

OKLAHOMA PARDON AND PAROLE BOARD PARDON INFORMATION AND INSTRUCTIONS

**Applicant should determine eligibility first then read all information
and instructions before completing the application.**

General Information

A pardon is an act of forgiveness. As per statute, after an individual makes application for a pardon, the Pardon and Parole Board must provide a favorable recommendation on the request for a pardon. The recommendation is then reviewed by the Governor. Only the Governor can grant a pardon.

An application for a pardon does not guarantee that a favorable recommendation by the Pardon and Parole Board will be made or that the Governor will grant a pardon.

A pardon is not a parole or commutation and does not clear a criminal record, but does acknowledge that someone has worked hard to become a productive, law-abiding citizen after making mistakes in the past. There is no fee to apply for a pardon. Under Oklahoma law, a **pardon will not clear the conviction from a person's record**. A pardon is necessary in order to receive an expungement of a criminal record(s), which would clear one's criminal record. Those who are currently incarcerated are not eligible for a pardon.

A pardon granted in Oklahoma may restore some of an individual's civil rights. **A pardon does not remove the conviction from a person's record** and it does not prevent a criminal record from being considered when decisions are made concerning employment or other matters. Even if a pardon is granted, the record may continue to have an effect. Individuals who receive a pardon must still answer "Yes" if asked about a felony or misdemeanor convictions on an employment application. However, information about the pardon may be included.

Employment

Many professions require licenses. The licensing agency for each profession operates under its own laws and policies. Some agencies will not issue a license even after a pardon is granted. Others will consider licensure only if a pardon is granted. It is up to the applicant to check with the employer or licensing entity.

Liquor Licenses

A person who has been convicted of a felony is not eligible for a liquor license. For more information, the applicant should contact the ABLE Commission at 405/521-3484.

Voting

A convicted felon may not register to vote for a period equal to the time of the original sentence. A convicted felon who has been pardoned may register to vote. For more information, contact the State Election Board at 405/521-2391.

Property Rights

A felony conviction does not prevent property ownership, 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 will not change this.

Firearms

According to Oklahoma Statutes, Title 21 § 1283 (B), the only way to restore a person's firearm rights is through a pardon granted by the Governor of Oklahoma. The statute states that any person who has previously been convicted of a nonviolent felony in any court of this state or of another state or of the United States, and who has received a full and complete pardon from the proper authority and has not been convicted of any other felony offense which has not been pardoned, shall have restored the right to possess any firearm or other weapon prohibited by subsection A of this section, the right to apply for and carry a handgun, concealed or unconcealed, pursuant to the Oklahoma Self-Defense Act and the right to perform the duties of a peace officer, gunsmith, or for firearms repair.

There may be federal firearm laws that also apply. For more information, contact the Bureau of Alcohol, Tobacco, Firearms and Explosives, Oklahoma Field Office, at 901 N.E. 122nd, Suite 200, Oklahoma City, OK 73114 or 405/748-8294, Option 2.

Sex Offender Registration

A pardon does not remove the responsibilities for sex offender registration which were created under Title 57 O.S. § 584. Even if a pardon is granted, registration requirements will continue according to state law.

Future Felony Conviction(s)

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

Expungement

After receiving a pardon, an individual may qualify for an expungement of the criminal record. An expungement clears a person's criminal record. Refer to Oklahoma Statute Title 22 O.S. § 18, to review the requirements for expungement of a record. It is important to note that the Pardon and Parole Board is not involved in the expungement process and cannot provide any legal advice on expungements. If legal advice is needed, an attorney will need to be contacted.

Federal or Other State Pardons

The Governor of the State of Oklahoma may pardon only Oklahoma convictions. The Governor cannot pardon convictions from other states or federal convictions. If you are seeking a pardon for a conviction in another state, contact that state. If you are seeking a pardon for a federal conviction, contact the Office of the Pardon Attorney, U.S. Department of Justice, 1425 New York Ave. N.W., Suite 1100, Washington, D.C., 20530, or call (202) 616-6070.

Eligibility

The eligibility criteria below must be met for all convictions for which a pardon is being requested. Failure to meet the eligibility criteria will result in the application being returned.

In order to be eligible for a pardon, a person must meet the following criteria:

- Must have been convicted of a violation of Oklahoma law, either a felony or misdemeanor, or in an Oklahoma Municipal Court involving a misdemeanor alcohol or illegal drug offense. Traffic misdemeanor convictions are NOT eligible for a pardon.
- Must have completely discharged the entire sentence for the offense(s) he/she is wishing to have pardoned.
- Must have paid all fines, fees, restitution, court costs, etc. in full.
- Must not have any pending charges.
- Must not currently be in jail or prison.
- Must not have been considered for a pardon within the past year.
- Must have discharged all sentences, including post-imprisonment supervision.

