**WHAT IS A COMMUTATION OF SENTENCE?**

Commutation of sentence reduces a sentence to a lesser time period. A commutation may be granted for time served. Commutations of sentence will be granted only upon written recommendation of a majority of the applicant’s trial officials in the county of conviction, stating that the penalty now appears to be excessive and recommending a definite term, based on new information not before the judge or jury at trial or a statutory change in the penalty. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/COS%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/COS%20App.doc)

**WHAT IS AN EMERGENCY MEDICAL REPRIEVE, REPRIEVE FOR FAMILY EMERGENCY, OR EMERGENCY REPRIEVE TO ATTEND CIVIL COURT PROCEEDINGS?**

A reprieve is a delay or temporary suspension of punishment. Offenders who are terminally ill (six months or less to live), totally disabled, or who have been denied Medically Recommended Intensive Supervision (MRIS) may seek an Emergency Medical Reprieve. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/EMR%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/EMR%20App.doc)

Offenders may also seek a reprieve to attend civil court proceedings. As with other forms of clemency, the Governor may grant a reprieve upon written recommendation of a majority of the Board Members.

A request for a Reprieve for Family Emergency (FMR) to attend funerals or to visit critically ill relatives may be made by applying to the Board’s Clemency Section. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/FMR%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/FMR%20App.doc)

**APPLICATIONS FOR REPRIEVE OF EXECUTION AND COMMUTATION TO LIFE IN PRISON IN CAPITAL CASES.**

In capital cases, the applications for commutation of sentence to life in prison and for a reprieve of execution must be received at least 21 days prior to the scheduled execution date. If the Board recommends clemency in a capital case, the Governor may grant commutation or reprieve. The Governor may also grant a one-time 30-day reprieve of execution without a recommendation from the Board.

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**CONTACTING THE CLEMENCY SECTION**

Texas Board of Pardons and Paroles  
Clemency Section  
8610 Shoal Creek Boulevard  
Austin, Texas 78757  
T 512-406-5852  
F 512-467-0945  
E bpp-clemency@tdcj.texas.gov

For more information on the clemency process, please visit the Board’s website at: [http://www.tdcj.texas.gov/bpp/exec_clem/exec_clem.html](http://www.tdcj.texas.gov/bpp/exec_clem/exec_clem.html)

For general information about the Board, please contact the Parole Status Line at: 1-844-512-0461

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Revised 01/02/2019
**WHAT IS CLEMENCY?**

The Governor has the authority to grant clemency upon the written recommendation of a majority of the Texas Board of Pardons and Paroles (Board). Clemency includes full pardons after conviction or successful completion of a term of deferred adjudication community supervision, conditional pardons, pardons based on innocence, commutations of sentence, and reprieves. In capital cases, clemency includes a commutation of sentence to life in prison and a reprieve of execution. The Governor may also grant a one-time reprieve of execution, not to exceed 30 days, without a Board recommendation.

**WHAT IS THE ROLE OF THE CLEMENCY SECTION?**

The Clemency Section:
- Processes clemency applications;
- Responds to inquiries about clemency and requests for applications;
- Ensures that the applicant provides all documentation necessary for the Board to review and consider the application;
- Notifies trial officials and victims; and
- Compiles and delivers the clemency file to the Board.

**PARDONS INVOLVING COMPLETED TERMS OF DEFERRED ADJUDICATION**

With the passage of Proposition #9, the Texas Constitution has been amended to authorize the Governor, upon the written recommendation and advice of the Board, to grant a pardon to a person who successfully completes a term of deferred adjudication community supervision. Senate Bill 144 implemented the constitutional amendment by amending Code of Criminal Procedure 48.01, effective January 1, 2012.

To be eligible for pardon based upon a deferred adjudication community supervision, the following criteria must be met:

1. Must successfully complete the term of deferred adjudication community supervision, and
2. Must submit the application on or after the 10th anniversary date of the discharge and dismissal of the deferred adjudication community supervision.

The following new applications have been developed for this process:
- **DEFERRED ADJUDICATION AND NO OTHER ARRESTS OR CONVICTIONS:** For persons with arrests related to a deferred adjudication and no other arrests or convictions. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/DA%20Deferred%20Adj%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/DA%20Deferred%20Adj%20App.doc)

The following current application will be used for **DEFERRED ADJUDICATION, OTHER ARRESTS AND CONVICTIONS:** For persons with other arrests, not related to the Deferred Adjudication offense, that did not result in a conviction. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/DA-Defered%20Adj%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/DA-Defered%20Adj%20App.doc)

**WHAT IS A FULL PARDON?**

A full pardon is a form of clemency available to a person, who has been convicted of a felony, misdemeanor, or traffic offense, or who has successfully completed a term of deferred adjudication community supervision. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/FP%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/FP%20App.doc)

**WHAT IS A CONDITIONAL PARDON?**

A person with a conditional pardon remains subject to conditions of release. A conditional pardon does not restore civil rights or rights of citizenship, and the Governor can revoke the pardon if a person does not comply with conditions of release. A conditional pardon will be considered only after minimum statutory parole eligibility has been attained. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/CP%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/CP%20App.doc)

**WHAT IS A PARDON FOR INNOCENCE?**

A pardon based on innocence exonerates a person of the crime and erases the conviction when there is evidence of actual innocence or a court has determined the person is innocent. In order to consider a pardon for innocence, the Board requires either evidence of actual innocence from at least two trial officials, or the findings of fact and conclusions of law from the district judge indicating actual innocence. This application can be downloaded at: [http://www.tdcj.state.tx.us/bpp/forms/FP%20App.doc](http://www.tdcj.state.tx.us/bpp/forms/FP%20App.doc)

**WHAT IS A POSTHUMOUS PARDON?**

A full pardon may be considered for a person who is deceased. The application must be submitted by a person acting on behalf of the deceased.