

# REMISSION OF FINE

## NOTICE TO APPLICANT

Please read the application instructions carefully, and complete the application accordingly.

Submission of incomplete applications or applications that do not comply with instructions may result in the Board's Clemency Section soliciting you in writing for the correct documentation.

Failure to comply with instructions will delay processing.

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**For your records, make copies of all documentation that you submit to the Board's Clemency Section.**

Due to the inability to retain records for extended time periods for incomplete applications, we are advising you NOT to provide originals of personal items, including but not exclusive to photos, transcripts, birth and other certificates, achievement awards, licenses, literature, social security and other identification cards or items, notebooks or binders, clemency proclamations. You may in lieu of originals provide copies of these documents with your submitted application.

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# REMISSION OF FINE INSTRUCTIONS & CHECKLIST

Mail completed applications to: TEXAS BOARD OF PARDONS AND PAROLES  
ATTN: CLEMENCY SECTION  
8610 SHOAL CREEK BLVD.  
AUSTIN, TX 78757

1. Submit a completed application form. Please respond to **all** items. If necessary, use “N/A,” “Unknown,” “None,” or “Do not remember.”
2. Applications must be typed or printed legibly in **black or blue** ink.
3. Certified court documentation (indictment, judgment and sentence) for each adult conviction for which you are requesting a Remission of Fine. For complete instructions, refer to Page 2 of 2.
4. Offense (arrest) reports for each adult conviction for which you are requesting a Remission of Fine. The documents do not need to be certified. For complete instructions, refer to Page 2 of 2.
5. A written unanimous recommendation of the current trial officials (the present prosecuting attorney, judge, and sheriff/chief of police of the arresting agency from the county and court of offense, conviction and release) and compliance with board rules governing Remission of Fines.
6. If the request is for medical reasons, provide a statement from the attending physician indicating the condition of the applicant and medical treatment recommended, and a clear statement of financial responsibility for hospitalization or other treatment.
7. If a financial hardship request, provide a written statement from the prospective employer stating the nature of the employment offer and whether or not the employment offered will be permanent, if duties are performed satisfactorily.
8. Complete the attached application form as presented. You may submit attached documents as instructed in the application. Do not alter the presentation of this application either through reformatting or rewriting. Do not bind or staple the application with any other submitted material.
9. The application must be signed and dated by the applicant.
  - If the Board recommends a Remission of Fine, the Governor makes the final decision. The applicant will be notified in writing upon final action.
  - Please let us know of any change of address or telephone number.
  - On the Application Page 1 of 6, A. Demographic Information, where asked to provide the applicant’s current name, input the full name as it might appear on a Governor’s proclamation.

## GENERAL INFORMATION

**Definition** - Remission of fine--An act of clemency by the governor releasing the grantee from payment of all or a portion of a fine.

## **PROCEDURES FOR OBTAINING COURT DOCUMENTATION**

All court documents must be **CERTIFIED**, whether they originate from the office of the District, County, or Municipal Clerk. Acquire the proper documentation, accordingly:

**IF** convicted and the judgment included a court ordered **fine** and or **restitution**, furnish a statement from the appropriate clerk confirming the amount paid.

**IF** convicted and the sentence is probated or deferred, furnish the Complaint/Indictment or Information, Judgment and Sentence.

**IF** convicted of a misdemeanor resulting in a fine and/or jail time, furnish the Complaint, Judgment and Sentence.

**IF** convicted of a felony probation and revoked to the Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID), furnish the Indictment, Judgment and Sentence granting probation and the revocation document(s).

**IF** convicted of a felony, sentenced to TDCJ-CID and currently on parole or mandatory supervision or on annual report status, or have discharged the sentence, furnish the Indictment, Judgment and Sentence and a copy of the TDCJ parole certificate. Contact the following office(s) to obtain the appropriate certificate:

TDCJ-CID RECORDS OFFICE  
P. O. BOX 99  
HUNTSVILLE, TEXAS 77342

or

TDCJ PAROLE SUPERVISION  
8610 SHOAL CREEK BLVD.  
AUSTIN, TEXAS 78758

## **PROCEDURES FOR OBTAINING ARREST/OFFENSE REPORTS**

For **each** criminal offense, acquire from the appropriate law enforcement arresting agency copies of the arrest/offense reports. These copies of reports do not have to be certified. For offenses involving drugs, please provide copies of laboratory reports.

## APPLICATION FOR REMISSION OF FINE TO THE TEXAS BOARD OF PARDONS & PAROLES

### TO THE BOARD OF PARDONS AND PAROLES OF TEXAS:

I hereby request the Board of Pardons and Paroles or its designated agent to file this application for Clemency, to investigate the statements herein made under oath and, if the facts so justify, make a favorable recommendation to the Governor of the State of Texas that a Remission of Fine, to which I may be entitled under the laws of the State of Texas, be granted.