Any cases from other jurisdictions must also meet these criteria, even though not included in the consideration.

The Pardon and Parole Board generally encourages that at least five years have elapsed since the discharge of the last sentence.

Completing the Application

Prior to completing the application, it is important to determine eligibility. In addition, if considering a pardon, the applicant should also refer to the Frequently Asked Questions on the Pardon and Parole Board's website at <https://www.ok.gov/ppb/>.

Once eligibility is established, the applicant should take the following steps in completing the application.

1. It is the applicant's responsibility to attach to the application the appropriate and required documentation. If there are cases, which have been pardoned before, these do not need to be included in the application.
2. It is the applicant's responsibility to attach and submit with the application the appropriate and required documentation. The application will not be processed until it is complete. If the application is not complete, the application will be returned.
3. Type or print the answers in ink. If the application is illegible, it will be returned and will not be processed.
4. Each question must be answered fully, truthfully, and accurately.
5. If the space for any answer is insufficient, the answer may be completed on the Optional Continuation page or on a separate sheet of paper and attached to the application. Additional documentation that is relevant to the application may also be attached.

6. Application forms must be filled out completely, signed, dated, and notarized where required. Completed applications must include the Release of Information and the Confirmation of Truth Section.
7. The submission of any false information is grounds for immediate denial of the application.
8. **Do not staple or bind the application in any way.**

In addition to the application, the applicant must include the following documents in order for the application to be considered complete:

1. **Authorization of Release of Information**
2. **Certified Judgment and Sentence (J&S)** on each conviction for which a pardon is requested. A certified J&S may be obtained from the Court Clerk in the county of conviction. Documents must bear an original County seal or stamp.
3. **Certified Statement from the Court Clerk** that all fines, fees, and court costs (including restitution and probation fees) have been paid in full. Documents must bear an original County seal or stamp.
4. **Current Credit Report** The report must be dated within 30-60 days of the date of the application.
5. **Current Proof or Verification of Employment or Income** An example of proof would be a current pay stub, benefit statement, tax return, unemployment, or SSI.
6. **Current Proof or Verification of Residence** An example of proof would be a rental receipt, mortgage statement, deed, or lease agreement. Utility or cable bills are NOT considered a proof of residence.
7. **Character Affidavits (OPTIONAL BUT ENCOURGED)** Submit a minimum of two (2) Character Affidavits. For more information on Character Affidavits, review the Frequently Asked Questions on Pardons which can be found at <https://www.ok.gov/ppb/>. Click on the Pardons and Commutations Tab.

**APPLICANTS SHOULD KEEP A COPY OF THE COMPLETE APPLICATION
PACKET AND ALL ATTACHEMENTS!**

Submitting the Application

Send the completed application and all required attachments via certified mail as this would provide documentation that the pardon application packet has been received by the Pardon and Parole Board. Applications should be mailed to:

Pardon and Parole Board
Attn: Pardons
Oklahoma Pardon and Parole Board
2915 N. Classen Blvd., Suite 405
Oklahoma City, Oklahoma 73106

Once the completed application packet is forwarded for a pre-pardon investigation, the applicant will receive a letter from the Pardon and Parole Board. ***Please do not call the Pardon and Parole Office to***

determine if your application was received. An application sent by certified mail will result in receipt notification.

If there is an address change at any point after the application is submitted, contact the Pardon and Parole Board by calling 405/521-6600.

Timeline

All of the information submitted in the pardon application, including the character affidavits, must be verified. The pardon application process is lengthy. It can take up to one (1) year to complete, once a completed application has been received.

Upon receiving a complete application, OSBI reports are ordered and received. This process may take anywhere from two (2) weeks to several months depending upon OSBI resources available for processing such requests. Applicants must list the name, address, and home and work telephone numbers of those submitting character affidavits and support letters for the pardon. Each letter must also be signed, recently dated, notarized, and attached to the application.

For applicants that have an Oklahoma conviction and reside within the State of Oklahoma, the application is assigned to the Oklahoma Department of Corrections, District Office of Probation and Parole by address for a pre-pardon investigation to be performed. For applicants that have an Oklahoma conviction but reside outside of the State of Oklahoma, the Pardon and Parole Board will conduct the pre-pardon investigation.

