

State Clemency Resources

Which form(s) of clemency does the state offer?

- Pardons
- Commutation

Note: A pardon is not a parole or commutation. A pardon does not clear a criminal record, but does acknowledge that someone has worked hard to become a productive, law-abiding citizen after making mistakes in the past. A pardon is NOT necessary in order to receive an expungement of a criminal record.

Decisionmaker

A pardon can only be granted by the Governor after a hearing and a favorable recommendation by the majority of the Pardon and Parole Board. Only the Governor can grant a pardon.

Resources:

- 🔗 ok.gov/ppb/Pardons_and_Commutations/index.html
- 🔗 **Commutation Information and Instructions:** ok.gov/ppb/documents/FAQs%20Commutations.pdf

Constitutional and statutory authority

- **Constitutional Authority:** Oklahoma Constitution, Article VI, Section 10
- **Statutory Authority:** 57 OK Stat § 57-332.2 (2021)

Eligibility Criteria

Those who are currently incarcerated cannot apply for a pardon and a pardon will not release people in prison from prison.

In order to be eligible for a pardon, a person:

- (1) Must have been convicted of an Oklahoma law violation, either a felony or misdemeanor, or a crime of moral turpitude involving alcohol or an illegal drug offense in an Oklahoma Municipal Court. Traffic misdemeanor convictions are NOT eligible for a pardon.
 - (2) Must either have discharged all sentences, including supervision, or successfully completed five consecutive years of parole or probation immediately prior to application with no new offenses and, if still under supervision, a favorable recommendation from the applicant's supervising officer.
have fully completed the entire sentence, including parole, probation, and post-imprisonment supervision.
 - (3) Must have paid all fines, fees, restitution, court costs, etc. in full.
 - (4) Must not have any new or pending charges, unresolved detainers, warrants, tax liens, or child support arrearages.
 - (5) Must not currently be in jail or prison.
 - (6) Must not have been considered for a pardon within the previous three years.
- **Commutation eligibility:** A person in the custody of the Department of Corrections, not serving a probationary term as a result of a deferment or suspension of a sentence and not on parole, shall be eligible for commutation consideration of a sentence except for a conviction of impeachment. After an unfavorable recommendation, or denial, you must wait three years from the date of denial to reapply.

Application Process

A pardon is an act of forgiveness. In order to receive a pardon, by statute, an individual must first make application for a pardon. After an application is submitted, reviewed, and deemed complete by the administrative staff of the Pardon and Parole Board, the application is referred for a Pre-Pardon investigation. After the investigation is completed, the pardon request is placed on a docket. The Pardon and Parole Board will review the application and provide an optional personal appearance. The Board will then decide to favorably recommend or deny the request for a pardon. The application and recommendation are then forwarded to the Governor for review. Board Members conduct a Pardon Hearing and in order for the pardon to proceed, a majority of the Board must make a favorable recommendation to the Governor. To be granted a favorable recommendation for pardon, the applicant must have demonstrated good citizenship, as well as a specific, verified, and compelling need for a pardon. In making its decision, the Board views the entire application packet.

- **Commutation Application Process:** To apply for a commutation, the current application form must be completed and submitted to the Pardon and Parole Board. If the application is illegible, the application will be returned and will not be processed. Each question must be answered fully, truthfully, and accurately. Sections should not be left blank. It is the applicant's responsibility to submit a complete application. If the application is not complete, the applicant will be notified and given an opportunity to provide the missing information. No further action will occur until the information is received and the application is complete.
- **Obtaining an Application:** The Pardon and Parole Board does not provide applications directly to people who are presently incarcerated. To obtain an application, the law library should have a sign-up sheet to request a commutation application. At the end of the month, the list of requests is forwarded to the Pardon and Parole Board. Copies are then distributed to the facilities based on the requests from the sign-in sheet. If an application is required immediately, the Department of Corrections may charge an inmate .25 cents per page or \$4.50 for the application. The Pardon and Parole Board cannot waive this fee. Another option to obtain an application is for a family member to print a copy from the Pardon and Parole Board's website, at ok.gov/ppb/Publications/Forms/index.html, and mail the application. A copy of the commutation application should be available in the law library within the facility for review prior to requesting an application so an inmate may see the required information in the application.

It is important that all items on the application be answered and returned to the address: Pardon and Parole Board, 2501 N. Lincoln Blvd., Suite 201, Oklahoma City, OK 73105

APPLICATION LINKS

ok.gov/ppb/documents/Pardon%20Application%20Revise%202018.pdf

[Commutation Application: ok.gov/ppb/documents/Commutation%20Application%2010.9.15.pdf](http://ok.gov/ppb/documents/Commutation%20Application%2010.9.15.pdf)