

Convictions Impacting Sealing of PA Misdemeanors

This list of offenses is relevant to the Clean Slate Act in three ways.

(1) First degree misdemeanor convictions of the following offenses may not be sealed.

(2) Felony convictions of these offenses disqualify otherwise eligible misdemeanor convictions from being sealed for 15-20 years (or permanently for an F1).

(3) M2, M3 or ungraded M convictions listed here will not be automatically sealed, but must be sealed by petition.

"Tiered sexual offenses" are those listed under 42 Pa. C.S.A. §9799.14. Offenses requiring "registration" are listed by 42. Pa. C.S.A. §9799.55.

Misdemeanor convictions not listed in this chart ordinarily will be eligible for sealing after 10 conviction-free years and are not disqualifying.

For a summary of the misdemeanor sealing rules which this chart supplements, see "Clean Slate Summary -- Act 56."

Code Section	Offense	Grades	Comments
Article B - Offenses Involving Danger to the Person (Code Sections 2500-3300)			
Criminal Homicide			
2502	Murder	Murder 1, Murder 2, F1	
2503	Voluntary Manslaughter	F1	
2504	Involuntary Manslaughter	F2, M1	
2505	Aiding or Causing Suicide	F2, M2	
2506	Drug Delivery Resulting in Death	F1	
2507	Criminal Homicide of Law Enforcement Officer	Murder 1, Murder 2, F1, F2	
Crimes Against Unborn Child			
2604	Murder of Unborn Child	Murder 1, Murder 2, F1	
2605	Voluntary Manslaughter of Unborn Child	F1	
2606	Aggravated Assault of Unborn Child	F1	
Assault			
2701	Simple Assault	M1, M2, M3	M2 is the default. M2s and M3s can be sealed by petition, but not automation.

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2702	Aggravated Assault	F1, F2	Prior to the 90s, could have been a misdemeanor so would need to check file.
2702.1	Assault of Law Enforcement Officer	F1, F2	
2703	Assault by Prisoner	F2	
2703.1	Aggravated Harassment by Prisoner	F3	
2704	Assault by Life Prisoner	Murder 2	
2705	Recklessly Endangering Another Person	M2	Can be sealed, by petition only
2706	Terroristic Threats	F3, M1	
2707	Propulsion of Missiles into an Occupied Vehicle or onto a Roadway	M1, M2	
2707.1	Discharge of Firearm into an Occupied Structure	F3	
2707.2	Paintball Guns and Paintball Markers	S	
2708	Use of Tear or Noxious Gas in Labor Disputes	M1	
2709	Harassment	M3, S	Can be sealed, by petition only
2709.1	Stalking	F3, M1	
2710	Ethnic Intimidation	See statute	
2712	Assault on Sports Official	M1	
2713	Neglect of Care-Dependent Person	F1, M1	
2714	Unauthorized Administration of Intoxicant	F3	
2715	Threat to Use Weapons of Mass Destruction	F1, F2	
2716	Weapons of Mass Destruction	F1, F2	
2717	Terrorism	F1 to M2	
2718	Strangulation	F1, F2, M2	
Kidnapping			
2901	Kidnapping	F1	
2902	Unlawful Restraint	F2, M1	
2903	False Imprisonment	F2, M2	M2 can be sealed, by petition only
2904	Interference with Custody of Children	F2, F3, M2	M2 can be sealed, by petition only
2905	Interference with Custody of Committed Persons	M2	
2906	Criminal Coercion	M1, M2	M2 is the default; it can be sealed, by petition
2907	Disposition of Ransom	F3	
2909	Concealment of Whereabouts of a Child	F3	
2910	Luring a Child into a Motor Vehicle or Structure	F2, M1	

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Human Trafficking

3011(a)	Trafficking in individuals	F2
3011(b)	Trafficking in minors	F1
3012	Involuntary servitude	F1
3013	Patronizing a victim of sexual servitude	F2
3014	Unlawful conduct regarding documents	F3
3015	Nonpayment of wages - trafficking	F3, M3
3016	Obstruction of justice - trafficking	F1, F2, F3, M3

Sexual Offenses

3121	Rape	F1	
3122.1	Statutory sexual assault	F1, F2	
3123	Involuntary deviate sexual intercourse	F1	
3124.1	Sexual assault	F2	
3124.2	Institutional sexual assault	F3	
3124.3	Sexual assault by sports official, volunteer, etc.	F3	
3125	Aggravated indecent assault	F1, F2	
3126	Indecent assault	F3, M1, M2	M2 can be sealed, by petition only.
3127	Indecent exposure	M1, M2	M2 is the default. 15 year disqualifying conviction. <i>After 15 years, M2 can be sealed, by 15 year disqualifying conviction</i>
3129	Sexual intercourse with animal	M2	
3130	Conduct relating to sex offenders	F3	
3131	Unlawful dissemination of intimate image	M1, M2	