By law, the investigating authority is allowed up to 70 days to complete the investigation. The investigator will verify all information submitted in the application and compile a report. The report will then be submitted to the Pardon and Parole Board. The application is then placed on the next available docket for the Board to consider the request for a pardon.

An applicant may choose to appear before the Board and speak on his/her behalf. Applicants may bring a representative with them. Only one person will be allowed to speak to the Board regarding the reasons for requesting the pardon. The speaker will be given two (2) minutes to speak to the Board. The Board Members may or may not have questions for the applicant. The Board will vote immediately after the presentation by the applicant; however, votes are not final until the conclusion of the full meeting. The applicant may contact the Pardon and Parole Board Administrative Office on the Monday following the Board meeting after 2:00 p.m. to obtain the results. The Board may choose to deny the application or to recommend the pardon to the Governor.

If the Board recommends a pardon, the entire application, along with a Pardon Certificate, will be submitted to the Governor for consideration. The Governor may choose to deny or grant a pardon. The Governor has ninety (90) days to make a final determination regarding Pardon requests.

The Oklahoma Pardon and Parole Board will receive notification of the Governor's actions (both approval and denial). If the Governor grants the pardon request, the Governor will sign a Pardon Certificate and file it with the Oklahoma Secretary of State. This information will be sent to the Pardon and Parole Board. The Pardon and Parole Board will notify the applicant via a letter regarding the approval. The Pardon and Parole Board will also notify the following agencies of the granted pardon:

1) Federal Bureau of Investigation; 2) Department of Corrections; 3) Oklahoma State Bureau of Investigation; and, 4) each county clerk in which a charge was pardoned.

If the Governor denies a request for a pardon, a denied Pardon Certificate will be filed with the Oklahoma Secretary of State. This information will be also sent to the Pardon and Parole Board. The Pardon and Parole Board will then notify the applicant via a letter regarding denial.

If an applicant is denied at either stage of the process, he/she may re-apply in one year from the date of denial. The applicant will need to submit an updated credit report, proof of residence, proof of employment, and character affidavits, and an Authorization to Release Information at the time of re-application.

For More Information

For more information, contact the Pardon and Parole Board at 405/521-6600.

OKLAHOMA PARDON AND PAROLE BOARD PARDON APPLICATION CHECKLIST

- ___ 1. Complete the Pardon Application
- ___ 2. Complete, Sign, and Notarize the Certification and Personal Oath
- ___ 3. Complete, Sign, and Notarize the Authorization for Release of Information
- ___ 4. Obtain Certified Copies of Judgement and Sentence on Each Convictions
- ___ 5. Obtain Certified Statement from Court Clerk
- ___ 6. Obtain Current Credit Report
- ___ 7. Provide Current Proof or Verification of Employment or Income
- ___ 8. Provide Current Proof or Verification of Residence
- ___ 9. Character Affidavits

PRIOR AND SUBSEQUENT CRIMINAL RECORD

7. Aside from the offense(s) for which you seek a pardon, have you ever been arrested, taken into custody, held for investigation or questioning, charged by any law enforcement authority, or convicted in any court, either as a juvenile or an adult, for any other incident? **Yes** **No**

For each such incident, identify the date, the nature of the charge, the relevant facts, the law enforcement authority involved, the location, and the disposition of the incident. Every incident must be listed, excluding traffic violations. Describe in your own words the relevant facts of each incident. Any omission will be considered a false statement and will be grounds for denial of your application.

If yes, explain fully: _____

BIOGRAPHICAL INFORMATION

For each marriage, include the name of spouse, the date and place of marriage, and if applicable the date and place of divorce. If more space is needed, use the Optional Continuation Page(s).

8. Current Marital Status: Never Married Married Divorced Widowed Separated

Name of Spouse/Former Spouse	Date/Place of Marriage	Date/Place of Divorce
Name of Spouse/Former Spouse	Date/Place of Marriage	Date/Place of Divorce
Name of Spouse/Former Spouse	Date/Place of Marriage	Date/Place of Divorce
Name of Spouse/Former Spouse	Date/Place of Marriage	Date/Place of Divorce
Name of Spouse/Former Spouse	Date/Place of Marriage	Date/Place of Divorce

9. If you have children, list the number of children that you have under and over the age of 18, the names of the children for which you pay child support, the total amount of child support that is paid, whether payments are current, and, if not, the reason for your failure to pay and any agreements that have been made to satisfy the payment obligation.

