

WHAT IS THE APPLICATION PROCESS?

Clemency requests may be directed to the Clemency Section at (512) 406-5852 from 8:00 a.m. to 5:00 p.m. Monday through Friday. The section provides consistent, professional services in a timely manner including mailing clemency applications to requesters who do not have access to the internet. Once the staff determines the application is complete, the staff promptly prepares the case for board consideration for those cases that meet the criteria outlined in the board rules and submits all required documents.

For information regarding the clemency process and for the appropriate application, please visit the BPP website <http://www.tdcj.state.tx.us/bpp>

WHAT IS A POSTHUMOUS PARDON?

A full pardon may be considered for a person who is deceased. The application will be submitted by a person acting on behalf of the deceased individual.



Texas Board of Pardons and Paroles
P.O. Box 13401, Capitol Station
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**TEXAS
BOARD OF
PARDONS AND
PAROLES**

CLEMENCY

WHAT IS CLEMENCY?

The governor has the authority to grant clemency upon the written recommendation of a majority of the Board of Pardons and Paroles. Clemency includes full pardons after conviction or successful completion of a term of deferred adjudication community supervision, conditional pardons, pardons based on innocence, commutations of sentence, and emergency medical reprieves. In capital cases, the Board considers applications for commutation of sentence to life in prison and for a reprieve of execution. If the Board recommends clemency in a death penalty case, the governor may grant commutation or reprieve. The governor can also grant a one-time thirty-day reprieve of execution in these cases.

WHAT IS A FULL PARDON?

A full pardon restores certain citizenship rights forfeited by law as the result of a criminal conviction, such as the right to serve on a jury, the right to hold public office, and the right to serve as executor or administrator of an estate. Pursuant to the current Texas Election Code, voting rights are restored to Texas residents after discharge of felony sentence, provided that they are otherwise eligible to register. See *"How are Voting Rights Restored?"*

A full pardon will not be considered for an offender while in prison except when exceptional circumstances exist.

A full pardon will remove barriers to some, but not all, types of employment and professional licensing. However, licenses are granted at the discretion of the state licensing boards of each profession, and it is advisable to contact those boards directly to learn

whether a pardon is necessary or sufficient to restore licensing eligibility in a particular field. A pardon will not restore eligibility to become a licensed peace officer in Texas.

HOW ARE VOTING RIGHTS RESTORED?

In past years, Texas law specified that citizens convicted of a felony offense were ineligible to vote in the State of Texas until two years after full discharge of their sentence.

Effective September 1, 1997, the legislature restored voting rights to felons convicted in Texas once a person fully discharges the felony sentence, including any term of incarceration, parole, or supervision, or completes a period of probation ordered by any court. See Texas Election Code, 11.002.

Before voting in local, state, or federal elections, a person must meet the minimum qualifications such as being a U.S. citizen, at least 18 years of age, and mentally competent. A person must register to vote in the county of residence and may obtain further information from the Registrar of Voters Office in that county or from the Elections Division of the Secretary of State's Office.

Please note that the Texas law does not affect voting rights in other states.

WHAT IS A CONDITIONAL PARDON?

A person with a conditional pardon remains subject to conditions of release. A conditional pardon does not restore civil rights or rights of citizenship, and the governor can revoke the pardon if a person does not comply with the conditions of release.

A conditional pardon will be considered only after minimum statutory parole eligibility has been attained.

WHAT IS A COMMUTATION OF SENTENCE?

Commutation of sentence results in a reduction of the sentence to a lesser time period. A commutation can be granted for time served. Commutations of sentence will be granted only upon the written recommendation of a majority of the applicant's trial officials in the county of conviction stating that the penalty now appears to be excessive and recommending a definite term, based on new information not before the judge or jury at trial, or a statutory change in the penalty.

WHAT IS A REPRIEVE FOR EMERGENCY MEDICAL, FAMILY, OR CIVIL COURT PROCEEDINGS?

A reprieve is a delay or temporary suspension of punishment. Offenders who are terminally ill (six months or less to live), totally disabled, require medical treatment not available within the Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID) System, or who have been denied Medically Recommended Intensive Supervision (MRIS) may seek an emergency medical reprieve. Offenders also may seek a reprieve to attend civil court proceedings. As with other forms of clemency, the governor may grant the reprieve upon a written recommendation of a majority of the Board members.

A request for a reprieve for family emergency to attend funerals or to visit critically ill relatives may be made through application to the Board's Clemency Section.