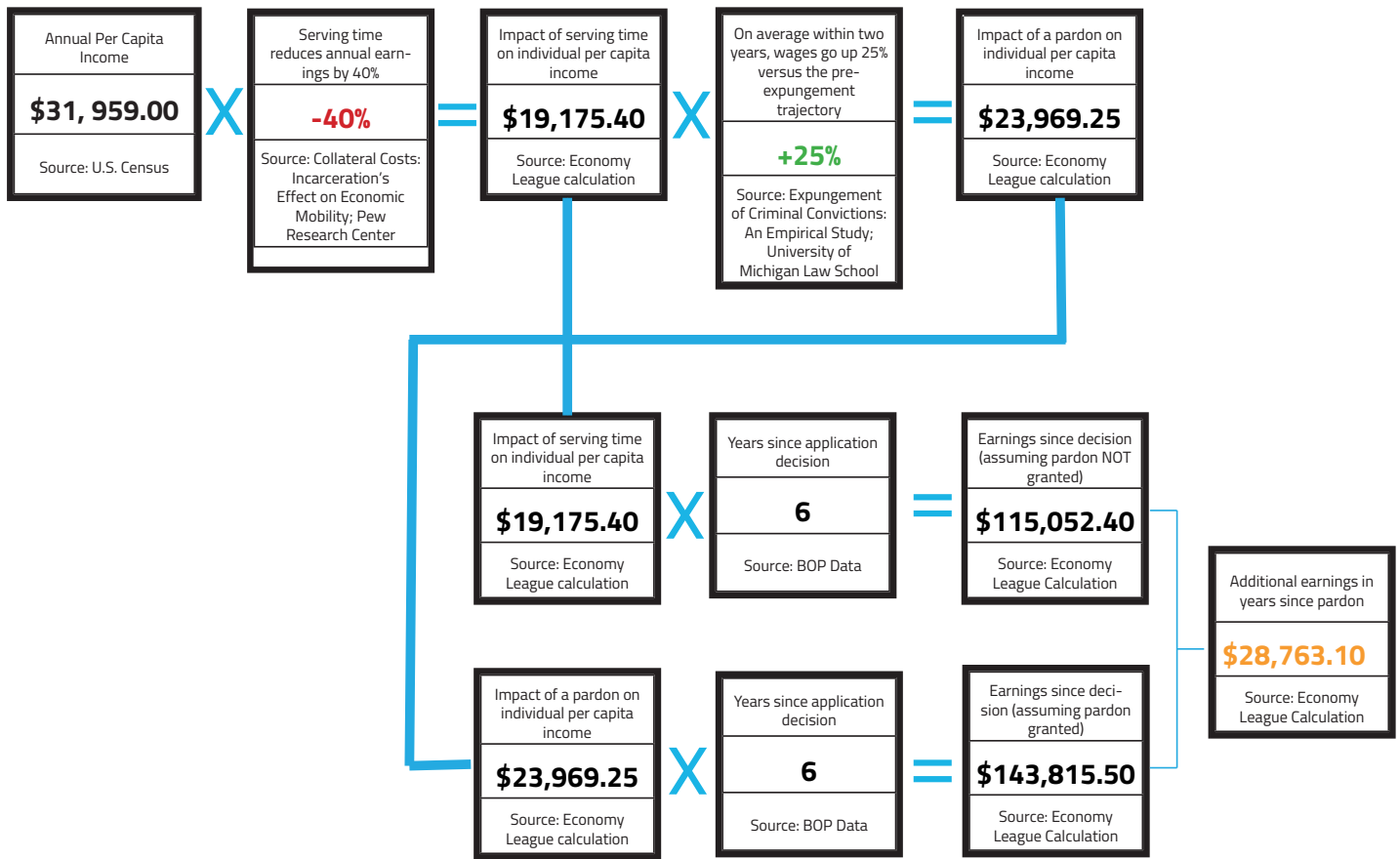
**Individuals Incarcerated at the Time of Pardon Application Filing** – the analysis relies on the applicant's resident zip code at the time of filing to determine their per capita income. Many prison facilities have their own zip codes and the per capita income data is either unavailable or is significantly depressed compared to other zip codes in the state. It is therefore unrealistic to assume that individuals released on a pardon would remain in the same zip code for post-release employment.

**Applications in Interim Phases** - 1) Application Recommended and 2) Review Ongoing – applications without a resolution are not included at this time given that the model relies on whether the applicant has been affirmatively or negatively adjudicated.

**Pardons granted in 2019** - Enough time has simply not passed as of June 2019 for applications granted in 2019 to have an economic impact.

**Applications listing zip codes without available income data** – application with zip codes not found in the 2017 American Community Survey (ACS) 5-year estimates.

FIGURE 7: MODEL FOR INDIVIDUAL INCOME LEVEL ANALYSIS



## Pardons filed between 2008 and 2018 and ultimately granted allowed recipients to earn an estimated \$16 million in additional wages as of December 2019

The model first estimates the annual income of an applicant using publicly available data. Without access to individualized wage data for this study, the model relies on community-level data to estimate an applicant’s annual income based on the 2017 per capita income in the zip code associated with the pardon application. Ties to the community are critical component of the pardon review process and therefore the model assumes continued residence in the same zip code after filing. In the absence of access to more detailed data, this methodology assumes that the applicant continues to reside in the Pennsylvania zip code associated with the pardon application. Per capita income was chosen because the University of Michigan study found that much of the wage increase was “driven by unemployed people finding jobs and very minimally employed people finding steadier

or higher-paying work.”

