LESSON 6

Applying for a Pardon: Prepare the Record Behind Your Request

In Lesson 5, you chose a question that affects your next decision. If you're considering a pardon, return to the opportunity you identified in Lesson 4. A pardon application asks how the conviction has affected you and what you hope would change. It also gives you room to explain the choices you've made since the conviction and what others have seen you do.

Start with two questions.

- What would I ask the President to consider, and why?
- What could a reader learn about my life today from my answers, my records, and the people who know my work?

Find the form and understand when to use it

The U.S. Department of Justice calls its standard form "Application for Pardon After Completion of Sentence." Under the ordinary rule, applicants should wait at least five years after release from confinement, or after conviction if the court imposed no prison sentence. The rule generally calls for waiting until probation, parole, or supervised release ends. As you read in Lesson 5, the Office of the Pardon Attorney also reviews appropriate early pardon requests using this form. If you're considering an early request, clarify which instructions apply to you.

If your immediate goal is a reduction in the sentence you're serving, Lesson 7 covers the commutation application. You can study the pardon questions now and use them to decide which parts of your work and progress you want to document over time.

Pause and write.

- What do you hope a pardon would change? What would you want to confirm about the timing or effect of a request?

Match each answer to a record

Start with the judgment if you need to confirm the case number, offense, sentence, or financial penalties. The presentence report, statement of reasons, charging document, and docket can help you check other details. The form lists these court records as optional attachments. If a date in your notes differs from the date in a record, mark the question and check it before you finish your answer. The clerk of the court that handled your case can explain how to request available records by mail.

Use this guide to sort the information you already have and identify what you still need.

Part of the form	What the office asks about	What you can gather or write
A–B. Background and reasons	Who you are, how the conviction has affected you, and why you seek a pardon.	Write down what you hope would change. Look for any letter that explains a barrier you faced.
C–I. Life and responsibilities	Community activities, education, places you've lived, military service, work, substance use, and finances.	Make a timeline. Add dates, responsibilities, and records you can use to check details.
J. Case and criminal history	The case, your conduct and responsibility, and any other criminal history the form asks you to list.	Use your judgment to check case details. Describe your role in your own words.
K–N. Signatures, letters, and checklist	Your signed oath and authorization, letters of support, and the final review before you file.	Identify three primary references. Review the signature pages and gather the attachments you plan to send.

Adapted from the U.S. Department of Justice, Office of the Pardon Attorney, "Application for Pardon After Completion of Sentence," pp. 3 and 6–24. For filing timing and early requests, see 28 C.F.R. § 1.2 and the office's "Frequently Asked Questions."

Think back to Renee, who wants to qualify for a state license. Suppose the licensing board writes to say it will review her conviction along with her application. She could use that letter to explain why she is seeking a pardon and which decision still rests with the board. Her training certificate would serve a different purpose. It would show which requirement she completed while she worked toward the license. In her own account, she could explain what she learned in the course and what qualification she plans to work on next.

Pause and write.

- Which answer could you support with a record you already have? What would you still need to explain in your own words?

Ask people who know your work

The form calls for three signed primary letters. Those three writers must be unrelated to you by blood or marriage and willing to be interviewed during a background investigation. If you include additional letters, identify exactly three as your primary references. Give your references Section M of the form and time to write from their own experience. They can attach extra pages if they need room.

Suppose a training instructor observed Renee practice a skill, respond to feedback, and help another participant learn it. The instructor could describe those events and when they happened. Someone who only saw the certificate could confirm less about how she did the work. Think about the people who have seen you take on responsibilities at work, in class, or in your community, including while you serve your sentence.

Pause and write.

- Who has seen you take on a responsibility over time? What could that person describe from firsthand experience?

Review the application before you submit it

Use the form's checklist to review your answers, attachments, and signed support letters. For a question that doesn't apply, the form asks you to write "Not Applicable." Put the section name on any extra page. Read the certification and personal oath and the authorization to release information before signing.

A general federal pardon application can go by mail to the address below. If you're preparing without internet access, you can also write to this office to ask for a paper copy of the form and its instructions. Confirm where to send a completed application using the form you receive. General court-martial convictions have separate submission instructions.

U.S. Department of Justice
Office of the Pardon Attorney
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Pause and write.

- Which answer or attachment would you want to review again before you sign? What would help you finish it?

Write your journal entry

Date your entry. Choose one part of the application you want to understand or prepare for. Write down a step you can take in the next seven days and set a date to review what you learned.

- What would I want a reader to understand about my reasons for seeking a pardon?
- Which record or conversation could help me explain a specific part of my progress?
- What can I do this week, and how will I use what I learn to decide what comes next?

Keep your notes on the case and the people who know your work. In Lesson 7, we'll look at how to build a request for a reduction in a sentence.

Use the paper filing guide

See Appendix C, pages 101–102, for ways to request the form, the mailing address, and how to follow up.