



## Criminal Defense

You never expect that you, or someone close to you, will ever be in trouble. Experience tells us that trouble too often has a way of finding us, our families and our friends. When that happens, you need an experienced attorney to help you navigate a criminal justice system arrayed against you.

Upon being contacted by the police, your first response should be to call the Pennsylvania attorneys at Willig, Williams & Davidson Willig; your first action must be to protect yourself and those close to you. There are no “minor” crimes. From misdemeanors (such as Simple Assault and Retail Theft), to felonies (such as Aggravated Assault, Robbery and Burglary), from traffic violations to drunk driving charges, you need to act quickly to protect your rights. Any criminal prosecution may lead to incarceration and the loss of reputation, job and the life you have come to know. A juvenile prosecution may lead to a record which can affect later employment and educational opportunities including financial aid; it may lead to placement in a juvenile facility. A citation for what seems to be a minor traffic violation, may lead to the suspension of your driver’s license or commercial driver’s license, loss of employment and the life-changing events that flow from those losses.

### **Criminal Expungements in Pennsylvania**

In addition, Willig, Williams & Davidson attorney, Ryan Hancock, serves the needs of clients seeking criminal expungements, sealing, and pardons. He is the co-founder and Board Chair for the Philadelphia Lawyers for Social Equity (PLSE) and its Criminal Record Expungement Project (C-REP). In Pennsylvania, individuals who come into contact with the criminal justice system, regardless of the outcome of their case(s), are marked for life. This mark, in the form of criminal history record information, attaches a wide range of collateral consequences that expand an individual’s punishment beyond that which is originally contemplated by the criminal justice system. Generally, collateral consequences are indirect civil penalties that spring from criminal convictions. Collateral consequences often have a negative impact on employment, housing (public and private), public benefits, occupational licensing, voting rights, immigration status, and social stigma. In PA, even non-conviction data, such as arrests not leading to conviction, acquittals, or not guilty verdicts are part of an individual’s criminal history record information. Because non-conviction data is publicly available for review, collateral consequences spring from conviction as well as non-conviction data.

Due to technological advances in electronic data, which provide easy access to criminal history record information, the use of criminal background checks for employment, housing, and access to social services has become routine. Therefore, it is more



important than ever for individuals to avail themselves to criminal expungements, sealing and/or the pardon process.

In PA, expungement is the process of permanently removing certain information from your criminal record. All charges that did not result in a conviction, such as dismissed, withdrawn, nolle prossed, and not guilty charges and completion of a special program such as ARD, the Small Amount of Marijuana Program, or Section 17 may be expunged. PA law also allows expungement of some conviction information, including some summary offense convictions, and under limited circumstances, convictions for individuals over seventy years old.

Under PA law, record sealing is the process in which individuals with certain misdemeanor convictions can ask the court to seal their record. A sealed record is only available to law enforcement but not an employer or the public. Finally, a pardon is an act by the Governor of Pennsylvania that erases a conviction from your criminal record. In PA, a pardon is generally the only way that felony and misdemeanor convictions can be eliminated.

### Criminal Penalties in Pennsylvania

Summary Offenses in Pennsylvania carry a potential sentence up to 3 months plus fines up to \$300.00. Common summary offenses handled by Willig, Williams & Davidson include: Disorderly Conduct, Harassment, Retail Theft, Underage Drinking.

Misdemeanors in Pennsylvania carry a potential sentence ranging from 6 months to 5 years incarceration plus fines up to \$10,000. Common misdemeanor charges handled by Willig, Williams & Davidson include: Simple Assault, Terroristic Threats, Retail Theft, Contempt of Protection Orders.

Felonies in Pennsylvania carry a potential sentence ranging from 7 to 20 years incarceration and substantial fines up to \$25,000. Common felony charges handled by Willig, Williams & Davidson: Aggravated Assault, Robbery, Burglary, Rape, Insurance Fraud, Theft.

Drunk Driving or Driving Under the Influence or DUI are all names for offenses in Pennsylvania involving drinking and driving. In most cases, drunk driving convictions carry mandatory jail sentences ranging from 48 hours to one year and mandatory license suspensions ranging from 12 to 18 months. Pre-trial diversion programs may be available to avoid jail time and limit license suspensions.

Juvenile Delinquency Petitions are brought to prosecute criminal acts allegedly committed by those under the age of 18.



Traffic Violations in Pennsylvania may lead to “points” on your license which will affect your insurance rates and may lead to the suspension of your driver’s license. Many traffic violations lead to the automatic suspension of your operating privileges. You must act quickly to preserve those privileges and to file an appeal of any decision against you in Court or by the Department of Transportation.

### Lawyers for Criminal Defense and Criminal Expungements in Pennsylvania

You need someone to stand with you to ensure that your rights are protected. From obtaining pre-trial diversion programs to jury trial, we will seek the best outcome on behalf of our clients. We have over 25 years experience on behalf of working families in the defense of criminal charges, traffic violations and driver’s license suspensions.

It is our job to fight for you. We take our job very seriously. If you have questions and would like to discuss your criminal arrest or criminal record, please feel free to call Willig, Williams & Davidson and our criminal defense lawyers at (800) 631-1233 or (215) 656-3600.