The model then reduces an applicant’s annual income by 40% based on the aforementioned Pew finding on the effect of a criminal record on annual earnings, creating the “Reduced Annual Income as a Result of Conviction.” The decreased per capita income is then increased by 25% based on academic literature on the impact of a pardon on wages, creating the “Increased Annual Income as a Result of Pardon” (see Figure 8).

The model then analyzes the applicant’s outcome. If the applicant for pardon was granted, then the “Impact of Pardon on Individual Per Capita Income” and the “Impact of Serving Time on Individual Per Capita Income” are multiplied by the number of the years since the pardon was granted. The difference between the two figures is then calculated.

FIGURE 8: DEMONSTRATION OF THE EFFECTS ON CONVICTION AND PARDON ON INDIVIDUAL INCOME

YEARS SINCE PARDON GRANTED	RESULT CATEGORY	INCOME CATEGORY	ANNUAL PER CAPITA INCOME	% DECREASE IN EARNING WITH CRIMINAL RECORD	REDUCED ANNUAL INCOME AS A RESULT OF CONVICTION	% INCREASE IN WAGES WITH PARDON	INCREASED ANNUAL INCOME AS REULST OF PARDON
6	Granted By Governor	Middle Income	\$31,959.00	-40%	\$19,175.40	+25%	\$23,969.25

Sources: PA Board of Pardons; Economy League analysis

The model therefore assumes that the individual quickly acquires a new job as a result of the pardon and sustains that position through present day.<sup>34</sup> The model also assumes a stagnant income level from the time of the pardon to present day. At this time, without individualized income data on all pardon recipients, these assumptions are required to estimate increased annual income as a result of a pardon. The statewide impact on wages is then calculated by totaling the difference between "Reduced Annual Income as a Result of Conviction" and "Increased Annual Income as a Result of Pardon" for all pardon recipients under the stated criteria for all years since their pardon was granted (see Figure 9). A full diagram of the model's logic can be found in Figure 7 summary of methodology and assumptions. The analysis finds 819 granted pardons

that matched the criteria listed above. The estimated impact on individual wages of these pardons as of December 31, 2019 totals \$16,494,815.35.

It is of value to note that the economic impact calculation relies on the date on which the pardon was granted. Therefore, individuals within the data set who were granted pardons in 2014 have experienced more years at a higher wage rate than those granted pardons in 2017 (see Figure 10 on the next page).

34 As reported by the CEO of the Allegheny County Workforce Development Board, "We know from working with individuals that these records are preventing them from getting jobs that are available and for which they are qualified. For some, these are professional jobs in accounting and health care; but even at the trades level, a criminal record stops them from enrolling in training programs or taking the examination that leads to a state license." And as reported by the CEO of Philadelphia County's WDB, "In so many cases our efforts to place individuals into high paying jobs, for which many of them would qualify, are thwarted by the existence of a criminal record."

FIGURE 9: EFFECTS OF PARDON IN YEARS SINCE GRANTING		
INCOME SINCE DECISION (REDUCED ANNUAL INCOME AS A RESULT OF CONVICTION X YEARS SINCE DECISION)	INCOME SINCE DECISION (INCREASE ANNUAL INCOME AS A RESULT OF PARDONS X YEARS SINCE DECISION)	EFFECTS OF PARDON IN YEARS SINCE DECISION
\$115,052.40	\$143,815.50	\$28,763.10

Sources: PA Board of Pardons; Economy League analysis





FIGURE 10: IN ECONOMY LEAGUE MODEL, NUMBER OF YEARS BETWEEN GRANTING AND PRESENT DIRECTLY AFFECT THE ESTIMATED ECONOMIC IMPACT

ZIP CODE OF RESIDENCE	PARDON GRANT DATE	YEARS SINCE PARDON GRANTED	ANNUAL PER CAPITA INCOME	INCOME SINCE DECISION (DECREASED PER CAPITA X YEARS SINCE DECISION)	INCOME SINCE DECISION (PER CAPITA WITH WAGE INCR. FROM PARDONS X YEARS SINCE DECISION)	EFFECT OF PARDONS IN YEARS SINCE DECISION
15001	12/15/2018	1.0	\$28,775.00	\$18,021.82	\$22,527.28	\$4,505.46
15001	5/17/2017	2.6	\$28,775.00	\$45,314.71	\$56,643.39	\$11,328.68
15001	2/4/2014	5.9	\$28,775.00	101,981.75	\$127,477.19	\$25,495.44

Sources: PA Board of Pardons; Economy League analysis



Source: Pew Research Centers



## Pardons can contribute to economic development in communities across the commonwealth

Figure 11. below examines the impact of pardons on wages in low-income, middle-income, and high-income zip codes to understand how pardons have impacted communities differently across the Commonwealth. All zip codes in the Commonwealth were sorted into one of these three categories (See Box 3) based on their median household incomes and according to the Pew methodology described in Appendix A. Individuals who were granted pardons and met the criteria described at the beginning of this section were then sorted into these income categories based on the zip code associated with their pardon application. The aggregate impact on wages within each income category was then calculated by summing the impact on individuals within each category. The chart also includes the number of zip codes

in Pennsylvania that fall into each of the Income Levels categories. In combining these analyses, we are able to calculate the average impact for individuals at each economic level.

