December 2, 2019

Governor Tom Wolf
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

Secretary Leslie Richards
Pennsylvania Department of Transportation
400 North Street, Fifth Floor
Harrisburg, PA 17120

Re: Justice for All Pennsylvanians through Retroactive Enforcement of Act 95 of 2018

Dear Governor Wolf and Secretary Richards,

As an initial matter, we write to thank you for your support and involvement with Act 95 of 2018 — repealing driver’s license suspensions for certain non-driving infractions — which went into effect on April 23, 2019. As a group of organizations dedicated to commonsense criminal justice, successful rehabilitation, and the welfare of Pennsylvania’s families and workforce, we commend you for your leadership in taking such an important step toward fairness and reform that benefits all Pennsylvanians.

Unfortunately, Act 95 does not fully accomplish what it set out to do. Because it lacks retroactive enforcement, tens of thousands of Pennsylvanians are still living with license suspensions that the General Assembly found to be unnecessarily harsh and affirmatively detrimental to rehabilitation. Indeed, while Act 95 states no additional Pennsylvanians will be subject to certain non-driving suspensions in the future, it has no effect on the thousands of Pennsylvanians whose licenses are currently suspended due to past infractions under (the now-repealed) Section 1532(c). Because license suspensions under the repealed law run consecutively, some Pennsylvanians will continue to suffer from the collateral consequences of their license suspension for years to come — indeed, many individuals have suspensions that will run until as late as 2026. They are not being given the second chance that Act 95 was meant to provide.

The General Assembly ended Pennsylvania’s policy of non-driving related licenses suspensions under 1532(c) because of its devastating effects on rehabilitation; a policy the
Governor’s office described in a press release earlier this year as “archaic.”\(^1\) **As a practical matter, the archaic policy of 1532(c) is still in effect.** Individuals with suspensions under 1532(c) continue to face significant impediments to finding and keeping employment, they have difficulty caring for themselves and their families, and they face virtually insurmountable hurdles to positive, law-abiding lives. Act 95 has not eliminated these impediments to successful rehabilitation for tens of thousands of Pennsylvanians currently struggling with non-driving license suspensions that have since been outlawed.

In passing Act 95 (through HB 163 and HR 76), the Pennsylvania General Assembly, along with the Department of Transportation, took a stand against the debilitating effects of license suspension on Pennsylvania’s families and workforce. HB 163 and HR 76 passed with enormous bipartisan support because, as all groups recognized, license suspension for non-driving offenses does not promote successful rehabilitation — it prevents it. Indeed, in support of the law’s repeal, a PennDoT official testified before the Commonwealth’s House of Representatives Judiciary and Transportation Committees on behalf of Secretary Richards: “PennDoT takes the position that driving privilege suspensions should be imposed only as a consequence for traffic violations and actions that threaten traffic safety . . . [nondriving violation] suspensions can prevent [people] from having the opportunity to reverse their life in a positive way.”\(^2\) In a press release earlier this year, the Governor’s office recognized that a valid driver’s license “often is the key to finding and keeping a job,” and that we must continue “to break down even more unnecessary and especially difficult roadblocks to success and stability.”\(^3\)

We simply ask that you build on what has been accomplished by Act 95 so far: **We ask that you break down unnecessary and difficult roadblocks for the thousands of Pennsylvanians still struggling with non-driving license suspension by issuing and enforcing an executive order for retroactive enforcement of Act 95.**

Retroactivity will assist a significant number of the **over 1 million individuals** in the Commonwealth who currently have license suspensions that prevent individuals from joining the workforce, providing for their families, and contributing to society in a positive way. Retroactive enforcement will accomplish the commonsense reform goals that Act 95 was meant to achieve and that the bipartisan General Assembly overwhelmingly endorsed. Retroactive enforcement will ensure that criminal justice reform is fair and equal, meaning every person with a counterproductive license suspension gets a fair chance at rehabilitation. Perhaps just as importantly, retroactive enforcement of Act 95 will lift thousands of suspensions in accordance with the Department of Transportation’s preferences. In contemplation of repealing 1532(c), PennDOT officially testified that non-driving related suspensions create a significant strain on budgets, administrative resources, and law enforcement resources, and PennDOT unequivocally supported an end to all such suspensions. With retroactive enforcement, tens of thousands of

---

these resource-draining suspensions would be lifted, freeing up resources, helping families, and getting Pennsylvanians back into the workforce.

The intended effects of Act 95 can and should be put into effect for the thousands of Pennsylvanians currently struggling with the consequences of license suspension — not just for Pennsylvanians in the future. We sincerely thank you for your work thus far, and for your attention to this important matter affecting thousands of Pennsylvanians and their families.

Respectfully,

Phil Telfeyan  
Executive Director  
Marissa K. Hatton  
Civil Rights Attorney  
EQUAL JUSTICE UNDER LAW  
Washington, D.C.

Joyce Douglass  
Executive Director  
The Cornerstone Residence  
Pittsburgh, PA

Anna Hollis  
Executive Director  
AMACHI PITTSBURGH  
Pittsburgh, PA

Stephen Zappala  
Allegheny County District Attorney  

Ronald A. Sugar, MBA, Esq.  
Interim Director  
Allegheny County Health Dept.

