

Answers to Common Questions Regarding Clemency Applications

Q: How do I contact the Clemency Section with questions?

Texas Board of Pardons and Paroles -Clemency Section
8610 Shoal Creek Blvd.,
Austin, Texas 78757
Email: bpp_clemency@tdcj.texas.gov
Ph: 512-406-5852
Operation Hours: Monday – Friday 8 a.m. – 5 p.m.

Q: How can I ‘get my rights back’ or ‘remove the conviction from my record’?

A: Click the “Clemency” link [Texas Board of Pardons and Paroles Executive Clemency Page](#) to download the application and send the application via US mail, email, fax or deliver the application in person to the Board’s central office located at 8610 Shoal Creek Boulevard in Austin.

Q: What is the application process?

A: Once the application is received, a criminal history report will be requested to ensure that all criminal information has been reported. When it is determined the application is complete, the application will be provided to the Board for their review. If the Board recommends clemency, the application will be sent to the Governor. The Governor makes the final decision for all clemency applications.

Q: Do I need an attorney to file a clemency application on my behalf?

A: An attorney is not required to submit a clemency application. But the applicant may choose to hire an attorney.

Q: What is required if I have Attorney Representation?

A: A letter of representation from the attorney. If the applicant is housed in a TDCJ-CID facility, the attorney must complete a fee affidavit. [Fee Affidavit Form](#)

Q: What do I include in the ‘criminal history’ section of the application?

A: The criminal history section must include all arrests and the outcome of each arrest to include offense title, location, offense date, case number, disposition, and sentence information.

Q: How is the ‘subject version’ section different from the ‘criminal history’ section?

A: The subject version is the applicant’s description of the arrest while the criminal history is the law enforcement and court information.

Q: What are police/arrest reports?

A: These report types are one and the same. They are the arresting agencies (police department, sheriff’s department, department of public safety, or federal government agency, etc.) account of an incident or offense. The applicant must obtain a copy of the police/arrest report for each offense identified in the application.

Q: What are court documents?

A: The official records of a court case. The records include information, indictment, judgment, orders, etc. The court records may be obtained from the district clerk, county clerk, justice of the peace or municipal court clerk, depending on where the offense occurred.

Q: What is a Law letter?

A: A Law letter shall be obtained from the sheriff or district clerk of the county the applicant currently resides in. The letter shall state whether the applicant has any current charges in that county and must be current (or equivalent for international applicants).

Q: Will Clemency staff assist in filling out my application upon request?

A: While the Clemency staff are happy to guide an applicant through the process and answer any questions, the applications cannot be completed by Clemency staff.

Q: Incomplete applications

A: The Clemency application must be completed in its entirety. All fields must contain a response and any information not available should be marked with n/a or ‘do not recall’. The application should be carefully reviewed before signing and submitting, confirming all information (demographics, employment, residential, and offense) has been included.

Q: What happens if the Board does not recommend Clemency or if the Governor denies it?

A: The applicant will be notified by US mail or email to include when the applicant may submit a new application.

Q: Does a pardon remove the offense from a criminal record?

A: The arrest is not automatically expunged upon a grant of full pardon; however, a person who is convicted and who receives a full pardon is entitled under Article 55A.004(2) to an expunction of all arrest records relating to the conviction.

Q: What is the difference between expunction and pardon?

A: A pardon restores certain citizenship rights forfeited by law as the result of the criminal conviction, such as the right to serve on a jury, the right to hold public office, and the right to serve as executor of administrator of an estate. An expunction will remove all arrest records relating to the conviction as identified in the court order.

Q: Can gun rights be restored for hunting?

A: The criteria for restoration of firearm rights are limited to extreme and unusual circumstances, such as for the purpose of employment.

Q: Is clemency available for a victim of human trafficking?

A: Yes, a person convicted of or who received deferred adjudication/community supervision for an offense that was committed solely as a victim of trafficking of person under Texas Penal Code, Section 20A.02, may apply for clemency. A full pardon application should be completed.

Q: Why was my clemency application closed?

A: The following examples are reasons for closure:

- Failure to submit required documentation for the specific clemency type.
- Application does not meet requirements in the Board rules.
- Applicant did not respond to request for additional information.
- Application does not address complete criminal history.
- Applicant has a current charge, pending final disposition.
- Application for the Restoration of Firearm Rights does not meet the requirements of the Board's rule.