

APPLYING FOR A PRESIDENTIAL PARDON

Under the Constitution, the President has the authority to grant pardon for *federal* offenses, including those obtained in the United States District Courts, the Superior Court of the District of Columbia, and military courts-martial. **The President cannot pardon a state criminal offense. Accordingly, if you are seeking clemency for a state criminal conviction, you should not complete and submit this petition.** Instead, you should contact the Governor or other appropriate authorities for the state where the conviction occurred (e.g., the state board of pardons and paroles) to determine whether any relief is available to you under state law.

Five Year Waiting Period

Under the Department of Justice's rules governing petitions for executive clemency, there is a minimum waiting period of five years after completion of sentence before anyone convicted of a federal offense becomes eligible to apply for a presidential pardon. The waiting period begins on the date of the petitioner's release from confinement. Alternatively, if the conviction resulted in probation or a fine, but no term of imprisonment, the waiting period begins on the date of sentencing.

A waiver of any portion of the waiting period is rarely granted and then only in the most exceptional circumstances. In order to request a waiver, you must complete the pardon application form and submit it with a letter explaining why you believe the waiting period should be waived in your case.

To determine whether you are eligible to apply for a presidential pardon, contact the pardon attorney at the following address:

The Office of Pardon Attorney
U.S. Department of Justice
1425 New York Avenue, N.W.
Suite 11000
Washington, D.C. 20530

Include in your letter the date and place of your conviction, the nature of the offense, the sentence you received, when released from prison and/or when released from probation or parole supervision. **A pardon does not erase or expunge the record of conviction. It is, however, an indication of forgiveness and should lessen the stigma of conviction.** It is usually helpful in obtaining license, bonding or employment.

You can obtain additional information about applying for a presidential pardon, and an **online application form** by visiting the U.S. Department of Justice website at www.usdoj.gov/pardon/