Diana Irey Vaughan  
Washington County Commissioner  
Washington, PA

Jeff Nobers  
Executive Director  
Builders’ Guild of Western Pennsylvania  
Pittsburgh, PA

T. Matthew Dugan  
Interim Director  
Office of the Public Defender  
Pittsburgh, PA

Patience Lewis-Walker  
Deputy Executive Director, Mid-Atlantic and Southern Regions  
Center for Employment Opportunities

Daniel Lavelle  
Pittsburgh City Councilman  
Pittsburgh 6th District

William Peduto  
Mayor of Pittsburgh

Rosa Davis  
Executive Director  
Pennsylvania Organization for Women in Early Recovery  
Pittsburgh, PA

Laura Chu Wiens  
Executive Director  
Pittsburghers for Public Transit  
Pittsburgh, PA

Kevin Kerr  
Head of Pennsylvania Public Policy  
Uber
Talli Thompson
Executive Director
REALISTIC REENTRY

Tim Stevens
CEO
BLACK POLITICAL EMPOWERMENT PROJECT
Co-Convener
GREATER PITTSBURGH COALITION AGAINST VIOLENCE
Facilitator
CORPORATE EQUITY & INCLUSION ROUNDTABLE WORKING GROUP
Pittsburgh, PA

Steven Shelton
Founder & Executive Director
TRADE INSTITUTE OF PITTSBURGH
Pittsburgh, PA

Terrell Thomas
Executive Director
ISAIAH PROJECT
Pittsburgh, PA

Paul Anselmo
President and CEO
NEW CENTURY CAREERS
Pittsburgh, PA

Steven Massaro
President
MASSARO CORPORATION
Pittsburgh, PA

Jim Sed
Managing Partner
PITTSBURGH NETWORK PARTNERS
PRISON PREP US
President of Operations
TRI-LINK CONTRACTING SERVICES
Pittsburgh, PA

Brian Magee
CEO
PUMP
Pittsburgh, PA

Malik Aziz
Executive Director
RETURNING CITIZENS FOR A BETTER PHILADELPHIA
NATIONAL EXHOODUS COUNCIL PHILADELPHIA CHAPTER
ALL OR NONE OF US PHILADELPHIA CHAPTER
Philadelphia, PA

Wesley Sowers, MD
Clinical Professor of Psychiatry
UNIVERSITY OF PITTSBURGH MEDICAL CENTER
Pittsburgh, PA

Josh Sayles
Director, Community Relations Council
JEWISH FEDERATION OF GREATER PITTSBURGH
Pittsburgh, PA

Pastor A. Marie Walker
St. John Baptist Pastor
KANE COMMUNITY LIVING CENTER
McKeesport, PA

Rochelle Jackson
Femisphere Project Director
WOMEN AND GIRLS FOUNDATION
Pittsburgh, PA

Robert Marin, MD
Clinical Professor of Psychiatry
UNIVERSITY OF PITTSBURGH MEDICAL CENTER
Pittsburgh, PA

Doug Muetzel
CEO
WESLEY FAMILY SERVICES
Pittsburgh, PA

Jody Raeford
Executive Director
FOUNDATION OF HOPE
Pittsburgh, PA
Jordan Robarge  
Founder & CEO  
REVIVAL CHILI  
Pittsburgh, PA

Presley Gillespie  
President  

Shad Henderson  
Manager of Community Partnerships  
NEIGHBORHOOD ALLIES

Larry Swanson  
Executive Director  
ACTION-HOUSING, INC.

Jamil Bey  
Executive Director  
URBAN KIND AND BELTZHOOVER CONSENSUS GROUP

Fred Brown  
President and CEO  
FORBES FUND PITTSBURGH

Jenna Cramer  
Executive Director  

Alyssa Lyon  
Sustainable Communities Director  
GREEN BUILDING ALLIANCE

Diamonte Walker  
Deputy Director  
URBAN REDEVELOPMENT AUTHORITY PITTSBURGH

Janera Solomon  
Director  
THE KELLY STRAYHORN THEATRE

Ronell Guy  
Managing Director  
LANDLESS PEOPLES ALLIANCE

Carol Hardeman  
Co-Chair  
ALL IN PITTSBURGH  
HILL DISTRICT CONSENSUS GROUP

Dave Breisingan  
Executive Director  
LAWRENCEVILLE UNITED

Deidra Washington  
Principal  
I DREAM A WORLD ENTERPRISES

Ivette Mongalo-Winston  
Founder  
MONWIN CONSULTING

Khalif Ali, MSW  
Principal  
COMMUNITY SOLUTIONS, LLC

Addie Daniels  
Vice President  
MY BROTHER’S KEEPER

Fawn Walker-Montgomery  
Director and Co-Founder  
TAKE ACTION MON VALLEY

Jennifer Rafanan Kennedy  
Executive Director  
PITTSBURGH UNITED

Brandi Fisher  
President/CEO  
ALLIANCE FOR POLICE ACCOUNTABILITY