

BOP Expedited Programs as announced on July 29, 2023

The BOP's "expedited review" program means that, if you're accepted into it, your application for a pardon should go faster than normal. Eligible people will be sent a questionnaire to fill out, instead of there being a bigger investigation.

The program only includes people who have NOT EVER committed a crime involving the illegal possession of a gun, crimes against children or animals, violence against other people, or the possibility, threat or conspiracy to do any of those things. (The list is pretty long, so if this MIGHT include you, ***check the full list below or here:*** <https://www.bop.pa.gov/Apply%20for%20Clemency/Pages/Expedited-Review-Program.aspx>) The program also does not include anyone who has an "open case" against them.

If you qualify so far and you haven't had any contact with the criminal justice system in 5 years, you will qualify for expedited review if you only had one case and it was for either misdemeanor retail theft or misdemeanor marijuana possession. Otherwise, you have to be free of contact with the justice system for 10 years if you only have one case and for 15 years if you have two or more cases.

--- more complete information:

IF THE APPLICANT HAS NOT BEEN CONVICTED OF ANY OF THE BELOW-LISTED OFFENSES, AND HAS NO PENDING CHARGES, THE APPLICANT MAY SEEK A PARDON THROUGH THE EXPEDITED REVIEW PROCESS AS FOLLOWS:

An applicant is eligible for expedited review **after 5 years** from the applicant's last contact with the criminal justice system if the applicant meets the following criteria:

Applicant has only ONE case, for any of the below-listed eligible offenses.

Misdemeanor Retail Theft

Marijuana-related misdemeanor possession offenses, specifically

35 P.S. §780-113(16)

35 P.S. §780-113(31)

35 P.S. §780-113(32)

An applicant is eligible for expedited review **after 10 years** from the applicant's last contact with the criminal justice if the applicant has only ONE criminal case.

If the applicant has MORE THAN ONE criminal case, the applicant is eligible for expedited review **after 15 years** from the applicant's last contact with the criminal justice system.

"LAST CONTACT WITH THE CRIMINAL JUSTICE SYSTEM" IS DEFINED AS ANY OF THE FOLLOWING:

1. Expiration of applicant's maximum sentence (e.g. expiration of incarceration sentence and parole period if any; expiration of probation)
2. An arrest –unless the charges were dismissed by the prosecutor or court and are otherwise eligible for expungement under Pennsylvania's Clean Slate Law, 18 Pa. C.S. §9122
3. Expiration of a final PFA

4. A PFA contempt
5. A non-traffic summary citation (e.g. harassment, retail theft, disorderly conduct)

DISQUALIFYING OFFENSES FOR EXPEDITED REVIEW

IF AN INDIVIDUAL HAS EVER BEEN CONVICTED OF ANY OF THE FOLLOWING CRIMES, OR THE CRIMINAL ATTEMPT, CRIMINAL CONSPIRACY OR CRIMINAL SOLICITATION TO COMMIT ANY OF THE FOLLOWING CRIMES, THEY WILL NOT BE ELIGIBLE FOR EXPEDITED REVIEW:

Any offense involving unlawful possession or use of a firearm, including but not limited to:

- 18 Pa. C.S. §912 – Possession of firearm on school property
- 18 Pa. C.S. §913 – Possession of firearm in court facility
- 18 Pa. C.S. §6105 – Persons not to possess, use, manufacture, control, sell or transfer Firearms
- 18 Pa. C.S. §6108 – Firearms not to be carried on public property in Philadelphia
- 18 Pa. C.S. §6106 – Firearms not to be carried without a license
- 18 Pa. C.S. §6110.2 – Possession of firearm with altered manufacturer's number

Any offense under Chapter 25 of the PA Crimes Code relating to Criminal Homicide, 18 Pa. C.S. §§2501-2507

Any offense under Chapter 26 of the PA Crimes Code relating to Crimes Against Unborn Child, 18 Pa. C.S. §§2601-2606

Any offense under Chapter 27 of the PA Crimes Code relating to Assault, 18 Pa. C.S. §§2701-2719

Any offense under Chapter 29 of the PA Crimes Code relating to Kidnapping, 18 Pa. C.S. §§2901-2909

Any offense under Chapter 30 of the PA Crimes Code relating to Human Trafficking, 18 Pa. C.S. §§3011-3017

Any offense under Chapter 31 of the PA Crimes Code relating to Sexual Offenses, 18 Pa. C.S. §§3121-3133, or Failure to Comply with Registration Requirements, 18 Pa. C.S. §§4915.1-4915.2

Arson and related offenses under 18 Pa. C.S. §3301

Causing or risking catastrophe, 18 Pa. C.S. §3302

Ecoterrorism, 18 Pa. C.S. §3311

Burglary of residence/person present, 18 Pa. C.S. 3502(a)(1)

Any offense under Chapter 37 of the PA Crimes Code relating to Robbery, 18 Pa. C.S. §§3701-3702

Incest of a minor, 18 Pa. C.S. §4302(b)

Concealing death of Child, 18 Pa. C.S. §4303

Endangering the Welfare of Children, 18 Pa. C.S. §4304

Dealing in Infant Children, 18 Pa. C.S. §4305

Threats in official or political matters, graded as a felony, 18 Pa. C.S. §4702

Any offense under Chapter 49B of the PA Crimes Code relating to Victim and Witness Intimidation, 18 Pa. C.S. §§4952-4958

Disarming law enforcement officer, 18 Pa. C.S. §5104.1

Escape, graded as a felony, 18 Pa. C.S. §5121

Controlled substance contraband to confined persons prohibited, 18 Pa. C.S. §5123(a)

Abuse of Corpse, 18 Pa. C.S. §5510

Cruelty to Animals, graded as a misdemeanor, 18 Pa. C.S. §5533(a)

Aggravated Cruelty to Animals, 18 Pa. C.S. §5534

Animal Fighting, 18 Pa. C.S. §5543

Torture or Killing of Police Animals, 18 Pa. C.S. §§5548(b), (b.1)

Promoting Prostitution of Minor, 18 Pa. C.S. §5902(b.1)

Obscene and other sexual materials and performances where victim is a minor and graded as a felony, 18 Pa. C.S. §§5903(a), (a.1)

Corruption of Minors, 18 Pa. C.S. §6301

Sexual Abuse of Children, 18 Pa. C.S. §6312

Unlawful Contact with minor, 18 Pa. C.S. §6318

Solicitation of Minors to traffic drugs, 18 Pa. C.S. §6319

Sexual exploitation of children, 18 Pa. C.S. §6320

Invasion of privacy, 18 Pa. C.S. §7501.1

Homicide by Vehicle, 75 Pa. C.S. §3732

Aggravated Assault by Vehicle, 75 Pa. C.S. §3732.1

Fleeing or attempting to elude police officer, graded as a felony, 75 Pa. C.S. §§3733(a), (a.2(2))

Homicide by vehicle while DUI, 75 Pa. C.S. §3735

Aggravated assault by vehicle while DUI, 75 Pa. C.S. §3735.1

Accidents involving death or personal injury, graded as a felony, 75 Pa. C.S. §3742

Accidents involving death or personal injury while not personally licensed, graded as a felony, 75 Pa. C.S. §3742.1

Administration, dispensing, delivery, gift or prescription of a controlled substance by a practitioner, 35 P.S. 780-113(14)