# OHIO PAROLE BOARD
# APPLICATION FOR EXECUTIVE CLEMENTCY
# INSTRUCTIONS AND GUIDELINES

## STEP 1: REQUESTING AN APPLICATION

Applications for Executive Clemency may be obtained through the Department of Rehabilitation and Correction internet site at hhts://www.drc.ohio.ohio.gov/clemency. Written request for applications should be sent to the Ohio Parole Board Clemency Section, Ohio Department of Rehabilitation and Correction Operation Support Center, Attention Parole Board, P.O. Box 430, Columbus, Ohio 43216. Please include an address to where the application can be mailed. Email request for applications should be sent to drc.clemency@odrc.state.oh.us.

## STEP 2: FILING THE APPLICATION

All clemency applications must be submitted in writing to the Ohio Parole Board. Only those forms obtained from the Ohio Parole Board Clemency Section, or its website will be accepted.

A. Applications downloaded from other internet sites or obtained from other agencies will not be accepted and will be returned.

B. Applications must be typed or printed legibly in black or blue ink. Utilization of an attorney in the clemency process is optional.

C. The applicant, the applicant's attorney or the applicants POA (Power of Attorney) must submit ONE (1) copy of the application with original signatures, along with ONE (1) copy of all attachments to the Ohio Department of Rehabilitation and Correction Operation Support Center, Attention Parole Board, P.O. Box 430, Columbus, Ohio 43216.

D. Attachments to the application will not be returned. Please only submit copies, not originals, of requested documents. Retain a copy of the application and the supporting documents for your records.

E. Please contact the Ohio Parole Board-Clemency Section with any change of address or telephone number.

F. The application, along with all attachments, will be provided to the sentencing court and/or prosecuting attorney's office in the county of conviction, if requested by those parties. Letters of support will not be released. Information that is not public record will be redacted from these documents prior to release.

**STEP 3 GUIDELINES FOR COMPLETING THE APPLICATION**

**Section 1 through 4:** Fill in all applicable identifying information. If applicable, provide maiden name or previous married names in section 1.

If paroled or released to post release control (PRC) or granted probation/community control, the applicant must provide a certificate of release or a journal entry granting probation/community control. If released from supervision, the applicant must provide the final release certificate or journal entry terminating probation/community control. These documents can be obtained from the Adult Parole Authority, the County or Municipal Probation Department, or the Clerk of Courts Office and may require payment of a copying fee.

**Section 5:** Please check the box for the type of clemency being requested.

There are three (3) types of executive clemency:

A. PARDON: The forgiveness of guilt and punishment. A pardon can be full and complete or contingent upon the applicant meeting certain prescribed conditions. A pardon forgives guilt.
B. COMMUTATION: The reduction of a penalty to one less severe. The most common commutation applications are requests for the reduction of the minimum sentence to render the applicant parole eligible earlier, or the substitution of a lesser definite sentence to cause an earlier release date.
C. REPRIEVE: Temporary postponement of the execution of any sentence.

**Section 6:** If the applicant previously applied for clemency, please check yes in this section.

Include, if possible, the month and year that the application was denied by the Governor. Please note that the Ohio Administrative Code 5120:1-1-15 dictates that if the Parole Board has received an application for Pardon, Commutation, or Reprieve for a person for whom executive clemency was denied within two years from the date the denial was issued by the Governor the Parole Board shall review the application to determine whether it contains any significant new information that was not and could have been presented in the earlier application. If the application contains no such new information the Parole Board shall return the application to the applicant. The Parole Board shall inform the applicant of the date on which the applicant may reapply for consideration.

**Section 7:** Please provide the requested information concerning all arrests, including arrests outside of Ohio or federal crimes. The applicant must also specify the offense (s) for which clemency is requested by checking the appropriate box. For a felony offence (in which clemency is sought) that resulted in a felony or misdemeanor conviction, the applicant must provide copies of 1) the indictment or bill of information and 2) the judgment entry of conviction and sentence. For a misdemeanor offense (in which clemency is sought) that resulted in a conviction, the applicant must provide copies of 1) the complaint or ticket and 2) the judgement entry of conviction and sentence.

These documents can be obtained from the Clerk of Courts of the sentencing county and may require payment of a copying fee. These documents cannot be provided by the institution and record office as they are not originators of the documents. If the Clerk of Courts is unable to provide the applicant a copy of the above required documents, please request the clerk to provide a written explanation on letterhead as to why those documents are no longer available for release. The applicant should include the letter with their application.

**Section 8:** Please provide all applicable information regarding identification, current supervision status and any current charges pending or protection orders.

**Section 9:** Social History: Please provide all applicable information, including current and past marital and partner status, children, associations, residence information, education, military history, substance use history and treatment.

**Section 10:** Please list the applicant's current and prior employment information for the last five (5) years. If incarcerated, please list the applicant's employment information for the last five (5) years prior to incarceration.

**Section 11:** Please describe, in the applicant's own words, their crime or offense, including the reason and current perception of the offense behavior. Attach additional sheets if needed to fully explain. List the names of any additional people involved in the offense.

**Section 12:** Please indicate any participation in activities including volunteer work and other community involvement. If Incarcerated, please describe any programming or work assignments that demonstrate assistance to other inmates or members of the public (e.g. tutor, community service projects, etc.)

**Section 13:** Please check the box (es) which best describes the reason clemency is being requested. If further explanation is necessary to address a specific hardship or need, the applicant may provide this additional information in a separate attachment and include it with the application packet.

**Section 14:** (Attachments) Attach letters in support of the applicant or other relevant documents. Attach all required court documents or parole documents. Attach copies of diplomas or certificates that may document the information provided above.

**Signatures:** Applications for Executive Clemency must be signed by the applicant. Applications prepared and submitted by that applicant's legal representative must also be signed by the legal representative. Other interested parties (e.g., parents, friends, etc.) cannot submit the application on behalf of an applicant, unless a Power of Attorney (POA) document is provided with the application.

**Clemency Request for Information:** Please sign and date the Clemency request for information form.