#### A. DEMOGRAPHIC INFORMATION

Current full name	Last Name	<input type="checkbox"/> Jr. <input type="checkbox"/> III <input type="checkbox"/> Sr. <input type="checkbox"/> IV	First Name	Full Middle Name
Name(s) convicted under				
Race and sex	Race _____ Sex _____			
Date and place of birth	Date of birth _____ Place of birth _____			
Driver's license	State _____ License Number _____			
Alias names (including maiden name, name by former marriage and nicknames), birth dates, social security #'s, etc.				
Current marital status	<input type="checkbox"/>	Married – Spouse's Name:		
	<input type="checkbox"/>	Divorced	<input type="checkbox"/>	Separated
	<input type="checkbox"/>	Single		
Children / support / alimony	I have _____ children under the age of 18 years. I am supporting the following named children under the age of 18 years: _____ I currently pay \$ _____ / month in child support. I currently pay \$ _____ / month in alimony.			

**B. ADDRESSES**

<b>Current Mailing Address</b> <i>Indicate your current mailing address.</i>		<b>Current Physical Address</b> <i>Provide information even if the physical and mailing addresses are the same.</i>
Number and street _____ Apartment _____		Number and street _____ Apartment _____
City _____ State _____ Zip Code _____		City _____ State _____ Zip Code _____
Home phone number [ _____ ] _____		County of residence _____
Work phone number [ _____ ] _____		Years resided at physical residence _____
Email Address _____		

**Previous Addresses**

List **all** previous physical addresses since age 18. Do not use post office boxes. If you lived in an apartment complex, list your apartment number. *All time periods must be accounted for.* Include complete dates (months and years of residence), addresses, city, state and zip codes. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

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### C. EMPLOYMENT

Please give a comprehensive adult (since age 18) employment history, beginning with your present employment and working backwards. Include employer's name, address, your job position working title, description of job duties, salary, dates employed, and reason for leaving. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

**D. STATUS**

Are you currently incarcerated in a Texas penal institution? <i>If "yes," list your (TDCJ-CID) identification number.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No ID number: _____
Are you currently jailed in a Texas county jail? <i>If "yes", list your county jail identification number.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No ID number: _____
Were you ever incarcerated in a Texas penal institution? <i>If "yes", list all (TDCJ-CID) identification numbers.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No Prior ID number: _____ Prior ID number: _____
Are you currently serving a term of probation? <i>If "yes", identify the county of current residence, name and phone number of your probation officer.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No County: _____ Name: _____ Number: (    ) _____
Are you currently on parole, annual report status, or serving a term of mandatory supervision? <i>If "yes," identify the county of current residence.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No County: _____
Do you have any pending criminal charges? <i>If "yes," attach an explanation page. Place the attachment behind this page.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you requesting a Remission of Fine for medical reasons? <i>If "yes", explain the nature of your request on application Page 5 of 6, Justification for Clemency Consideration (1), where asked to state your reasons and circumstances for requesting a remission of fine.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you requesting a Remission of Fine for reasons of financial hardship? <i>If "yes", explain the nature of your request on application Page 5 of 6 Justification for Clemency Consideration where asked to state your reasons and circumstances for requesting a remission of fine.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you requesting a Remission of Fine after Reprieve under Board Rule §143.72? <i>If "yes", explain your request on application Page 5 of 6 Justification.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No



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**F. CERTIFICATION BY APPLICANT**

*Please read the following statements carefully and indicate your understanding and acceptance by signing in the space provided. This application must be signed.*

I hereby give my permission to the Board of Pardons and Paroles or its designated agent to make any inquiry and receive any information of record that it may deem proper in the investigation of this application for clemency; and

I understand that compliance with these requirements is sufficient for the Board's consideration of this application, but compliance does not necessarily mean that favorable action will result.

I hereby swear upon my oath that I am the subject herein named and the facts contained in this application are true and correct.

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**Applicant's Signature (Full Name)**

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**Date**

## CRIMINAL HISTORY INFORMATION

Provide information on all criminal convictions for which you are requesting a Remission of Fine (**list one offense per page**) and the disposition of each conviction. All blanks must be completed for each conviction. Included in this application are two (2) blank "Criminal History Information" pages provided in the event that you have multiple convictions.

Photocopy as many of these blank pages as needed to list additional convictions.

**Criminal Offense:** \_\_\_\_\_

*List the offense as it appears in the court documentation.*

Are you requesting a Remission of Fine for this offense?

Yes /  No

### *Additional Information about the Criminal Offense*

County: \_\_\_\_\_ State: \_\_\_\_\_

Cause Number: \_\_\_\_\_

Court of Adjudication: \_\_\_\_\_

Disposition/Sentence Date: \_\_\_\_\_

Date of sentencing.

Court Disposition/Sentence: \_\_\_\_\_

Examples of possible responses that you may modify to reflect your circumstance:

5 years TDCJ  
Revoked probation sentence to 5 years TDCJ  
2 years State Jail Felony  
2 years probation

Fine ordered in the Sentence?  Yes  No If "Yes", indicate the amount: \$ \_\_\_\_\_

Was the fine paid in full?  Yes  No

Restitution ordered in the Sentence?  Yes  No If "Yes", indicate the amount: \$ \_\_\_\_\_

Was the restitution paid in full?  Yes  No



## CRIMINAL HISTORY INFORMATION

Provide information on all criminal convictions for which you are requesting a Remission of Fine (**list one offense per page**) and the disposition of each conviction. All blanks must be completed for each conviction. Included in this application are two (2) blank "Criminal History Information" pages provided in the event that you have multiple convictions.