The below table shows that pardons are estimated to contribute to the economic wellbeing of communities at all income levels. And while the average annual impact of receiving a pardon by an individual in high-income communities is far higher than that of the low-income community resident (\$8,494 vs. \$2,557), the aggregate impact of all pardon recipients is higher --by 50%-- in low-income communities than high-income communities (\$1,253,956 vs. \$823,918). This demonstrates that pardons can be a powerful economic tool in the areas of the state most in need of growth.

FIGURE 11: STATEWIDE ECONOMIC IMPACT OF INCREASED INCOME AS A RESULT OF PARDONS				
	LOW-INCOME	MIDDLE-INCOME	HIGH-INCOME	TOTAL
SUM OF EFFECTS OF PARDONS IN YEARS SINCE DECISION	\$1,253,956	\$14,416,941	\$823,918	\$16,494,815
AVERAGE ANNUAL INDIVIDUAL IMPACT	\$2,557	\$4,773	\$8,494	\$4,541 (average)
NUMBER OF ZIP CODES	184	1463	135	1782

Sources: U.S. Census, PA Board of Pardons; Economy League analysis

# Pardons as a Workforce development tool in Pennsylvania -- Policy and Practice Options to Expand Impact

**The analysis above demonstrates the economic power of receiving a pardon at both the individual and the community levels. Pardons are an opportunity for formerly convicted individuals to remove some of the burden that follows them after they have successfully completed their sentences, throughout their work lives (indeed, permanently).** It therefore stands to reason that broader application of such a tool would provide a benefit to those individuals and to their communities. The considerable increase in income attributed to pardons in the section above make clear that pardons, with continued oversight for public safety concerns, should be considered as a no-cost workforce development and neighborhood investment tools. Below we explore the various policy and practice options that could expand the use of this tool and their potential economic impacts.



## Policy Option 1: Increasing the number of pardon applicants

### **Key Finding: If the number of applicants in Philadelphia County from 2008 to present doubled, earnings could have increased \$92,828**

The process of applying for a pardon has required persistence and extreme attention to detail. Significant process changes made in 2019 by the Board of Pardons were intended to mitigate some challenges. For example, in September of 2019, an accelerated review process for small amounts of marijuana and drug paraphernalia would be granted as long as no other crimes were involved in those arrests.<sup>35</sup> Still, many individuals with financial means use lawyers to navigate the long process. The nature of the process itself can often serve as a barrier for many eligible individuals applying for a pardon.

For context, in 2008 alone, 15,776 inmates were released from state prison in Pennsylvania. As of June 2019, only 3,951 total individuals had filed for a pardon from 2008-2018. We should be clear that not all individuals released in 2008 were eligible for pardons or do not intend to apply in the future. But it does demonstrate that pardon applicants constitute a tiny fraction of those released from prison every year.

Increasing the number of applicants could benefit communities tremendously. Take the low-income, high-arrest community within Philadelphia County that we identified in the previous section as an example. In 2008, 24 formerly incarcerated individuals applied for pardons and had their applications filed. Six (25%) of them were granted. The analytic model estimates that this resulted in an increase in earnings of \$92,828. Now consider if the number of applications

filed doubled. Keeping the grant rate stagnant, this would mean an additional six individuals would have received pardons and the sum effect of increased wages would have been \$185,656 from 2008 to present. While these numbers appear so small as to be immaterial, it bears keeping in mind the low number of Philadelphia pardon applicants relative to the number of people released from prisons and jails annually. In contrast to the 56 pardon applicants hypothesized in the preceding paragraph, the Pew study reports that between 24,000 and 26,000 people are returned to Philadelphia every year from incarceration in local, state, and federal jails and prisons; and of those released from Pennsylvania state prisons, ninety-one percent were released to addresses in poverty areas.<sup>36</sup> Even if 5600 applications were submitted each year, it could take decades to work through the numbers of Philadelphians with convictions in their past who could claim (or demonstrate) rehabilitation.

Providing resources to individuals that improve their chances for a complete and compliant application and/or increasing the capacity of the Board of Pardons to review more applications each year would create direct economic benefit for communities across Pennsylvania. In addition to creating direct economic benefit for communities, this has the added fiscal benefit of increased revenue (without any cost) for the Commonwealth by way of income tax.

<sup>35</sup> "Expedited Review." Board of Pardons. Accessed September 31, 2019. <https://www.bop.pa.gov/Apply%20for%20Clemency/Pages/Expedited-Review-Program.aspx>

<sup>36</sup> Philadelphia Reentry Coalition, 2018. "Calculating a Unified Recidivism Rate for Philadelphia: A Data Snapshot of Reentry and Recidivism 2012-2015." Philadelphia, PA: The Philadelphia Reentry Coalition.