Children	<p>I have _____ children under the age of 18 years.</p> <p>I have ____ children over the age of 18 years.</p> <p>I have custody of ____ children under the age of 18 years.</p>
Child Support	<p>I am paying child support for the following children (list names and ages):</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>I currently pay \$_____ per month in child support.</p> <p>Are ALL your child support payments current? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

If you are not current with any child support payments, specify the reason(s) you are not current:

10. List all schools you have attended since your conviction, beginning with the most recent and working backward. Indicate the type of degree or diploma received or anticipated and the date of completion. If more space is needed, use the Optional Continuation Page(s).

- B. Have you ever failed to list your conviction, or any other arrest, on any employment or other application where such information was requested? **Yes** **No**

If yes, provide the employer's name, address and telephone number, and explain fully below the circumstances involved. If more space is needed, use the Optional Continuation Page(s).

SUBSTANCE ABUSE AND MENTAL HEALTH INFORMATION

13. Have you ever used any illegal drug(s) or abused prescription drugs or alcohol? **Yes** **No**

If yes, identify the drug(s) used, the dates of drug or alcohol abuse, and the frequency of such use. If more space is needed, use the Optional Continuation Page(s).

14. Aside from the offenses for which you seek a pardon, have you ever been involved in the illegal manufacture, sale, or distribution of drugs? **Yes** **No**

If yes, provide complete details of your involvement. If more space is needed, use the Optional Continuation Page(s).

15. Have you ever sought or participated in counseling, treatment, or a rehabilitation program for drug use or alcohol use? **Yes** **No**

16. Have you ever consulted with a mental health professional (psychiatrist, psychologist, or counselor), or a health care provider, concerning a mental health related condition? **Yes** **No**

If yes, identify the date(s) of treatment or counseling and the name of the treatment provider. If more space is needed, use the Optional Continuation Page(s).

CIVIL AND FINANCIAL INFORMATION

17. Are you currently in default or delinquent in any way in the payment or discharge of any debt or financial obligation imposed upon you? **Yes** **No**

If yes, list the amount of the debt, the name of the creditor, the reason for the failure to pay, and the terms of any agreement(s) you have made to satisfy the obligation. If more space is needed, use the Optional Continuation Page(s).

18. Have any liens (including federal or state tax liens) been filed against you? **Yes** **No**

If yes, list the amount of the lien, the name of the lien holder, the reason the lien was imposed and the current status of the lien. If more space is needed, use the Optional Continuation Page(s).

19. Have you ever been a party in a civil lawsuit (excluding marriages or divorces)? **Yes** **No**

If yes, identify the court in which it was filed, the case number, the nature of the dispute and the final disposition. If more space is needed, use the Optional Continuation Page(s).

20. Have you ever filed for the discharge of your debts in bankruptcy court? **Yes** **No**

If yes, list the court in which the petition was filed, the case number, the amount of debt sought to be discharged, the final disposition and the date of disposition. If more space is needed, use the Optional Continuation Page(s).

21. Do you have any pending judicial or administrative proceedings with the federal, state or local governments? **Yes** **No**

If yes, list the name of the authority involved, the jurisdiction in which any judicial or administrative proceeding is pending, the case number, the nature of the proceeding, and the current status of the matter. If more space is needed, use the Optional Continuation Page(s).

MILITARY RECORD

22. Have you ever served in the armed forces of the United States? **Yes** **No**

A. Date(s) of service: _____

B. Branch(es): _____

C. Serial Number: _____

D. Type of Discharge: _____

If you were other than Honorably Discharged, describe in detail the factual circumstances surrounding your discharge. If more space is needed, use the Optional Continuation page(s). Attach a copy of your separation papers (Form DD-214), if available.

E. Decoration (if any): _____

F. While serving in the armed forces, did you receive non-judicial punishment, or were you the defendant in any court-martial? ↑ **Yes** **No**

If yes, list the nature of the charge, the relevant facts, the disposition of the proceedings, and the date thereof. If you were convicted of an offense by court-martial, provide a copy of the court-martial promulgating order. If more space is needed, use the Optional Continuation page(s).

OCCUPATIONAL LICENSING

23. Have you ever been granted any type of business or professional license? ↑ **Yes** **No**

If yes, identify the license and the authority providing such a license. If more space is needed, use the Optional Continuation page(s).

24. On any of the above license(s), have you ever received any reprimands, suspension, revocations, reinstatements, denial of reinstatements, or any other administrative punishments? **Yes** **No**

If yes, attach a copy of the document(s) evidencing the action. Identify the name of the authority taking the action and describe in factual detail the circumstances surrounding the action. If more space is needed, use the Optional Continuation page(s).

