

What are the steps of the Commutation process?

1. Application and Eligibility Review

Clemency Review Commission (CRC) staff will look at the application to make sure it is complete. They will also determine if the applicant is eligible to apply. If the applicant is eligible to apply, CRC staff will send a letter with a tentative hearing date, time, and location.

2. Investigation

If the applicant is eligible, CRC staff will look at court and police records to verify the information in the application. They will also contact the attorney who prosecuted the case and the judge who gave the sentence and ask if they support a commutation. If there were any victims of the crime, they will be asked whether they support or do not support a commutation.

3. Summary Writing and Sharing

When CRC staff have gathered all the information, they will provide a summary of the application to the nine members of the Commission. The applicant will receive a copy of the summary and a letter confirming the date, time, and location of the hearing.

4. Clemency Review Commission Hearing

The applicant must attend the hearing in person or virtually through Zoom. If the applicant is currently incarcerated, CRC staff will work with the Department of Corrections staff to arrange for them to appear by video. At the hearing, the applicant will have approximately 15 minutes to tell the Commission members why they should receive a commutation. The applicant may invite one or two other people to speak in support of their application but their time to present to the Commission will not be extended. If the crime involved a victim, the victim will also be able to speak or write a letter saying whether they support or do not support a commutation. The Commission will ask questions of the applicant and other testifiers. At the end of the hearing, the Commission will vote on whether to recommend that the Board of Pardons grant or deny the commutation request.

5. After the Hearing

Within 14 days after the hearing, the Commission's recommendation will be sent to the Board of Pardons. The applicant will receive a copy of the recommendation. The Board meets at least two times per year and makes the final decision to grant or deny a pardon. Only the Board of Pardons has the authority to grant or deny a commutation.

6. Board of Pardons Meeting

CRC staff will send the applicant the date, time, and location of the Board of Pardon's meeting. The applicant does not need to attend the Board meeting unless the Board or Commission requests an additional hearing on your application. If at least two of the three Board members, including the governor, vote in favor of the commutation, it will be granted. If the governor votes no or is the only Board member who votes yes, the commutation will be denied.

7. After the Meeting

Within 14 days of the meeting, CRC staff will let the applicant know if the Board granted or denied their request for a commutation. If the Board grants a commutation, CRC staff will file a copy of the commutation with the court. If the Board denies a commutation, the applicant must wait five years before they can apply again. If new and substantial information becomes available within five years, they may request permission to reapply early.