## Policy Option 2: Increasing the share of applications that are granted pardons

**Key Finding: If residents of low-income, high-arrest communities received pardons at the state-wide rate from 2008-2015, earnings could have increased \$440,433.57.**

One route to expand the potential economic impact of pardons is to increase the rate at which applications filed are granted. Further examination of low-income, high-arrest communities sheds light on the meaningful impact of even a marginal increase in the grant rate. 127 applications were filed from 2008-2015 by individuals residing in low-income, high-arrest communities. 36, or 28.1%, were granted. The analytical model found that this number of pardons had the potential to generate \$457,138.40 in increased wages (See Figure 12).

An increase of 10% in the grant rate during those years would mean that 44 of the applications filed would have resulted in a pardon. Using the same economic model, the increased number of pardon recipients would

have generated an additional \$97,562.18 in increased wages.

The analytical model also estimated the economic impact of the same low-income, high-arrest community receiving pardons at the state-wide rate consistently from 2008-2015. A total of 53 applicants would have received pardons, generating a total of \$897,571.97 in increase wages, \$440,433.57 above the historical model (See Figure 14).

Especially in the case of low-income communities, a focus on increasing the rate at which pardons are granted to be equal with or exceed the state average has the potential to generate economic stability in communities that need it the most.





FIGURE 12: HISTORICAL ANALYSIS 2008-2015

	2008	2009	2010	2011	2012	2013	2014	2015	
GRANTED	8	6	2	2	8	2	5	3	
FILED	33	26	24	11	16	7	7	4	
GRANT RATE	24%	23%	8%	18%	50%	29%	71%	75%	
ECONOMIC IMPACT	\$165,970.92	\$115,517.50	\$60,599.82	\$19,764.58	\$66,510.93	\$7,748.94	\$13,621.59	\$7,404.13	<b>TOTAL ECONOMIC IMPACT \$457,138.40</b>
AVG IMPACT PER PARDON RECIPIENT PER YEAR	\$20,746.37	\$19,252.92	\$30,299.91	\$9,882.29	\$8,313.87	\$3,874.47	\$2,724.32	\$2,468.04	

Sources: PA Board of Pardons; Economy League analysis

FIGURE 13: INCREASE GRANT RATE BY 10%

	2008	2009	2010	2011	2012	2013	2014	2015	
GRANT RATE INCREASED BY 10%	27%	25%	9%	20%	55%	31%	79%	83%	
NUMBER OF PARDON RECIPIENTS	9	7	3	3	9	3	6	4	
ECONOMIC IMPACT	\$186,717.29	\$134,770.41	\$90,899.73	\$29,646.86	\$74,824.80	\$11,623.41	\$16,345.90	\$9,872.18	<b>TOTAL ECONOMIC IMPACT \$554,700.58</b>
									<b>INCREASE FROM HISTORICAL DATA \$97,562.18</b>

Sources: PA Board of Pardons; Economy League analysis

FIGURE 14: GRANT RATE OF STATE AVERAGE OF 38% ACROSS ALL YEARS

	2008	2009	2010	2011	2012	2013	2014	2015	
NUMBER OF PARDON RECIPIENTS	13	10	10	5	7	3	3	3	
ECONOMIC IMPACT	\$269,702.75	\$192,529.16	\$302,999.12	\$49,411.44	\$58,197.06	\$11,623.41	\$8,172.95	\$4,936.09	<b>TOTAL ECONOMIC IMPACT \$897,571.97</b>
									<b>INCREASE FROM HISTORICAL DATA \$440,433.57</b>

Sources: PA Board of Pardons; Economy League analysis







A network of 11 ShopRite and 2 Fresh Grocer Supermarkets in the greater Philadelphia area. The company estimates that it employs 500 returning citizens, often providing them with their first jobs after being released from prison.

## Policy Option #3: Shortening processing time

**Key Finding: If the processing time were reduced by 25%, those who received pardons over the past 10 years could have generated \$6.9 million in additional income.**

The data provided by BOP for this report show on average the length of time between application filed and application granted was 3.68 years. Figure 15 below shows the breakdown of days that, on average, each step in the pardon application process has taken from 2008-2017. For additional pardon processing flow information please visit Appendix B.

As mentioned earlier, the application process is one that requires great attention to detail and persistence. The application for pardon requires a comprehensive set of documents that detail all aspects of an individual’s life, ranging from ten years of employment and income data, to ten years of residence data (including the “size (square footage) of your home”) to bank, mortgage, and credit card statements, to the estimated market value of vehicles, to educational and military records, to “police contact since your offense”, to personal references. It is well understood that such an intensive investigation requires a significant investment of time, especially if conducted of all applicants regardless of the crime and

