

STATE OF WISCONSIN  
OFFICE OF THE GOVERNOR



GENERAL INFORMATION AND APPLICATION INSTRUCTIONS

**WHAT IS EXECUTIVE CLEMENCY?**

The Wisconsin Constitution empowers the Governor to grant executive clemency for criminal offenses committed in Wisconsin. Offenses committed in other states or for federal crimes are not eligible for clemency by the Governor. Executive clemency may take three forms:

**Pardon:** A pardon is an act of official forgiveness that restores rights lost due to conviction. For example, a pardon of a felony conviction restores the ability to possess firearms, to hold public office, and to hold or be granted various licenses. The right to vote and the right to sit on a jury are automatically restored by the Department of Corrections once a person completes his/her sentence, including probation, parole or extended supervision.

**Commutation:** A commutation modifies a person's sentence, usually by reducing the sentence or making consecutive sentences run concurrently. Only persons currently serving a sentence may seek commutation.

**Reprieve:** A reprieve suspends a person's sentence for a given period of time, allowing the person to complete the sentence at a later time. Similar to a commutation, it applies only to persons currently serving a sentence. Reprieves are extremely rare.

Executive clemency does not expunge, erase, or seal a person's criminal record.

**ELIGIBILITY REQUIREMENTS**

You are eligible to apply for executive clemency if:

- you were convicted of a felony **and**
- it has been five (5) years or more since you completed your sentence (including probation or parole).

You must apply for a waiver *before* applying for executive clemency if:

- you were convicted of a misdemeanor, **or**
- it has been less than five (5) years since you completed your sentence, **or**
- you are presently incarcerated.

Waivers are granted only in extraordinary circumstances. To apply for a waiver, submit a **Waiver Request**. *Do not submit the application for executive clemency.* If a waiver is granted, you will be notified by mail and requested to submit an Application for Executive Clemency at that time.

**THE EXECUTIVE CLEMENCY PROCESS**

1. **APPLICATION**

Applicants who are eligible for executive clemency must complete and submit an **Application for Executive Clemency**. All other applicants must submit a **Waiver Request**. Illegible or incomplete applications will not be processed.

Applicants will receive written notice that their application package is complete once the application **and** the required notice forms have been received. If the applicant does not receive confirmation within three (3) weeks of submitting the application, he/she should contact the Governor's Pardon Advisory Board at (608) 266-1212 to determine the status of the application.

## 2. PARDON BOARD HEARING

Once the application package is complete, the applicant will be placed on the waiting list for a hearing date before the Pardon Advisory Board. Hearings are scheduled in the order applications are received. No exceptions are permitted. The Board meets at least four times and evaluates approximately 100 applications each year. **At all times, the applicant must notify the Board of any changes to his/her current contact information.**

Several weeks before the hearing, the Board will notify the applicant by phone and mail regarding the date, time and location of the hearing, as well as the Board's policy regarding applicant cancellations and no-shows. Applicants may provide updated application information.

**By law, the public and the victim (if applicable and known) receive written notification of the hearing. Hearings are open to the public, including media.**

At the hearing, each applicant meets with the Board for approximately fifteen (15) minutes. The applicant should present his or her reasons for seeking executive clemency and be prepared to answer questions regarding, but not limited to, the crime in question, criminal history, and personal and professional progress since conviction.

## 3. BOARD RECOMMENDATION AND FINAL DETERMINATION

After the hearing, the Board makes its recommendation to the Governor. Applicants are informed of the Board recommendation by mail approximately two weeks after the hearing. The Governor is not required to accept or follow the Board's recommendation.

Applicants will be notified of the Governor's final decision by mail.

## **APPLICATION INSTRUCTIONS**

1. Read the Application Instructions and FAQs before filling out the application.
2. Depending on your eligibility, fill out the Application for Executive Clemency or Waiver Request. Type or print clearly. Illegible or incomplete applications will not be processed. **Do not staple application materials.**
3. Make a copy of the completed application and all attachments for your records.
4. Submit completed application/waiver request to:

**Governor's Pardon Advisory Board  
115 East State Capitol  
Madison, WI 53702**