

**OHIO PAROLE BOARD**  
**APPLICATION FOR EXECUTIVE CLEMENCY**  
**INSTRUCTIONS AND GUIDELINES**

The following guidelines and instructions are provided to assist an applicant in understanding the application process, hearing procedures and decision-making timeframes.

**STEP 1: REQUESTING AN APPLICATION**

Applications for Executive Clemency may be obtained through the Department of Rehabilitation and Correction internet site at [www.drc.state.oh.us](http://www.drc.state.oh.us). Written requests for applications should be sent to the Ohio Parole Board, Clemency Section, 770 West Broad Street, Columbus, Ohio 43222. Please include an address to where the applications can be mailed. Email requests for applications should be sent to [drc.clemency@odrc.state.oh.us](mailto:drc.clemency@odrc.state.oh.us).

**STEP 2: FILING THE APPLICATION**

All clemency applications must be submitted in writing to the Adult Parole Authority on forms approved by and obtained from the Ohio Parole Board Clemency Section.

- 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.
- C. The applicant, the applicant's attorney or the applicant's POA must submit two (2) notarized applications with original signatures, along with two (2) copies of all attachments, to the Ohio Parole Board, Clemency Section, 770 West broad Street, Columbus, Ohio 43222.
- D. Attachments to the application cannot be returned. Copies of the original documents should be submitted with the application. The applicant is encouraged to retain a copy of the application and supporting attachments and documents.
- 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 attorneys' office in the county of conviction, if requested.

### **STEP 3: GUIDELINES FOR COMPLETING THE APPLICATION**

**Lines 1 through 4:** Fill in all applicable identifying information.

If paroled or released to post release control (PRC) or granted probation/community control, then 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 Clerk of Courts Office and may require the payment of a copying fee.

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

There are three (3) types of executive clemency:

- A. **COMMUTATION:** The reduction of a penalty to one less severe. Generally a commutation requests the reduction of a minimum sentence in order to make the applicant eligible for parole consideration at an earlier date. For definite sentences, a commutation would reduce the existing definite sentence to a lesser definite sentence to allow the applicant to be released at an earlier date.
- B. **PARDON:** The forgiveness of guilt and punishment. A pardon can be full and complete or be issued based upon the applicant meeting certain prescribed conditions. Pardons do not erase or seal a conviction; a pardon forgives guilt.
- C. **REPRIEVE:** Temporary postponement of the execution of any sentence.

**Line 6:** If you have 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.

If the Parole Board receives an application for pardon, commutation or reprieve for a person for whom executive clemency was denied LESS THAN TWO YEARS earlier than the subsequent application was received, and the Parole Board does not believe that the application contains any grounds that were not or could not have been presented in the earlier application, then Ohio Administrative Code 5120:1-1-15 authorizes the Parole Board to forward the application to the Governor with the recommendation that the application be denied on the basis of the earlier review and denial. In such a case, no hearing and no further investigation shall be necessary unless specifically requested by the Governor. All applications received after two years from the date of the earlier review and denial shall be processed for review.

**Line 7:** Please provide the requested information on each offense for which clemency is requested. Additionally, the applicant must provide copies of 1) the indictment or bill of information and, 2) the judgment entry of conviction and sentence for each crime for which clemency is requested. These documents can be obtained from the sentencing county and may

require the payment of a copying fee. These documents cannot be provided by the institution record office as they are not the originators of the documents.

**Line 8:** Please provide all information concerning any other arrests either as a juvenile or adult, including arrests outside of Ohio or for federal crimes. It is not necessary to include the convictions for which the applicant is seeking clemency in this section as they should already be noted in Line 7.

**Line 9:** Please provide all applicable information.

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

**Line 11:** Please indicate any participation in activities including volunteer work that demonstrates efforts to give back to the community. If incarcerated, please describe any programming or work assignments that demonstrate assistance to other inmates or members of the public (e.g. tutor, community services projects, etc.).

**Line 12:** Please explain the reason for requesting clemency in a concise manner. Include an explanation of why clemency is necessary to address a specific hardship or need.

**Line 13: (Attachments)** Attach any letters in support of the applicant or other supporting documents. Do not send or have letters sent separately or have letters sent directly to the Governor. To be considered, all materials must be submitted with the application. Attach all required court documents or parole documents as required in Lines 2, 3 or 7. Attach any copies of diplomas, or certificates that may document the information provided in Lines 9 or 10.

**Signatures:** Applications for executive clemency must be signed by the applicant and the applicant's signature must be properly notarized. Applications prepared and submitted by the applicant's legal representatives must also be signed by the legal representatives. Applications are not permitted from other interested parties (e.g., parents, friends, etc.) unless a Power of Attorney (POA) can be produced.

#### **STEP 4: REVIEW OF THE APPLICATION:**

1. All applications, once received, will be reviewed for completeness and to assure that all required documents have been provided. All incomplete applications will be returned without further processing, to the applicant or their legal representative with an accompanying correspondence specifying the deficiencies.

2. Ohio Revised Code Section 2967.07 requires a "thorough investigation into the propriety of granting a pardon, commutation or reprieve...." after an application has been filed. The Parole Board will utilize any available pre-sentence investigation or offender background investigation

on the applicant and will supplement those investigations if necessary. A Parole Officer may contact the applicant to conduct an interview and/or ask the applicant complete a questionnaire.

3. The Parole Officer will also contact the sentencing judge, prosecuting attorney and arresting agency in the county/city in which the applicant was convicted to solicit their opinion regarding the application for clemency.

4. Complete applications will be submitted to the Parole Board Members for review. The Parole Board Members will decide by majority vote if the application contains sufficient merit to warrant further consideration at a hearing. If the Parole Board Members do not decide by majority vote to conduct a hearing, the application will be forwarded to the Governor with a recommendation to deny the clemency request.

### **STEP 5: HEARING PROCEDURE:**

If the Parole Board determines that an application warrants further review at a hearing, the applicant and/or legal representative shall be notified of the date and time of the clemency hearing. If the applicant is an inmate, an interview will be conducted at the institution in which the inmate is incarcerated prior to the hearing date. Generally, these hearings are conducted at a site in Columbus, Ohio.

The hearing shall be conducted before at least a majority of the Parole Board Members and shall be conducted pursuant to the Parole Board's Policy and Procedure for Clemency Cases.

### **STEP 6: RECOMMENDATION AND DECISION:**

Either following the application review or following a hearing, the Parole Board shall determine, by at least majority vote, whether to submit to the Governor a recommendation which is favorable or unfavorable to the granting of the clemency requested.

The final decision for the granting or denial of clemency is solely that of the Governor. The final decision will be communicated in writing to the applicant and/or the legal representative by the Governor's Office. There is no timeframe by which the Governor must decide on a clemency application. A final decision can take several months.