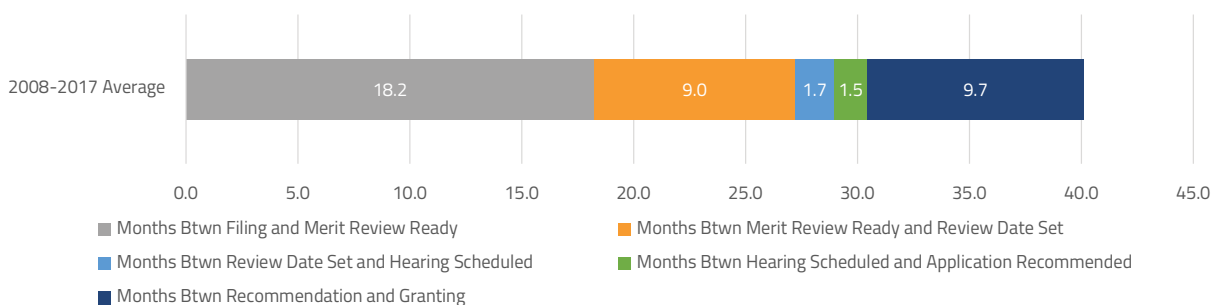
how long ago it was committed. Data from the Board of Pardons also indicates that it has taken an average of 9.7 months from the date of the Board’s vote to recommend an applicant for pardon to the date of the Governor’s decision.<sup>37</sup>

We conducted an analysis that demonstrates the potential economic impact of improving processing time by 10% through 75%. Figure 16 demonstrates that even small improvements in processing time could have major economic impact across Pennsylvania (See Figure 16).

It should be noted that processing times have in fact improved in recent years. Figure 17 displays the recent decline in time from filing to granting from an average of 4.6 years in 2014 to 1.9 years in 2017 (See Figure 17).

<sup>37</sup> This figure had dropped to 5.5 months in 2017. However, per BOP statistics, due to increases in the number of applications received by the Board in 2019, none of the recommendations for a pardon made by the BOP had yet reached the Governor’s desk by March 6, 2020, or been acted upon by the Governor by April 2, 2020.

FIGURE 15: PARDON PROCESSING FLOW: APPLICATION ISSUES TO APPLICATION GRANTED



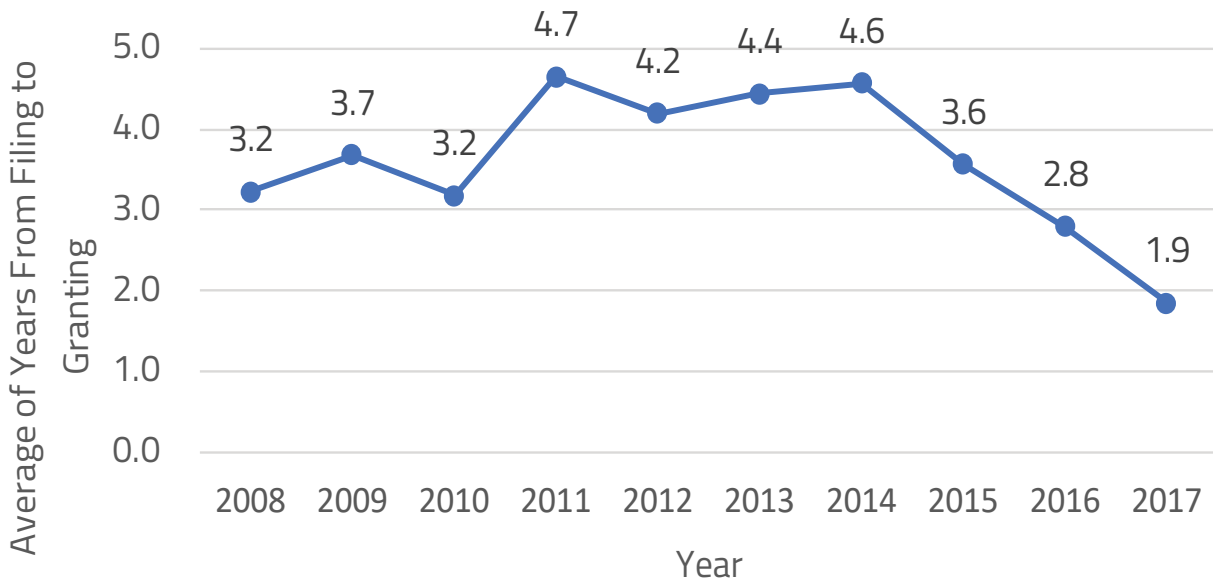
Sources: PA Board of Pardons; Economy League analysis

FIGURE 16: IMPROVED PROCESS TIME WOULD HAVE SUBSTANTIAL EFFECT ON ECONOMIC IMPACT OF PARDONS

HISTORICAL DATA	IMPROVEMENT IN TIME FROM FILING TO GRANTED	10%	25%	50%	75%
\$16,494,815.35	SUM OF EFFECTS OF PARDON IN YEARS SINCE DECISION	\$19,052,327.37	\$21,671,256.67	\$26,036,138.83	\$30,401,020.99
	DIFFERENCE FROM HISTORICAL DATA	\$4,269,348.57	\$6,888,277.87	\$11,253,160.03	\$15,618,042.19

Sources: PA Board of Pardons; Economy League analysis

FIGURE 17: AVERAGE NUMBER OF YEARS FROM FILING TO GRANTING CONTINUES TO DROP





# Conclusion

The public perception of pardons and other clemency options have long focused on the individual narrative of personal redemption. And while the moral and psychological impact of receiving a pardon remains of importance, policy makers and government officials can broaden their understanding of pardons to include their potential to generate economic stability and growth in communities in which formerly incarcerated individuals live.

