LESSON 5

Clemency FAQs: Know What to Expect and Keep Preparing

In Lesson 4, you named an opportunity and a rule you wanted to understand. Look at that question again. You may also have questions about how to present a clemency request, what to send while it is pending, or when you could apply again after a denial. Give each question its own place in your notes so you can decide what to do next.

Start with two questions.

- What would someone reviewing my request need to learn from my written application?
- What could I do this week that would help me prepare, even if I'm still deciding whether to apply?

Find the process that applies to you

Eligible applicants can prepare and submit a federal pardon or commutation petition on their own or with a lawyer. If you're unsure what a question on the form asks, the Office of the Pardon Attorney can clarify its instructions. A lawyer can help if you need to understand how the law applies to your circumstances.

As you saw in Lesson 2, the President can grant a pardon before a person completes a sentence. The Department of Justice says it reviews appropriate early requests using the form titled "Pardon After Completion of Sentence." If that timing applies to you, read the current instructions and clarify which requirements the office will apply to your request.

Check the law named in your judgment. If your conviction is for a D.C. Code offense, you can seek presidential clemency through the Office of the Pardon Attorney. The D.C. Clemency Board may provide a recommendation. If you were sentenced under the former Federal Youth Corrections Act, check whether the court issued a certificate setting aside your conviction. A certificate can give you a basis to ask the FBI to correct how the conviction appears in your record.

Pause and write.

- Which information in your judgment would help you identify the application process that applies to you?
- What question do you want clarified, and whom could you ask to answer it?

Put your explanation in writing

The Office of the Pardon Attorney reviews pardon and commutation applications through a written process. The review of a pardon may include an FBI background investigation. Write the explanation you would want the office to consider. Describe the relief you seek, why you seek it, and which records or people can support what you say.

If you completed a course, a certificate can show what you finished. Your own explanation can describe a skill you practiced and how you used it. The Office of the Pardon Attorney recommends sending copies of records. If you have a video or an online profile that documents your progress, explain the relevant work in writing and submit the supporting documents in a format the office accepts.

Imagine Renee from Lesson 4 completes the first training course required for the license she wants while her pardon application is pending. She could send a copy of her completion certificate with a short explanation of which requirement she met and what she plans to do next. That would tell a reviewer how she followed through on the plan in her application.

Pause and write.

- What part of your progress would you want a reviewer to understand, and which record could support your explanation?
- What could you add in your own words to help the reader understand why that work matters to your plans?

Decide what to do after you file

Use the notebook from Lesson 3 to record what you send and any notice you receive. While your application is pending, you can send written updates by mail or email. Include your case number if available. A pending application can carry over to a new presidential administration. Keep using your existing case number for any updates.

The Department of Justice publishes the names and certain case details of people who receive clemency. It can also release existing lists of people whose requests were denied in response to public-records requests under the Freedom of Information Act. If the President denies your request, you may receive a notice without a reason for the decision. Use the date of denial to calculate when you could reapply.

What happened	What I can do	What I'll record
My application is still pending.	Send a written update when I have new information relevant to my request.	My case number, what changed, and when I sent the update.
The President denied my request for commutation.	Reapply at least 12 months after the date of denial if I choose to submit another request.	The denial date and the earliest date I can reapply.
The President denied my request for a pardon.	Reapply at least 24 months after the date of denial if I choose to submit another request.	The denial date, the earliest date I can reapply, and what I could add to a new application.

These procedures and reapplication periods come from the U.S. Department of Justice, Office of the Pardon Attorney, "Frequently Asked Questions."

Suppose Luis later receives a commutation denial dated September 15, 2026. Under the Department's guidance, he could reapply as early as September 15, 2027. He can use that time to review his release plan, follow through on a commitment he described, and write down what has changed. If he applies again, those notes will help him explain the work he did after his earlier submission.

Pause and write.

- What change in your circumstances would help a reviewer understand something new about your request?
- If you decide to apply again after a denial, what would you want to explain more fully or support with a current record?

Write your journal entry

Date your entry. Choose one question that affects what you want to do next and one action you can take in the next seven days. Set a date to review what you learned.

- What question about the clemency process affects my next decision?
- What can I finish this week, and what will I record so I can explain what I did?
- What would I want a reviewer to learn about my progress from the next document I prepare?

Keep your notes and the records you identified. In Lesson 6, we'll look at how to prepare the record behind a pardon application.