



PARDON INFORMATION FACT SHEET

In order for a pardon to be effective, it must include all Oklahoma district court felony and misdemeanor convictions, and district court traffic convictions, which involved drugs or alcohol. If you have cases, which have been pardoned before, these do not need to be included in your application. The Pardon and Parole Board cannot pardon Federal cases or convictions from other states.

A pardon will not clear your record. It does not prevent your criminal record from being considered when decisions are made concerning employment or other matters. Even if you are pardoned, your record may continue to affect you. A person who was under 18 years old at the time his or her offense was committed and who has received a pardon may also seek expunction.

From the time your application is received, it usually takes between 90 and 120 days for consideration by the Pardon and Parole Board. Applications from persons residing in other states usually take about 30 days longer. The Board's recommendation must be approved by the Governor for a pardon to be granted. Governor approval usually takes from 30 to 60 days.

The effects of a pardon listed below concern Oklahoma law. If you reside in another state, the effects may be different.

EMPLOYMENT

Some professions require licenses. The licensing agency for each profession operates under different laws and policies. Some will not license you even if you are pardoned, some will consider you only if you receive a pardon, and others do not require a pardon.

If you are considering applying for a pardon in order to obtain a particular type of employment or a license, you should first check with the employer or licensing agency to see if it would be helpful to do so.

Even if you are pardoned, you must still answer "yes" if asked if you have been convicted of a felony or misdemeanor on an employment application. You can add however, that you have been pardoned. A pardon does not remove the conviction from your record.

LIQUOR LICENSES

To be eligible for a liquor license, you must be pardoned on all felonies (Oklahoma, other states, and Federal). You must also be pardoned on all alcohol-related district court misdemeanor convictions from Oklahoma and any other state. Your spouse, partner, partner's spouse, employees, corporate officers, and directors cannot legally obtain a liquor license if you have not been pardoned.

VOTING AND JURY DUTY

Even if you are pardoned, you cannot vote for a period equal to the length of your sentence. For example, if you were convicted and given a two-year sentence on January 1, 1990, you cannot vote until January 1, 1992. This is true even if you have discharged the sentence and a pardon has been granted.

To serve on a jury, you must be qualified to vote, and you must also obtain a pardon.

HOLDING PUBLIC OFFICE

If you have been convicted of any felony (or misdemeanor involving embezzlement), you cannot seek or hold any state, county or city office (including school offices) for 15 years after the completion of your sentence unless you have received a pardon. Your city may also have other regulations regarding eligibility to hold office.

PROPERTY RIGHTS

A felony conviction does not prevent you from owning property, with one exception. A person convicted of murder first degree, murder second degree, or manslaughter first degree cannot inherit property from the victim nor receive proceeds from the victim's insurance. A pardon would not change this.

FIREARMS

Any person that has been convicted of a nonviolent felony and who has received a full and complete pardon is eligible to possess a firearm, pursuant to 21 O.S. Supp.2000, § 1283(B). It is not possible for a person convicted of a violent felony to possess a firearm, even with a pardon (see 21 O.S. Supp.2000, § 1283(A)).

There may be Federal laws that apply. For more information contact the Bureau of Alcohol, Tobacco, and Firearms, which is a division of the U.S. Department of the Treasury.

FUTURE FELONY CONVICTION

A pardon will not prevent prior convictions from being considered if you are later convicted of a felony. Your previous record may be used in the sentencing process even if the offense has been pardoned.

IN ORDER TO QUALIFY FOR CONSIDERATION A PERSON MUST MEET THE FOLLOWING CONDITIONS:

1. You have been convicted of a violation of Oklahoma law, either a felony or a misdemeanor.
2. No pending charges.
3. Not currently in jail or prison.
4. You must have discharged all sentences, successfully completed parole or a suspended sentence or completed five years under supervision on the current case (s).
5. You cannot have been considered or investigated for a pardon within the past six months.

(R 2/06)