Abortion

3218	False statements - abortion	M2, M3
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Article D - Offenses Against the Family (Code Sections 4301-4305)

§ 4301.	Bigamy	M2
§ 4302.	Incest	F2

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§ 4303.	Concealing Death of Child	M1	
§ 4304.	Endangering Welfare of Children	F1, F2, F3, M1	In the 90s and earlier, EWOC could be an M2-check file.
§ 4305.	Dealing in Infant Children	M1	

Article E - Offenses against Public Administration

4915.1	Failure to comply with registration requiremetns	F1, F,2, F3	15 year disqualifying conviction
4915.2	Failure to comply with registration requiremetns	F1, F,2, F3	15 year disqualifying conviction
5122	Weapons or implements for escape	M1	15 year disqualifying conviction

Article F - Offenses Against Public Order and Decency

5510	Abuse of corpse	M2	15 year disqualifying conviction
5515	Prohibited paramilitary training	M1	15 year disqualifying conviction
5902(b)	Promoting prostitution	F3, M2	Registration required where promoted prostitution of a minor. Otherwise, M2 can be sealed, by petition only.
5902(b.1)	Promoting prostitution of minor	F3	Tier II sexual offense; may require registration
5903(a)(3)(ii)	Design or publish obscene materials with minor	F3, M1	Tier II sexual offense; may require registration
5903(a)(4)(ii)	Advertising obscene materials with minor	F3, M1	Tier II sexual offense; may require registration
5903(a)(5)(ii)	Presenting obscene performance with minor	F3, M1	Tier II sexual offense; may require registration
5903(a)(6)	Hiring minor for subsection (a) violation	F3, M1	Tier II sexual offense; may require registration

Chapter 61 - Firearms and Other Dangerous Articles (Code Sections 6100 - 6122)

6105	Persons not to possess, use, manufacture, control, sell or transfer firearms	F1, F2, M1, M3	M3 can be sealed, by petition only
6106	Firearms not to be carried without a license	F3, M1	
6106.1	Carrying loaded weapons other than firearms	S	
6107	Prohibited conduct during emergency	M1	
6108	Carrying firearm on public streets - Philadelphia	M1	
6110.1	Possession of firearm by minor	F3	

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6011.2	Possession of firearm with altered manufacturer's number	F2	
6111	Sale or transfer of firearms	F2, F3, M2	M2 can be sealed, by petition only
6115	Loans on, or lending or giving firearms	M1	
6117	Altering or obliterating marks of identification	F2	
6121	Certain bullet prohibited	F3	
6122	Proof of license	M1	
Chapter 63 - Minors			
6301(a)(1)	Corruption of minors	F3, M1, S	F3 is a Tier I sexual offense; M1 is excluded
6312	Sexual abuse of children	F1, F2, F3	Tier I and II sexual offenses; requires registration
6318	Unlawful contact with minor	F3, M1, S	Tier II sexual offense; requires registration
6320	Sexual exploitation of children	F2, F3	Tier II sexual offense; requires registration
Chapter 75 - Other Offenses			
7507.1	Invasion of privacy	M2, M3	Can be sealed, by petition only
Federal Offenses - Title 18 U.S.C. - disqualify sealing if conviction in last 20 years			
1591	Sex trafficking of children		Tier II sexual offense
1801	Video voyeurism		Tier I sexual offense
2241	Aggravated sexual abuse		Tier III sexual offense
2242	Sexual abuse		Tier III sexual offense
2243	Sexual abuse of minor or ward		Tier II sexual offense
2244	Abusive sexual conduct, victim below 18 years of age		Tier II or III sexual offense
2251	Sexual exploitation of children		Tier II sexual offense
2251A	Selling or buying of children		Tier II sexual offense
2252	Certain activities relating to material involving the sexual exploitation of minors		Tier I or II sexual offense
2252A	Certain activities relating to material constituting or containing child pornography		Tier I sexual offense
2252B	Misleading domain names on the Internet		Tier I sexual offense
2252C	Misleading words or digital images on the Internet		Tier I sexual offense

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2260	Sexually explicit depictions of minor for importation to United States	Tier II sexual offense
2421	Transportation, generally	Tier II sexual offense
2422(a), (b)	Coercion and enticement	Tier I or II sexual offense
2423(a), (b)	Transportation of minors	Tier I or II sexual offense
2423(c)	Illicit sexual conduct in foreign places	Tier I sexual offense
2424	Filing factual statement about alien individual	Tier I sexual offense
2425	Interstate facilities to transmit information about a minor	Tier I sexual offense
 Other jurisdictions or foreign countries - disqualify sealing if conviction in last 20 years		
	A comparable military offense or similar offense under the laws of another jurisdiction or foreign country or under a former PA law	Tier I,II or III sexual offense
	A conviction in another jurisdiction or foreign country that requires sex offender registration	Tier I sexual offense

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