



STATE BOARD OF PARDONS AND PAROLES

Terry E. Barnard
Chairman

James W. Mills
Vice-Chairman

2 MARTIN LUTHER KING, JR. DRIVE, S.E.
FLOYD BUILDING, BALCONY LEVEL, EAST TOWER
ATLANTA, GEORGIA 30334-4909
(404) 656-4661
WWW.PAP.GEORGIA.GOV

Braxton T. Cotton
Member
Brian Owens
Member
Jacqueline Bunn, Esq.
Member

APPLICATION FOR PARDON / RESTORATION OF RIGHTS

I am applying for (check the appropriate line):

- _____ Restoration of Civil and Political Rights (for eligibility requirements, see Page 11, Section 1)
 _____ Pardon (for eligibility requirements, see Page 12, see Section 2)
 _____ Restoration of Right to Receive, Possess or Transport in Commerce a Firearm
 (for eligibility requirements, see Page 12, Section 3)
 _____ Pardon exception (for eligibility requirements, see Page 13, Section 4)

Additional Information:

*The State Board of Pardons and Paroles (SBPP) cannot pardon federal offenses or offenses that occurred in other states.

*The SBPP cannot expunge (remove from your record) any charges or convictions you have received nor can the SBPP seal your records. A pardon may only be granted for a *state of Georgia* conviction.

*The right to vote is automatically restored upon completion of sentence(s). See your local Registrar's Office for registration.

*The SBPP will process your application for a pardon if you have Dead Docket cases on your criminal record. However, the SBPP does not have the authority to pardon Dead Docket cases. You will need to seek a disposition on such case(s) through the court which originally brought the charge(s). If you are subsequently convicted on the charge(s), you will need to apply for another pardon through the SBPP once you meet the eligibility requirements.

*If you are seeking a pardon for a sex offense and you are still registered on Georgia's Sex Offender Registry, **DO NOT** apply using this application. Please complete the *Sex Offender Pardon Application* found on the SBPP website.

PLEASE PRINT:

Name (as it appears on court documents)

Social Security Number

Other names you are known by

Sex (Male or Female)

Race

Date of Birth

Current County of Residence

Street Address

City/State

Zip Code

Home Telephone Number

Cell Phone Number

Daytime Phone Number

Email Address

Inmate # (if applicable)

SID# (if known)

FBI# (if known)

ICE# (if known - begins with A)

DEMOGRAPHIC INFORMATION

Marital status: Never married: _____ Married: _____ Divorced: _____ Widowed: _____ Separated: _____

For each marriage, state the following: (If you need more space, you may attach additional sheets.)

Name of spouse: _____ Date of marriage: _____

Date/place of divorce: _____

Name of spouse: _____ Date of marriage: _____

Date/place of divorce: _____

If you have minor children, but do not have custody of one or more of them, indicate whether and to whom you pay child support, whether your payments are current, and, if not, the reason for your failure to pay and any agreements you have made to satisfy your payment obligation.

Are there any children under the age of 18 living in your home? Yes: _____ No: _____

Is yes, list names and ages. (If you need more space, you may attach additional sheets.)

Name _____ Age: _____ Relationship to applicant: _____

Name _____ Age: _____ Relationship to applicant: _____

Name _____ Age: _____ Relationship to applicant: _____

Provide the full address of each place you have lived in the past 10 years, beginning with the present and working backwards. List the physical locations. Do not use a post office box as an address. *(If you need more space, you may attach additional sheets.)*

EDUCATION

Last grade completed: _____

High School Name: _____ City/State: _____ Year of graduation: _____

College and/or Technical School Attendance:

Name of institution: _____

Degree: _____ Date obtained: _____

Name of institution: _____

Degree: _____ Date obtained: _____

Name of institution: _____

Degree: _____ Date obtained: _____

MILITARY SERVICE

Have you ever served in the armed forces of the United States? Yes: _____ No: _____

If yes, you are required to attach a copy of your DD-214.

