

CLEMENCY

In Colorado, there are two types of clemency:

- 1) **commutation of sentence** – which is the shortening of a criminal sentence
- 2) **pardon** – which is a public declaration of forgiveness by the Governor after the sentence has been served

A commutation of sentence is only available to Department of Corrections' prisoners and then only with the assistance of a Department of Corrections case manager.

A pardon is available to people who have been convicted of a crime and 10 years have passed since the completion of their sentence. To be considered for a pardon, a person must complete and submit a Pardon Application. (See Attachment Form A) In addition to the application, it is recommended that an applicant also submit police reports, pre-sentence investigation reports, charging documents, and sentencing documents. Most of these documents can be obtained from the clerk of the court or the local law enforcement agency that investigated the offense. When completed, the application and any attachments must be mailed to:

Mark Noel
Clemency Coordinator
Executive Chambers
136 State Capitol
Denver, CO 80203-1792

The Clemency Coordinator will seek input from the district attorney, the judge who presided over the case, and the attorney who prosecuted the case. The Clemency Coordinator will also seek input from the victim. Once this is complete, the packet is reviewed by the clemency board, which makes recommendations on the merits of each application. The Governor then makes a final decision to grant, deny, table (postpone consideration) or take no action concerning the request.

An application can take between six months to one year to process.

If the Governor grants a pardon, the person is no longer convicted of the crime. However, the pardon does not act as an expungement or sealing of records. Rather, the criminal computer records of the offense are marked as "pardoned."

PARDON APPLICATION
(Attachment Form A)

General Information:

I. Applicant's Name: _____ E-mail _____
Alias name (s): _____
Address: _____
Previous Address: _____
Telephone No. Home: _____ Work: _____ Cell: _____
Date of Birth: _____ Soc. Security No.: _____
FBI No.: _____ Department of Corrections No.: _____
Sex: _____ Race: _____ Married/Other: _____ No. of Children: _____
Education level/Occupation: _____
(attach resume/employment history)

II. CRIME INFORMATION - Crime No.. 1
List original charge(s) & final conviction: _____

Sentence: _____ Date sentenced: _____
Court Docket No: _____ Sentencing County: _____
Presiding Judge: _____ Prosecutor: _____
Defense Attorney: _____ Appellate Review: _____
(list additional crime(s) on back page of this Form A)

III. Questions/Attachments
A. Have you met all restitution/sentence requirements? _____

B. Are you requesting a restoration of firearms privileges? _____ State reason(s). _____

IV. Additional Attachments

1. **A personal letter to Governor Bill Ritter, Jr., stating the reasons why he should grant you this pardon.**
2. **Five letters of reference. List your history of rehabilitation.**
3. **list any awards, hobbies, clubs, organizations, charities or other similar organizations you belong to.**
4. **A letter from your parole/probation officer or sentence conduct/discharge documents.**
5. **Attach completed fingerprint card.**
6. **Include a photocopy of driver's license and/or photo ID, military ID and DD 214.**
7. **Any additional documents, police reports charging documents or exhibits that would assist the Governor.**

I, the undersigned, hereby authorize the review and release of all information and documents, to include but not limited to legal, medical, psychological, sociological, and scholastic achievement data, needed to complete my petition/application for pardon. Modifications or alterations to this application will not be accepted and all sections shall be completed before submission to the Office of the Governor.

Pardon Applicant/Petitioner Date: _____

Witness Date: _____

CRIME INFORMATION - Crime No.. 2

List original charges(s) & final conviction: _____

Sentence: _____ Date sentenced: _____

Court Docket No: _____ Sentencing County: _____

Presiding Judge: _____ Prosecutor: _____

Defense Attorney: _____ Appellate Review: _____

CRIME INFORMATION - Crime No.. 3

List original charges(s) & final conviction: _____

Sentence: _____ Date sentenced: _____

Court Docket No: _____ Sentencing County: _____

Presiding Judge: _____ Prosecutor: _____

Defense Attorney: _____ Appellate Review: _____

CRIME INFORMATION - Crime No.. 4

List original charges(s) & final conviction: _____

Sentence: _____ Date sentenced: _____

Court Docket No: _____ Sentencing County: _____

Presiding Judge: _____ Prosecutor: _____

Defense Attorney: _____ Appellate Review: _____

CRIME INFORMATION - Crime No.. 5

List original charges(s) & final conviction: _____

Sentence: _____ Date sentenced: _____

Court Docket No: _____ Sentencing County: _____

Presiding Judge: _____ Prosecutor: _____

Defense Attorney: _____ Appellate Review: _____

V. ** List any additional arrests, crimes, juvenile offenses, traffic offenses or restraining orders placed against you. Please include dates, locations.

