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To Gov. Wolf: Pardon the thousands of Pennsylvanians with marijuana convictions

Tens of thousands of Pennsylvanians can't find jobs because of a years-old marijuana conviction. Gov. Wolf can use his last weeks in office to issue a blanket pardon and set them free.



Gov. Tom Wolf pushed for medical marijuana legalization, including when he met with advocates at the state Capitol in Harrisburg on March 15, 2016.

By Renee Chenault Fattah, For The Inquirer

For years, elected leaders have called for [decriminalizing the adult use of marijuana](#). These proposals call for legalizing the possession of marijuana and helping the [tens of thousands of Pennsylvanians](#) who are struggling to find employment because of a criminal record that consists solely of a years-old marijuana conviction.

Those calls have been met with gridlock in Harrisburg, as a [recent bill failed to pass through committee](#). In a few short weeks, the terms of office will end for three officials who hold the key to second chances for the people carrying the burden of previous marijuana convictions: the governor, the lieutenant governor, and the attorney general. Those three, plus the three appointed members of the Board of Pardons — corrections expert Harris Gubernick, psychiatrist John Williams, and victim representative Marsha Grayson — have the power to forgive previous marijuana convictions, and let these Pennsylvanians start rebuilding their lives.

The Board of Pardons and governor must take action — not just for those with criminal records, but for the whole of Pennsylvania.

In recent years, states have begun decriminalizing the possession of marijuana, and evidence continues to amass that marijuana is [no more a “gateway drug” than alcohol](#). But Pennsylvania

continues to charge and convict people of marijuana-related offenses. A staggering [243,287 charges were filed in the last decade](#) for the two lowest-level offenses — “possession of marijuana” and “marijuana, small amount personal use.”

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In September 2019, the Board of Pardons announced a special program to expedite pardons for marijuana-specific crimes that did not involve violence. “Minor offenses should not carry a life sentence,” [Gov. Tom Wolf said at the time](#). Expediting pardons for these cases, he said, “is the right thing to do.”

As of Aug. 23, 2022, (the most recent data published by the Board), [only 373 people had been recommended for a pardon](#) as part of the expedited marijuana review program. That’s 373 in three years.

This past September, Wolf [announced another program](#): The PA Marijuana Pardon Project, in which people with certain nonviolent marijuana convictions [could apply for a pardon](#) online before Sept. 30. “I am committed to doing everything in my power to support Pennsylvanians who have been adversely affected by a minor marijuana offense,” Wolf [said in a statement](#).

The program [generated some 3,500 applications](#), but that number doesn’t represent 3,500 people, as separate applications are required for each qualifying conviction. And while that may sound like a lot, [there were 51,604 convictions](#) just for those two minor crimes — “possession of marijuana” and “marijuana, small amount personal use” — in just the last decade.

Requiring individuals to apply for relief, one by one by one, leaves out the low-income communities that were hardest hit by the war on drugs. Despite estimates that 1 out of 6 households in Philadelphia [do not have high-speed internet access](#), the application was only available online, and the application portal itself required not just a smartphone, but a computer. Out of the thousands of applications, [only 197 came from people whose convictions were based in Philadelphia](#).

If Wolf is really serious about doing everything in his power to help Pennsylvania residents who have been unfairly disadvantaged by our war on drugs, he needs to issue a general pardon for people with low-level marijuana offenses. No need for filing of individual applications or review of individual files: a general pardon requires one piece of paper, and one signature.

Last month, President Joe Biden [issued a similar blanket pardon](#) for people convicted of marijuana possession by the federal government, and he called on governors around the country to [do the same for people convicted of state offenses](#). The governor of Oregon answered the call just this week, [issuing pardons for approximately 45,000 people](#) whose criminal record consisted of simple marijuana possession.

Wolf has the ability to grant general pardons — my organization, [Philadelphia Lawyers for Social Equity](#), recently commissioned a legal memorandum that confirmed this. First, the Board of Pardons has to issue a recommendation following a public hearing, but the final decision is the governor's.

The governor should [demand the Board of Pardons hold a public hearing](#) to consider the idea of a general pardon for people with criminal records related to low-level marijuana offenses, so he can issue his general pardon.

Wolf has only a few more weeks left in office. Tens of thousands of Pennsylvanians stand to benefit, immediately, from just one signature on one piece of paper. What are we waiting for?

Renee Chenault Fattah is the executive director of the nonprofit Philadelphia Lawyers for Social Equity.