

CONDITIONAL PARDON

NOTICE TO APPLICANT

Please read the application instructions carefully, and complete the application accordingly.

Submission of incomplete applications or applications that do not comply with instructions may result in the Board's Clemency Section soliciting you in writing for the correct documentation.

Failure to comply with instructions will delay processing.

For your records, make copies of all documentation that you submit to the Board's Clemency Section.

Due to the inability to retain records for extended time periods for incomplete applications, we are advising you NOT to provide originals of personal items, including but not exclusive to photos, transcripts, birth and other certificates, achievement awards, licenses, literature, social security and other identification cards or items, notebooks or binders, and clemency proclamations. You may in lieu of originals provide copies of these documents with your submitted application.

CONDITIONAL PARDON INSTRUCTIONS & CHECKLIST

Mail completed applications to: TEXAS BOARD OF PARDONS AND PAROLES
ATTN: CLEMENCY SECTION
8610 SHOAL CREEK BLVD.
AUSTIN, TX 78757

1. Submit a completed application form. Please respond to **all** items. If necessary, use “N/A,” “Unknown,” “None,” or “Do not remember.”
2. Applications must be typed or printed legibly in **black or blue** ink.
3. Certified court documentation (indictment/information, judgment and sentence) for each adult conviction for which you are requesting a Conditional Pardon and currently serving time in the Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID). For complete instructions, refer to Page 2 of 2.
4. Offense (arrest) reports for each adult conviction for which you are requesting a Conditional Pardon and currently serving time in the TDCJ-CID. The documents do not need to be certified. For complete instructions, refer to Page 2 of 2.
5. Complete the attached application form as presented. You may submit attached documents as instructed in the application. Do not alter the presentation of this application either through reformatting or rewriting. Do not bind or staple the application with any other submitted material.
6. The application must be signed and dated by the applicant.
7. Compliance with Board Rule 143.22.
 - If the Board recommends a conditional pardon, the Governor makes the final decision. The applicant will be notified in writing upon final action.
 - If the Board of Pardons and Paroles or the Governor denies the application, the individual may not file another application before the first anniversary of the date of the denial.
 - Please let us know of any change of address or telephone number.
 - On the Application Page 1 of 6, A. Demographic Information, where asked to provide the applicant’s current name, input the full name as it might appear on a Governor’s proclamation.

GENERAL INFORMATION

Definition - A Conditional Pardon is a form of clemency which serves to release the grantee from the conditions of his or her sentence and/or any disabilities imposed by law thereby, subject to the conditions contained in the clemency proclamation.

PROCEDURES FOR OBTAINING COURT DOCUMENTATION

All court documents must be **CERTIFIED**, whether they originate from the office of the District, County, or Municipal Clerk. Acquire the proper documentation, accordingly:

IF convicted and the judgment included a court ordered **fine** and or **restitution**, furnish a statement from the appropriate clerk confirming the amount paid.

IF convicted and the sentence is probated or deferred, furnish the Complaint/Indictment or Information, Judgment and Sentence.

IF convicted of a misdemeanor resulting in a fine and/or jail time, furnish the Complaint, Judgment and Sentence.

IF convicted of a felony probation and revoked to the Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID), furnish the Indictment, Judgment and Sentence granting probation and the revocation document(s).

IF convicted of a felony, sentenced to TDCJ-CID and currently on parole or mandatory supervision or on annual report status, or have discharged the sentence, furnish the Indictment, Judgment and Sentence and a copy of the TDCJ parole certificate. Contact the following office(s) to obtain the appropriate certificate:

TDCJ-CID RECORDS OFFICE
P. O. BOX 99
HUNTSVILLE, TEXAS 77342

or

TDCJ PAROLE SUPERVISION
8610 SHOAL CREEK BLVD.
AUSTIN, TEXAS 78758

PROCEDURES FOR OBTAINING ARREST/OFFENSE REPORTS

For **each** criminal offense, acquire from the appropriate law enforcement arresting agency copies of the arrest/offense reports. These copies of reports do not have to be certified. For offenses involving drugs, please provide copies of laboratory reports.

APPLICATION FOR CONDITIONAL PARDON TO THE TEXAS BOARD OF PARDONS & PAROLES

TO THE BOARD OF PARDONS AND PAROLES OF TEXAS:

I hereby request the Board of Pardons and Paroles or its designated agent to file this application for Clemency, to investigate the statements herein made under oath and, if the facts so justify, make a favorable recommendation to the Governor of the State of Texas that a Conditional Pardon, be granted.

