

State Clemency Resources

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

Executive clemency in North Carolina takes the form of a commutation or a pardon. Pardons take on three forms in North Carolina: forgiveness, unconditional, or innocence.

Decisionmaker

While the Governor is the decisionmaker, two groups assist him in his duties. First, the Governor's Clemency Office processes all clemency petitions and second, the North Carolina Post Release Supervision and Parole Commission has the authority to assist the Governor.

Resources:

- wcsj.law.duke.edu/2021/09/everything-you-need-to-know-about-clemency-in-north-carolina/
- governor.nc.gov/news/press-releases/2021/04/08/governor-cooper-announces-formation-north-carolina-juvenile-sentence-review-board

Constitutional and statutory authority

- **Constitutional Authority:**
Article III, § 5(6), the drafters of the 1971 North Carolina Constitution gave the right to grant clemency from a criminal conviction to the Governor. April 8, 2021, North Carolina Governor Roy Cooper signed Executive Order 208*, establishing the Juvenile Sentence Review Board.
- **Statutory Authority:**
N.C. Gen. Stat. § 147-21

Eligibility Criteria

- Commutations, by their nature, cannot be granted until after conviction. North Carolina law holds that the same is true for pardons. People eligible for parole are ineligible for clemency.

Application Process

- There is no formal application process, prisoners must write a letter requesting commutation of sentence to the Governor.

APPLICATION LINKS

- ncdps.gov/our-organization/adult-correction/governors-clemency-office/applicants-pardon

Note: the website is currently under construction as of 06/15/2023