

State Clemency Resources

Which form(s) of clemency does the state offer?

- Pardons
- Parole
- Restoration of firearm rights
- Commutations

Decisionmaker

The Commission of Pardons and Parole submits recommendations to the governor regarding requests for pardons and commutations. The governor makes the final decision. Parole is granted at the discretion of the Parole Commissioners who are citizens of the state of Idaho appointed by the Governor to serve three year terms.

[Resources: parole.idaho.gov](https://parole.idaho.gov)

Constitutional and statutory authority

- **Constitutional Authority:**
Idaho Const. Art. IV § 7
- **Statutory Authority:**
Idaho Code § 20-1016

Eligibility Criteria

■ Pardon Eligibility:

- (1) Application must be submitted no sooner than 5-years after the discharge of felony and/or misdemeanor sentences on all non-violent and non-sex offense convictions.
- (2) Application must be submitted no sooner than 10-years after the discharge of felony and/or misdemeanor sentences on all violent crimes, sex crimes, and crimes against persons.
- (3) Pardon requests can only be submitted once every 12-months unless specified by the Commission.
- (4) All Court-ordered fines, fees, and restitution must be paid in full.

- **Commutation Eligibility:** Anyone serving a sentence for an Idaho State conviction can submit a petition for a commutation, though incarcerated people can only submit petitions once a year.

- **Parole Eligibility:** There is No right to parole in Idaho. Parole is granted at the discretion of the Parole Commissioners and is based on a variety of factors. For more information on what factors are considered read:

parole.idaho.gov/parole-commission-decision-making

Application Process

- **Pardon Process:** Pardon applications and all required additional documents and supporting materials are to be submitted via U.S. mail. [The form indicates which documents are required.] Mail application and all required additional documents and supporting materials to:

Idaho Commission of Pardons and Parole
3056 Elder Street
Boise, Idaho 83705

▶ Necessary Documents for Pardon Application:

- (1) Completed pardon application in its entirety.
- (2) Identification of reason for requesting a pardon.
- (3) Certified copies of all court judgment and conviction orders for each felony and/or misdemeanor crime listed in the request for pardon. Idaho Repository or ROA printouts from the Court will not be accepted.

- (4) Verification of Court-ordered fines, fees, and restitution are paid in full.
- (5) Police reports with the narrative for all offenses included in the pardon application.
- (6) Pardon requests may also include letters of recommendation supporting the request.

Incorrectly completed applications or those lacking required documentation will be returned to the applicant and not processed.

Documentation submitted with the pardon application will not be returned to the applicant.

- **Commutation Process:** A Petition for Commutation must be completed by the petitioner and submitted through their supervising parole officer or institutional case manager. Detailed instructions and information regarding the Commutation process are provided on Page 1 of the Petition for Commutation.
- **Parole Process:**
 - (1) A primary review is conducted and a parole hearing is set upon a person's arrival in prison.
 - (2) Approximately 6 months prior to that parole hearing the person will meet with a Parole Hearing Investigator who will conduct an interview and investigation and write a report for the commissioners regarding the person's past, present, and plans for the future
 - (3) Depending on the nature of the offense for which the person is incarcerated, either a Commission Hearing or and Executive Session review will be conducted. If a Commission Hearing, the person will appear in front of the Parole Commission, they will ask the person questions, and both victims and the incarcerated individual support/witnesses will be offered an opportunity to testify. If and Executive Session review is conducted the person will not be seen in person. Upon the conclusion of either the Commission Hearing or the Executive Session review, the person will be notified of their decision.

APPLICATION LINKS

- 🔗 **Pardon Application Information:** parole.idaho.gov/pardons/pardon-application-information
- 🔗 **Pardon Application:** parole.idaho.gov/wp-content/uploads/2021/01/Pardon-Application-20210120.pdf
- 🔗 **Commutation Information:** parole.idaho.gov/commutations
- 🔗 **Commutation Petition:** parole.idaho.gov/wp-content/uploads/2023/04/Commutation-Petition-20230410-.pdf
- 🔗 **Parole FAQ:** parole.idaho.gov/frequently-asked-questions