

State Clemency Resources

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

- Pardons
- Commutations of sentence
- Reprieves
- Remission of fines

Decisionmaker

Individuals must either request a form from the Governor or write their own petition. These applications must be then sent to the Governor for review.

Pardon power rests exclusively in the Governor, except for cases of treason for which the legislature has the pardon power.

Resources:

- oregon.gov/gov/pages/request-assistance.aspx

Constitutional and statutory authority

- **Constitutional Authority:**
Oregon Constitution Art. V § 14
- **Statutory Authority:**
ORS 144.650, ORS 144.649

Eligibility Criteria

Upon such conditions and with such restrictions and limitations as the Governor thinks proper, the Governor may grant reprieves, commutations and pardons, after convictions, for all crimes and may remit, after judgment therefor, all penalties and forfeitures. Oregon Revised Statute Section 144.649. Former Governor Kate Brown signed various executive orders granting clemency to specific groups of people:

- drive.google.com/file/d/1cfXnMSrNDu8X_CbOR-fWCcozevHgNB_E/view; <https://www.courts.oregon.gov/forms/Documents/GovernorKateBrownsMarijuanaPardonExecutiveOrder.pdf>

Application Process

- (1) When an application for a pardon, commutation or remission is made to the Governor, a copy of the application, signed by the person applying and stating fully the grounds of the application, shall be served upon:
 - (a) The district attorney of the county where the conviction occurred;
 - (b) If the person applying is housed in a correctional facility within the State of Oregon, the district attorney of the county in which the correctional facility is located;
 - (c) The State Board of Parole and Post-Prison Supervision; and
 - (d) The Director of the Department of Corrections.
- (2) Proof by affidavit of the service shall be presented to the Governor.
- (3) Upon receiving a copy of the application, the district attorney of the county where the conviction occurred shall:
 - (a) Notify the victim of the crime concerning the application and the victim's right to provide the Governor with any information relevant to the Governor's decision;
 - (b) Provide the Governor with any information relevant to the Governor's decision that the victim wishes to have provided; and

- (c) Provide the Governor with copies of the following documents:
 - (A) Police and other investigative reports;
 - (B) The charging instrument;
 - (C) The plea petition, if applicable;
 - (D) The judgment of conviction and sentence;
 - (E) Any victim impact statements submitted or filed; and
 - (F) Any documents evidencing the applying person's payment or nonpayment of restitution or compensatory fines ordered by the court.
- (5) Following receipt by the Governor of an application for pardon, commutation or remission, the Governor shall not grant the application for at least 30 days. Upon the expiration of 180 days, if the Governor has not granted the pardon, commutation or remission applied for, the application shall lapse. Any further proceedings for pardon, commutation or remission in the case shall be pursuant only to further application and notice.

APPLICATION LINKS

- [🔗 recordgone.com/templates/default/pdf/Oregon-Pardon-Application.pdf](https://recordgone.com/templates/default/pdf/Oregon-Pardon-Application.pdf)