A. DEMOGRAPHIC INFORMATION

Current full name	Last Name	<input type="checkbox"/> Jr.	<input type="checkbox"/> III	First Name	Full Middle Name
		<input type="checkbox"/> Sr.	<input type="checkbox"/> IV		
Name(s) convicted under					
Race and sex	Race _____		Sex _____		
Date and place of birth	Date of birth _____		Place of birth _____		
Driver's license	State _____		License Number _____		
Alias names (including maiden name, name by former marriage and nicknames), birth dates, social security #'s, etc.					
Current marital status	<input type="checkbox"/>	Married – Spouse's Name:			
	<input type="checkbox"/>	Divorced	<input type="checkbox"/>	Separated	<input type="checkbox"/>
Children / support / alimony	I have _____ children under the age of 18 years.				
	I am supporting the following named children under the age of 18 years:				

	I currently pay \$ _____ / month in child support.				
I currently pay \$ _____ / month in alimony.					

B. ADDRESSES

Current Mailing Address <i>Indicate your current mailing address.</i>		Current Physical Address <i>Provide information even if the physical and mailing addresses are the same.</i>
Number and street _____ Apartment _____		Number and street _____ Apartment _____
City _____ State _____ Zip Code _____		City _____ State _____ Zip Code _____
Home phone number [_____] _____ Work phone number [_____] _____ Email Address _____		County of residence _____ Years resided at physical residence _____

Previous Addresses

List **all** previous physical addresses since age 18. Do not use post office boxes. If you lived in an apartment complex, list your apartment number. *All time periods must be accounted for.* Include complete dates (months and years of residence), addresses, city, state and zip codes. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Number and street	Apartment	
To (month/year):	City	State	Zip Code

From (month/year):	Number and street	Apartment	
To (month/year):	City	State	Zip Code

From (month/year):	Number and street	Apartment	
To (month/year):	City	State	Zip Code

From (month/year):	Number and street	Apartment	
To (month/year):	City	State	Zip Code

C. EMPLOYMENT

Please give a comprehensive adult (since age 18) employment history, beginning with your present employment and working backwards. Include employer's name, address, your job position working title, description of job duties, salary, dates employed, and reason for leaving. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
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To (month/year):	Employer address
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D. STATUS

<p>Are you currently incarcerated in a Texas penal institution? <i>If "yes," list your (TDCJ-CID) identification number.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No ID number: _____</p>
<p>Were you ever incarcerated in a Texas penal institution? <i>If "yes," list all (TDCJ-CID) identification numbers.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No Prior ID number: _____ Prior ID number: _____</p>
<p>Do you have any pending criminal charges? <i>If "yes," attach an explanation page. Place the attachment behind this page.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Have you been incarcerated in a federal or non-Texas state institution? <i>If "yes," list all identification numbers. Include the facility name and location.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No ID Number: _____ Institution: _____ Location: _____</p>
<p>Identify the country (or other jurisdiction if within the United States) where you wish to be released.</p>	<p>Country: _____ or US Jurisdiction: _____</p>
<p>Identify the address, city, state or province where you would live if granted a Conditional Pardon.</p>	<p>Address: _____ _____ City: _____ State/Province: _____</p>

F. CERTIFICATION BY APPLICANT

Please read the following statements carefully and indicate your understanding and acceptance by signing in the space provided. This application must be signed.

I hereby give my permission to the Board of Pardons and Paroles or its designated agent to make any inquiry and receive any information of record that it may deem proper in the investigation of this application for clemency; and

I understand that compliance with these requirements is sufficient for the Board's consideration of this application, but compliance does not necessarily mean that favorable action will result.

I hereby swear upon my oath that I am the subject herein named and the facts contained in this application are true and correct.

Applicant's Signature (Full Name)

Date

CRIMINAL HISTORY INFORMATION

Provide information on all present offenses for which you were convicted and are currently serving time in the Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID). **List one conviction per page.** and the disposition of each conviction. All blanks must be completed for each conviction. Included in this application are two (2) blank “Criminal History Information” pages provided in the event that you have multiple convictions.

Photocopy as many of these blank pages as needed to list additional convictions.

Criminal Offense: _____

List the offense as it appears in the court documentation.

Are you requesting a Conditional Pardon for this offense?

Yes / No

Additional Information about the Criminal Offense

County: _____ State: _____

Cause Number: _____

Court of Adjudication: _____

Disposition/Sentence Date: _____

Date of sentencing.

Court Disposition/Sentence: _____

Examples of possible responses that you may modify to reflect your circumstance:

5 years TDCJ

Fine ordered in the Sentence? Yes No If “Yes”, indicate the amount: \$ _____

Was the fine paid in full? Yes No

Restitution ordered in the Sentence? Yes No If “Yes”, indicate the amount: \$ _____

Was the restitution paid in full? Yes No

CRIMINAL HISTORY INFORMATION

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Criminal Offense: _____

List the offense as it appears in the court documentation.