Photocopy as many of these blank pages as needed to list additional convictions.

**Criminal Offense:** \_\_\_\_\_

*List the offense as it appears in the court documentation.*

Are you requesting a Remission of Fine for this offense?

Yes /  No

### *Additional Information about the Criminal Offense*

County: \_\_\_\_\_ State: \_\_\_\_\_

Cause Number: \_\_\_\_\_

Court of Adjudication: \_\_\_\_\_

Disposition/Sentence Date: \_\_\_\_\_

Date of sentencing.

Court Disposition/Sentence: \_\_\_\_\_

Examples of possible responses that you may modify to reflect your circumstance:

5 years TDCJ  
Revoked probation sentence to 5 years TDCJ  
2 years State Jail Felony  
2 years probation

Fine ordered in the Sentence?  Yes  No If "Yes", indicate the amount: \$ \_\_\_\_\_

Was the fine paid in full?  Yes  No

Restitution ordered in the Sentence?  Yes  No If "Yes", indicate the amount: \$ \_\_\_\_\_

Was the restitution paid in full?  Yes  No



# REMISSION OF FINE CHECKLIST

*Before submitting your application, please ensure that you have complied with all application instructions and have reviewed the checklist information provided on this page. Incomplete applications will not be forwarded to the Texas Board of Pardons and Paroles for voting consideration.*

## Eligibility

Did you review your eligibility for clemency consideration by reviewing remission of fine application instruction pages and board rules governing remission of fines?

## Completing the Remission of Fine Application Form

Did you complete the application form as instructed? Review to ensure that you have complied with all instructions, including the following:

- (1) Type or print legibly in black or blue ink;
- (2) Do not alter the presentation of the application by reformatting or rewriting the form, and do not bind or staple the application;
- (3) Respond to all items, if necessary using “N/A,” “Unknown,” “None,” or “Do not remember;”
- (4) For each adult conviction for which you are requesting a remission of fine, complete application pages titled “Criminal History Information” and “Subject’s Version” as instructed, with a complete and detailed Subject’s Version of Offense with location, offense date, law enforcement agency involved, events leading up to the offense and your extent of involvement in the case;
- (5) Sign with your full name the application form with a date of signature.

## Certified Court Documentation

Did you provide appropriate certified court documentation (indictment/complaint/information, judgment & sentence) or clerk statement (fine/restitution paid) for **all convictions** for which you are requesting a remission of fine? Refer to application instruction Page 2 of 2, Procedures for Obtaining Court Documentation, for detailed instructions.

## Offense/Arrest Reports

Did you provide offense reports for **all convictions** for which you are requesting a remission of fine from the appropriate law enforcement agency? For example, if you were arrested by the Austin Police Department, you must request offense reports from that agency. If you were arrested by the Travis County Sheriff’s Department, you must contact that agency.

If unsure of the arresting agency, you may access public record information pertaining to criminal convictions and deferred adjudications by accessing the Texas Department of Public Safety (DPS) Crime Records Service website <http://records.txdps.state.tx.us/>. Or you may contact DPS to request assistance in acquiring criminal history information.

# TEXAS BOARD OF PARDONS AND PAROLES RULES



## Chapter 143. EXECUTIVE CLEMENCY

### Subchapter F. REMISSION OF FINES AND FORFEITURES

#### **§143.71. Remission of Fine**

- (a) The board will consider a request to remit a fine upon the unanimous written recommendation of the trial officials, said recommendation to be furnished upon official letterhead of each official.
- (b) The board will also consider a request to remit a fine, only for medical reasons, or reasons of financial hardship (loss of home or business, or the lack of support for family) or other compelling hardships only upon receipt in writing of the following information:
  - (1) a request to remit a fine(s) clearly stating the nature of the hardship or medical reason for the request; and
  - (2) a certified copy of the judgment and sentence for each cause for which the applicant is presently confined; and
  - (3) if a request for medical reasons, a statement from the attending physician indicating the condition of the applicant and medical treatment recommended; and a clear statement of financial responsibility for hospitalization or other treatment; or
  - (4) if a financial hardship request, a written statement from the prospective employer stating the nature of employment offer and whether or not the employment offered will be permanent, if duties are performed satisfactorily; and
  - (5) the recommendation of a majority of the trial officials that the fine be remitted to be furnished only on official letterhead of each official.

#### **§143.72. Remission of Fine after Reprieve**

The board will consider a request to recommend that the governor remit a fine after satisfactory completion of a reprieve of fine upon receipt of a written request from the applicant or person acting for him and a recommendation of a majority of the trial officials, to be furnished upon official letterhead of each official.

#### **§143.74. Request of Governor**

The board shall consider a recommendation for remission of fine or forfeiture in any case upon the request of the governor (§508.050, Government Code).