Date(s) of service: _____ Branch(s): _____

Service Number: _____ Type of Discharge: _____

Decorations (if any): _____

If you were other than Honorably Discharged, describe in detail the factual circumstances surrounding your discharge. *If you need more space, you may attach additional sheets.*

EMPLOYMENT

List all periods of employment and unemployment since the conviction or release from incarceration, beginning with the present and working backwards. **(You may attach a current pay stub or W-2 form to verify your present employment.)** *If you need more space, you may attach additional sheets.*

Name of Current/Last Employer _____

Dates of Employment: _____

Address _____

Phone _____ Supervisor's name _____

Reason for leaving (*if applicable*) _____

Name of Previous Employer _____

Dates of Employment: _____

Address _____

Phone _____ Supervisor's name _____

Reason for leaving (*if applicable*) _____

Name of Previous Employer _____

Dates of Employment: _____

Address _____

Phone _____ Supervisor's name _____

Reason for leaving (*if applicable*) _____

EMPLOYMENT (cont)

Since your incarceration, have you been fired or left a job following allegations of misconduct or unsatisfactory job performance? Yes: _____ No: _____ If yes, please provide an explanation of the circumstances.

If you need more space, you may attach additional sheets.

SUBSTANCE ABUSE AND MENTAL HEALTH HISTORY

Have you used any illegal drugs or abused prescription drugs or alcohol since the completion of the last sentence for which you seek a pardon? Yes: _____ No: _____

If yes, identify the drug(s) used, the dates of drug or alcohol abuse, and the frequency of such use. *(If you need more space, you may attach additional sheets.)*

Have you ever been involved in the illegal manufacture, sale, or distribution of drugs other than the offense(s) for which you seek a Pardon? Yes: _____ No: _____

If yes, provide complete details of your involvement. *(If you need more space, you may attach additional sheets.)*

SUBSTANCE ABUSE AND MENTAL HEALTH HISTORY (cont)

Have you ever sought or participated in counseling, treatment, or a rehabilitation program for drug use or alcohol use?

Yes: _____ No: _____

If yes, identify the date(s) of treatment or counseling and the name of the treatment provider. *(If you need more space, you may attach additional sheets.)*

Have you ever consulted with a mental health professional (psychiatrist, psychologist, or counselor), or with another health care provider, concerning a mental health related condition? Yes: _____ No: _____

If yes, identify the date(s) of treatment or counseling and the name of the treatment provider. *(If you need more space, you may attach additional sheets.)*

CIVIL AND FINANCIAL INFORMATION

Are you currently in default or delinquent in any way in the payment or discharge of any debt or financial obligation imposed upon you (other than child support obligations as indicated on Page 2): Yes: _____ No: _____

If yes, state the amount of the debt, the name of the creditor, the reason for the failure to pay, and the terms of any agreement(s) you have made to satisfy the obligation. *(If you need more space, you may attach additional sheets.)*

CIVIL AND FINANCIAL INFORMATION (cont)

Have you ever been a party in a civil lawsuit? Yes: _____ No: _____

If yes, identify the court in which it was filed, the case number, the nature of the dispute and the final disposition. *(If you need more space, you may attach additional sheets.)*

Do you have any pending judicial or administrative proceedings with the federal, state or local government?

Yes: _____ No: _____

If yes, state the name of the authority involved, the jurisdiction in which the proceeding is pending, the case number, the nature of the proceeding, and the current status of the matter. *(If you need more space, you may attach additional sheets.)*

CHARITABLE AND COMMUNITY ACTIVITIES

Describe any charitable or civic activities in which you have been engaged, or other contributions you have made to the community, since your conviction. In this regard, you may include the names of any organizations in which you have participated, the time periods of your participation, and your role in these activities. *(If you need more space, you may attach additional sheets.)*

Provide a complete and detailed account of the offense(s) for which you are seeking a Pardon, Restoration of Firearm Rights and/or Restoration of Civil and Political Rights. You are expected to describe in your own words the relevant factual circumstances of the offense(s). If the conviction resulted from a plea agreement, you should describe the full extent of your involvement in the criminal conduct, in addition to the charge(s) to which you pled guilty. *(If you need more space, you may attach additional sheets.)*

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Please explain your reasons for applying for a Pardon, Restoration of Firearm Rights and/or Restoration of Civil and Political Rights. Include a summary of how your life and situation or circumstances have changed since your last arrest. Also include the reasons you feel you are a good candidate for Pardon consideration, as well as the circumstances which you feel support such a Pardon. If you are applying for an Exception for Pardon (as described on Page 13), please explain IN DETAIL how your conviction is delaying qualification for employment in your chosen profession. (If you need more space, you may attach additional sheets.)

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

CERTIFICATION AND PERSONAL OATH

On penalty of false swearing, I declare hereby that every statement by me is true and correct. I affirm I have not omitted any requested information. I fully understand any order issued by the Board in reliance on false, inaccurate, or incomplete information will be null and void and of no effect at all. I have not concealed any convictions or unpaid fines or restitution. I understand the Board's decision may not be appealed.