25. Have you ever been denied any type of business or professional license? **Yes** **No**

If yes, attach a copy of the document(s) evidencing the action and state below the name of the authority taking the action. If more space is needed, use the Optional Continuation page(s).

DETAIL OF OFFENSES FOR PARDON CONSIDERATION

Instructions: Questions 1 through 8 must be answered for every Oklahoma conviction. You must apply for a Pardon for each Oklahoma conviction. If additional pages are needed, copy the pages and attach the pages to the application.

1. Applicant was convicted on a plea of _____ in the District Court
(guilty, not guilty, or nolo contendere)

of _____ in case number CF/CM _____ of the crime of:
(County)

(list specific offense as named on the Judgment & Sentence; and statute violated, if known)

and was sentenced on _____, _____ to:
(month/day) (year)

imprisonment for _____,
(length of time)

supervision/probation for _____,
(length of time)

a fine of \$ _____,

restitution of \$ _____.

2. Applicant was _____ years of age when the offense was committed.

3. Applicant began serving the sentence of (imprisonment or supervision/probation) on

_____, _____ and discharged the sentence on _____, _____.
(month/day) (year) (month/day) (year)

4. Has the restitution been paid? Yes No (If no, then applicant is not eligible for a pardon.)

5. Indicate the date(s) on which the fine or restitution was paid. _____

6. Applicant (did or did not) appeal the conviction.

AUTHORIZATION FOR RELEASE OF INFORMATION

Carefully read this authorization to release information, then complete and sign in ink (blue or black).

I authorize any duly accredited representative of the Oklahoma Pardon and Parole Board and/or the Oklahoma Department of Corrections, to obtain any information relating to my activities from schools, residential management agents, employers, criminal justice agencies, retail business establishments, courts, or other sources of information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, criminal history, arrest, conviction, including the pre-sentence investigation report, if any, medical, psychiatric/psychological, health care, financial and credit information.

I understand that, for financial or lending institutions and certain other sources of information, a separate specific release may be needed (pursuant to their request or as may be required by law), and I may be contacted for such a release at a later date.

I further authorize the Oklahoma Pardon and Parole Board and/or the Oklahoma Department of Corrections, or any other authorized state agency, to request criminal record information about me from criminal justice agencies for the purpose of determining my suitability for a Pardon.

I authorize custodians of records and sources of information pertaining to me to release such information upon request of any duly accredited representative of the Oklahoma Pardon and Parole Board and/or the Oklahoma Department of Corrections or any state agency authorized above regardless of any previous agreement to the contrary. I understand that the information released by records custodians and sources of information is for official use by the State of Oklahoma only for the purposes of processing my application for a pardon, and may be re-disclosed by the State of Oklahoma only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for one (1) year from the date signed.

Signature of Applicant

Full name (Typed or Printed)

Date Signed

Street Address: _____

City: _____ State: _____ Zip: _____

Area Code/Telephone Number: _____

**CHARACTER AFFIDAVIT
ON BEHALF OF**

(print or type name of applicant)

In support of the application of the above named applicant for a Pardon from the Governor of the State of Oklahoma. I, _____

(print or type name of affiant/reference)

residing at _____

Number

Street

City

State

Zip Code

_____, whose occupation is _____,
(telephone number with area code)

Certify that I have personally known the applicant for _____ years. Except as otherwise indicated below, applicant has behaved since the conviction in a moral and law-abiding manner. My knowledge of applicant's reputation, conduct and activities, including whether the applicant has been arrested or had any other trouble with the public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge, information and belief.

Signature of Affiant

Subscribed and sworn before me this _____ day of _____, _____.
(day) (month) (year)

Notary Public

My commission expires: _____

My commission number is: _____

**CHARACTER AFFIDAVIT
ON BEHALF OF**

(Print or Type Name of Applicant)

In support of the application of the above named applicant for a Pardon from the Governor of the State of Oklahoma. I, _____

(Print or Type Name of Affiant/Reference)

residing at _____
Street Address City State Zip Code

_____, whose occupation is _____,
(Area Code/Telephone)

I certify that I have personally known the applicant for _____ years. Except as otherwise indicated below, applicant has behaved since the conviction in a moral and law-abiding manner. My knowledge of applicant's reputation, conduct and activities, including whether the applicant has been arrested or had any other trouble with the public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge, information and belief.

Signature of Affiant

Subscribed and sworn before me this _____ day of _____, _____.
(day) (month) (year)

Notary Public

My commission expires: _____
My commission number is: _____