Are you requesting a Conditional Pardon for this offense?

Yes / No

Additional Information about the Criminal Offense

County: _____ State: _____

Cause Number: _____

Court of Adjudication: _____

Disposition/Sentence Date: _____

Date of sentencing.

Court Disposition/Sentence: _____

Examples of possible responses that you may modify to reflect your circumstance:

5 years TDCJ

Fine ordered in the Sentence? Yes No If “Yes”, indicate the amount: \$ _____

Was the fine paid in full? Yes No

Restitution ordered in the Sentence? Yes No If “Yes”, indicate the amount: \$ _____

Was the restitution paid in full? Yes No

CONDITIONAL PARDON CHECKLIST

***Before submitting your application,** please ensure that you have complied with all application instructions and have reviewed the checklist information provided on this page. Incomplete applications will not be forwarded to the Texas Board of Pardons and Paroles for voting consideration.*

Eligibility

Did you review your eligibility for conditional pardon consideration by reviewing board rules governing conditional pardons?

According to board rule 143.22 (see attached), the board will consider a request for conditional pardon only after minimum statutory parole eligibility has been attained.

Completing the Conditional Pardon Application Form

Did you complete the application form as instructed? Review to ensure that you have complied with all instructions, including the following:

- (1) Type or print legibly in black or blue ink;
- (2) Do not alter the presentation of the application by reformatting or rewriting the form, and do not bind or staple the application;
- (3) Respond to all items, if necessary using “N/A,” “Unknown,” “None,” or “Do not remember;”
- (4) For each adult conviction for which you are requesting a conditional pardon, complete application pages titled “Criminal History Information” and “Subject’s Version” as instructed, with a complete and detailed Subject’s Version of Offense with location, offense date, law enforcement agency involved, events leading up to the offense and your extent of involvement in the case;
- (5) Sign with your full name the application form with a date of signature.

Certified Court Documentation

Did you provide appropriate certified court documentation (indictment/complaint/information, judgment & sentence) or clerk statement (fine/restitution paid) for **all convictions** for which you are requesting a conditional pardon. Refer to application instruction Page 2 of 2, Procedures for Obtaining Court Documentation, for detailed instructions.

Offense/Arrest Reports

Did you provide offense reports for **all convictions** for which you are requesting a commutation of sentence from the appropriate law enforcement agency? For example, if you were arrested by the Austin Police Department, you must request offense reports from that agency. If you were arrested by the Travis County Sheriff’s Department, you must contact that agency.

If you are unsure of the arresting agency, you may access public record information pertaining to criminal convictions and deferred adjudications by accessing the Texas Department of Public Safety (DPS) Crime Records Service website <http://records.txdps.state.tx.us/>; or you may contact DPS to request assistance in acquiring criminal history information.

TEXAS BOARD OF PARDONS AND PAROLES RULES



Subchapter B. CONDITIONAL PARDON

§143.21. Conditional Pardon

A conditional pardon is a form of executive clemency which, upon request, may be recommended by the board to the governor, except in cases of treason or impeachment, and if granted, serves to release a person from the conditions of his or her sentence and/or any disabilities imposed by law thereby, subject to the conditions contained in the clemency proclamation. A person released pursuant to the terms of a conditional pardon is considered for the purposes of revocation thereof to be an administrative releasee, §143.111 of this title (relating to Definitions), and all such revocation proceedings are governed by the sections for revocation of administrative release, §§146.3 – 146.12 of this title (relating to Revocation of Parole or Mandatory Supervision).

§143.22. Consideration of Request

The board will consider a written application for conditional pardon, only to release an offender to another country or in cases where extreme, exceptional, and unusual circumstances exist, and only after minimum statutory parole eligibility has been attained. The burden of showing such extreme, exceptional, and unusual circumstances rests upon the applicant.

§143.23. Revocation of Conditional Pardon

- (a) A conditional pardon may be revoked if the terms and conditions of the clemency proclamation are breached. All such revocation proceedings shall be conducted in accordance with the sections applicable to a releasee who is the subject of the revocation process.
- (b) The board or parole panel, on order of the governor, is responsible for ordering the issuance of any warrant upon being notified by the Division that a violation has occurred. The warrant shall issue to appropriate law enforcement authorities, authorizing any sheriff, peace officer, or other addressee named therein to arrest and hold the named releasee until further order of the governor or the board or until such time as he/she may be placed in the custody of an agent of the TDCJ-CID, or until further order of the governor or the board.

§143.24. Request of Governor

The board shall consider a recommendation for conditional pardon in any case upon the request of the governor as authorized by Texas Government Code, Section 508.050.