While new laws that strive to implement restorative justice principles are being passed, it is important to not overlook established policies and procedures with a proven ability to improve people and communities affected by incarceration. The analysis above demonstrates that pardons can be viewed as more than just individual acts of clemency but no-cost community

reinvestment policy. They are a powerful workforce development tools that can help uplift individuals and communities across the Commonwealth. Expanding the use of pardons stands to economically improve the individual lives of those who were once convicted of crime, the communities in which they live, and the Commonwealth as a whole.



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# Appendix A

The five counties selected for this study were determined through spatial analysis of arrest data from 2018 as reported by the Pennsylvania Uniform Crime Reporting System. Analysis then calculated number of arrests over total county population to determine the number of arrests per capita by county. Five counties with above-average arrests per capita representing a cross-section of urban, suburban, and rural communities were selected for further analysis: Philadelphia, Allegheny, Dauphin, Lycoming, and Bradford.

The maps located in the Appendix examine pardon applications filed, pardons granted, and arrests per capita across Pennsylvania. Map 1 displays blue circles of varying

sizes to represent the amount of pardon applications filed at the zip code level from 2008-2018. Beneath the blue circles is a red layer that represents arrests per capita at the county level. The spatial analysis shows that, predictably, pardon applications filed between 2008 and 2018 were mainly concentrated in high arrest counties, in counties that have large populations, or major urban areas.

To complement Map 1, Map 2 displays green circles to represent the amount of pardons granted at the zip code level from 2008-2018. As anticipated given the size of their populations, Philadelphia and Allegheny counties had the highest number of pardons granted throughout the commonwealth.

FIGURE 3: ALL COUNTIES LISTED EXPERIENCE ABOVE-AVERAGE ARRESTS PER CAPITA. PHILADELPHIA, LYCOMING, ALLEGHENY, AND BRADFORD COUNTIES RECORD MEDIAN INCOMES LOWER THAN AVERAGE. DAUPHIN SITS ABOVE STATE AVERAGE

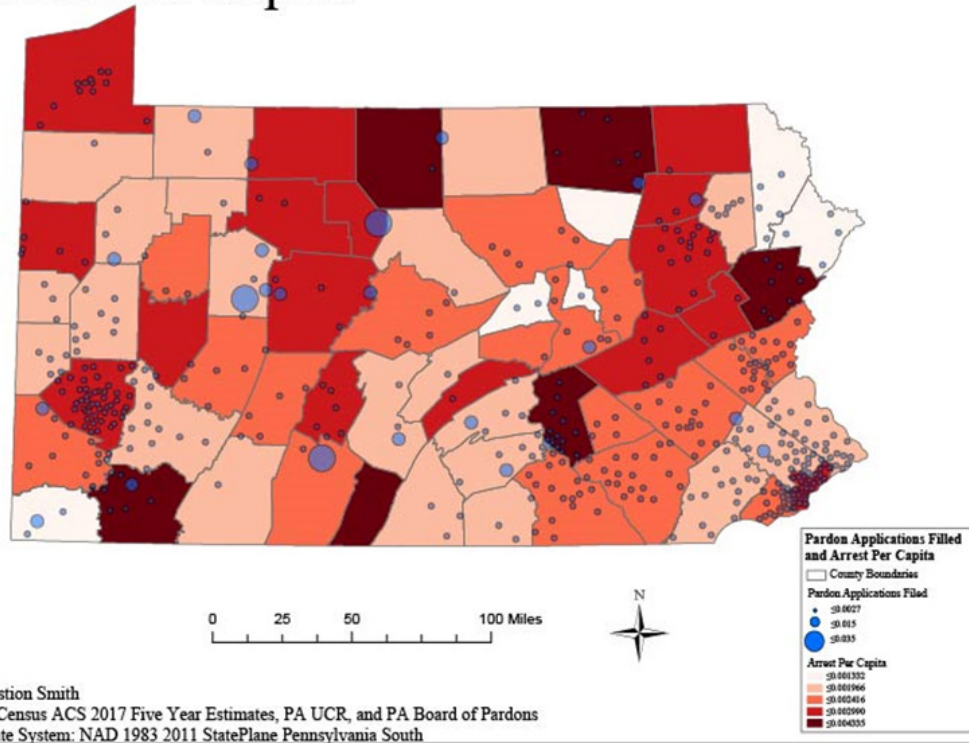
COUNTY	DIFFERENCE BETWEEN COUNTY ARREST PER CAPITA (PER 100,000) AND STATE AVERAGE	DIFFERENCE BETWEEN MEDIAN INCOME AND STATE AVERAGE
ALLEGHENY	+5.09	-\$618.00
BRADFORD	+10.33	-\$6,051.00
DAUPHIN	+14.95	+\$120.00
LYCOMING	+0.72	-\$6,317.00
PHILADELPHIA	+3.96	-\$16,302.00

Sources: U.S. Census, PA Uniform Crime Reporting System



MAP 1

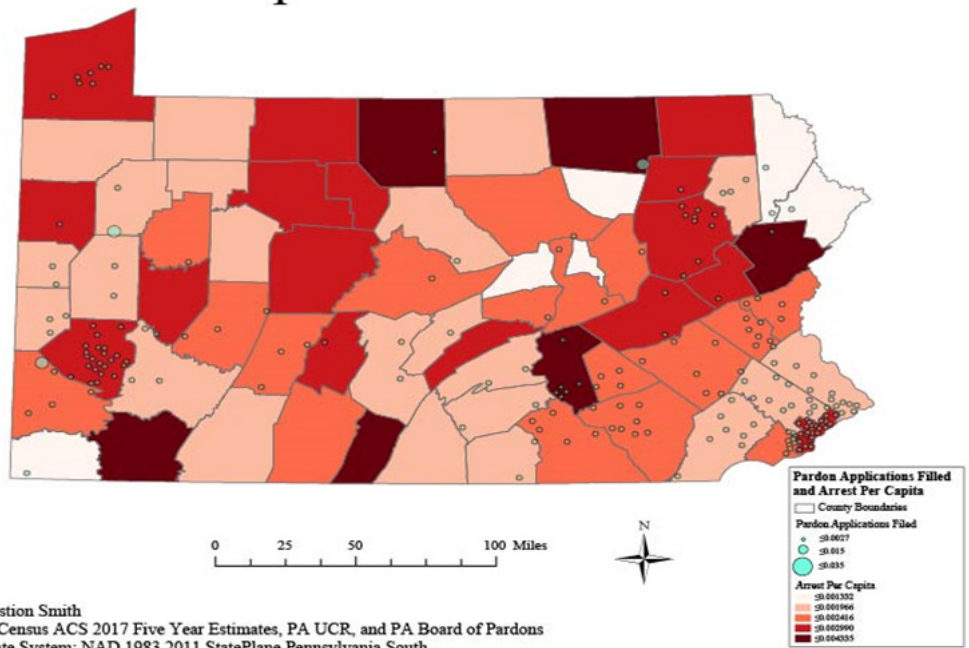
# Spatial Distribution of Pardon Applications Filed and Arrest Per Capita



Cartographer: Christian Smith  
Data Source: U.S. Census ACS 2017 Five Year Estimates, PA UCR, and PA Board of Pardons  
Projected Coordinate System: NAD 1983 2011 StatePlane Pennsylvania South

MAP 2

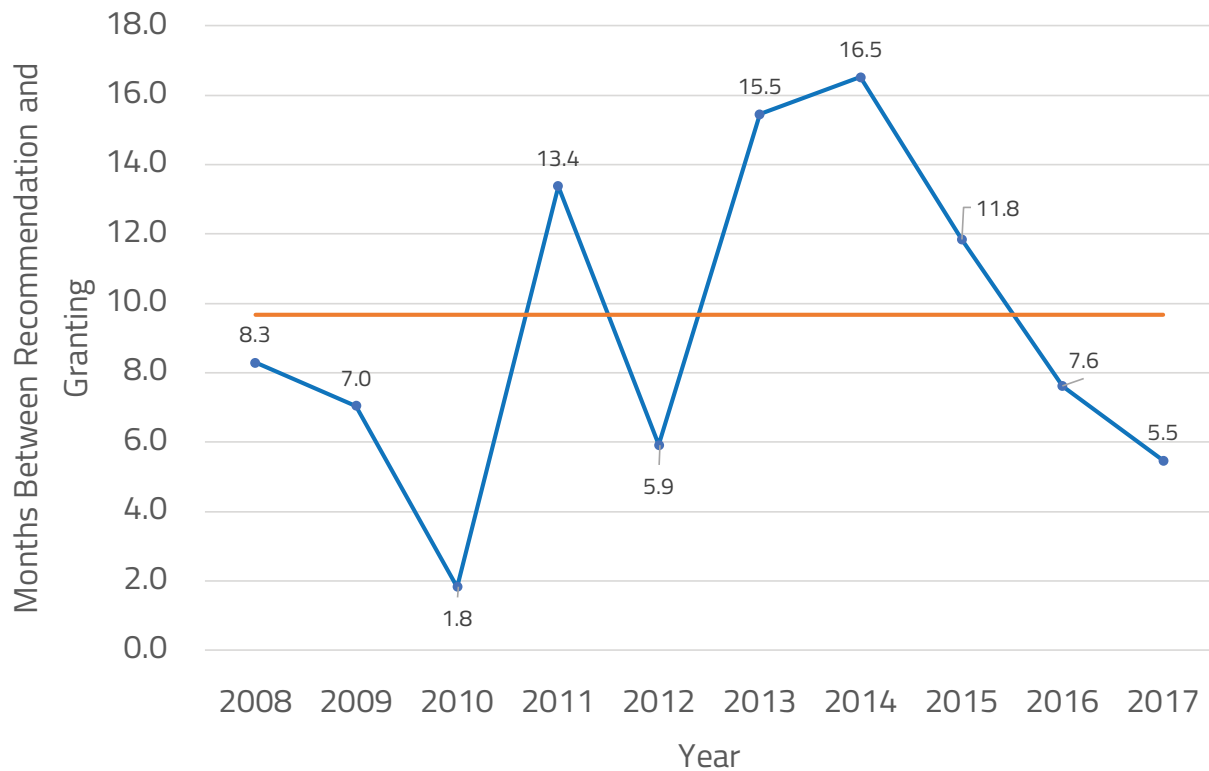
# Spatial Distribution of Pardon Applications Granted and Arrests Per Capita



Cartographer: Christian Smith  
Data Source: U.S. Census ACS 2017 Five Year Estimates, PA UCR, and PA Board of Pardons  
Projected Coordinate System: NAD 1983 2011 StatePlane Pennsylvania South

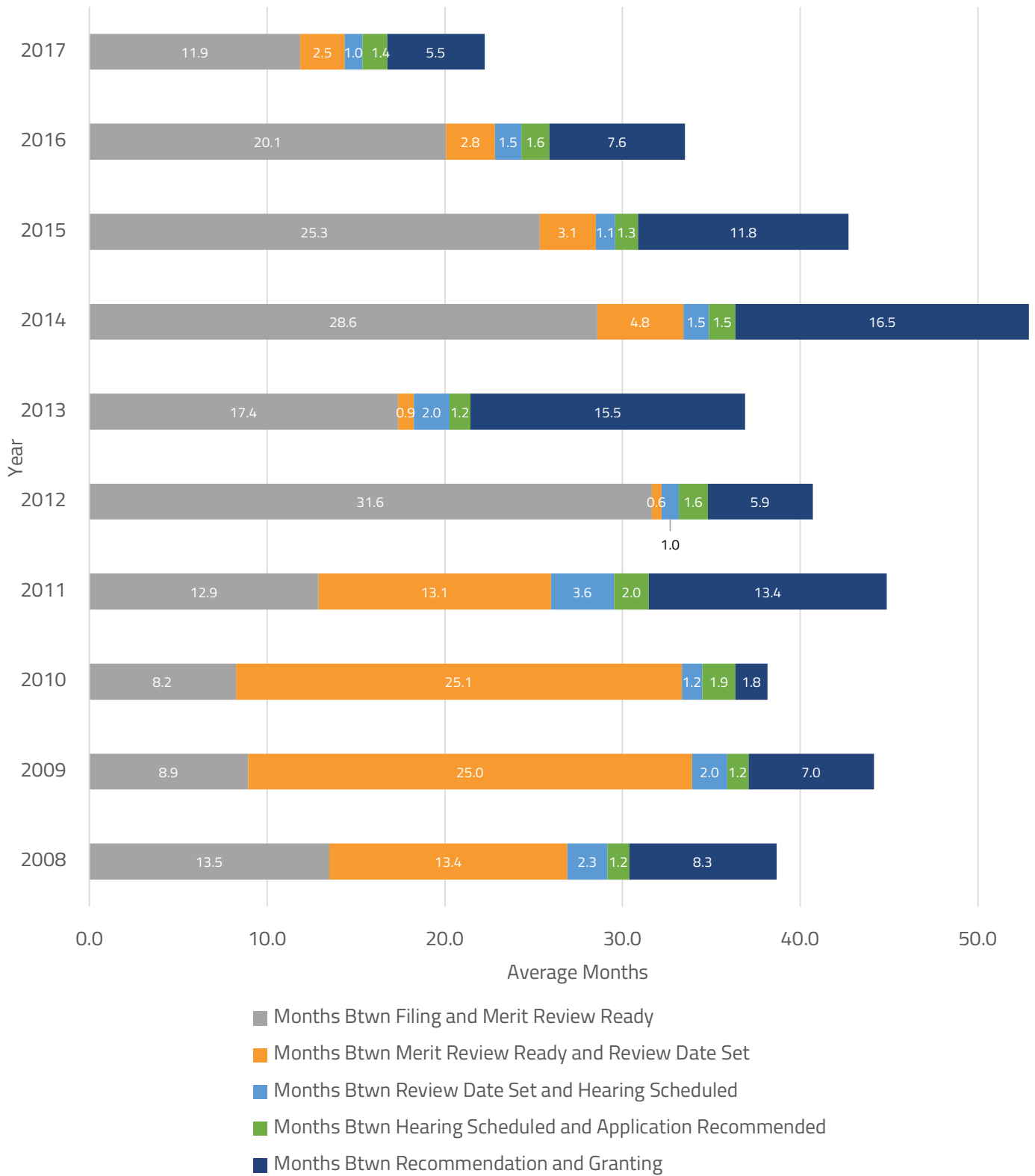
# Appendix B - Pardon Processing Flow and Improved Recommendation Times

THE NUMBER OF MONTHS FROM BOP RECOMMENDATION TO GOVERNOR'S DECISION HAS CONTINUED TO DROP FROM 16.5 TO 5.5 MONTHS IN 2017



Sources: PA Board of Pardons; Economy League analysis

PARDON PROCESSING FLOW - APPLICATION FILED TO APPLICATION GRANTED



Sources: PA Board of Pardons; Economy League analysis



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