Respectfully submitted this _____ day of _____, 20_____.
(day) (month) (year)

(Signature of applicant)

Subscribed before me:

This _____ day of _____, 20_____

Notary Public

Expiration Date of Commission

Georgia State Board of Pardons and Paroles Waiver to Release Information

I _____, for the purpose of a background investigation being conducted by the Georgia State Board of Pardons and Paroles (SBPP), authorize the release of my employment history to SBPP. I further authorize the release to the SBPP, of any criminal history record information pertaining to me which may be in the files of any jurisdiction whether federal, state, or local criminal justice agency in Georgia. I authorize the release of any and all information described above to any designated representative of the SBPP.

A photocopy of this form may be used in lieu of the original.

Full Name (Printed) _____

Address _____

City, State, Zip Code _____

Sex / Race

Date of Birth

Social Security Number

Signature _____ Date _____

Subscribed before me:

This _____ day of _____, 20_____

Notary Public

Expiration Date of Commission

APPLICATION INFORMATION AND INSTRUCTIONS

- All applicants are required to submit a criminal history obtained within 30 days of submission of completed Pardon application. Most Sheriff's Offices offer this service for a fee. Those applicants residing out of state can contact their local FBI office for a national criminal check.
- To obtain disposition documents, contact the Clerk of Court in the county of conviction. Dispositions on misdemeanor offenses are only required for Pardon exceptions as noted in Section 4. You are not required to provide dispositions older than 15 years unless you need rights restored for that offense.
- **All applications must be submitted with a self-addressed, stamped envelope.**

Section 1: Restoration of Civil and Political Rights

This restores a person's civil rights which are lost in Georgia at the time of conviction. These include the right to run for and hold public office, to serve on a jury, and to serve as a Notary Public. The right to vote is automatically restored upon completion of your sentence(s) therefore you need not submit an application.

- You must have completed all sentence(s) within two (2) years prior to applying.
- You must have lived a law-abiding life during the two (2) years prior to applying.

Section 2: Pardon (State of Georgia convictions only):

This is an order of official forgiveness and is granted to those individuals who have maintained a good reputation in their community following the completion of their sentence(s). A pardon is an official statement attached to the criminal record that states that the state of Georgia has pardoned the crime. It does not expunge, remove or erase the crime from your record. It may serve as a means for a petitioner to advance in employment or education.

- A pardon will also restore your civil and political rights.
- You must have completed all sentence(s) at least five (5) years prior to applying.
- You must have lived a law-abiding life during the five (5) years prior to applying.
- You cannot have any pending charges.
- All fines and restitution must be paid in full.
- If you are seeking a pardon for a sex offense AND you are still registered on Georgia's Sex Offender Registry, **DO NOT** apply using this application. Please complete the *Sex Offender Pardon Application* found on the SBPP website. (pap.georgia.gov)
- If you are seeking a pardon for a sex offense for which you were previously required to register on Georgia's Sex Offender Registry but have been removed from the registry, you **MUST** provide certified documentation proving the removal.

Section 3: Restoration of Right to Receive, Possess or Transport in Commerce a Firearm

- You must have completed all sentence(s) and lived a law-abiding life for five (5) years thereafter, and otherwise be qualified for a pardon or restoration of civil and political rights.
- All fines and restitution must be paid in full.
- A Restoration of Firearm Rights for out of state offenses will be issued in conjunction with a Restoration of Civil and Political Rights.
- You must submit three (3) letters of reference from citizens (non-family members) of unquestionable integrity. The letters should indicate how long the reference has known you, in what capacity and why the reference feels you are deserving of a Restoration of Firearm Rights. All three (3) letters of reference must contain the reference's address and phone number as an investigator may contact the reference to validate authenticity. All letters should be dated, signed by the reference and notarized.
- A personal interview will be required with a SBPP staff member at a location determined by SBPP staff. Photo identification must be provided at the time of the interview. This also includes applicants who reside out of state.

Section 4: Exception for Pardon

Individuals may request a waiver of the two (2) and five (5) year eligibility requirement if the waiting period is shown to delay qualification for employment in one's chosen profession. In addition to the completed Pardon application:

- You must submit three (3) letters of reference from citizens (non-family members) of unquestionable integrity. The letters should indicate how long the reference has known you, in what capacity and why the reference feels you are deserving of an Exception for Pardon. All three (3) letters of reference must contain the reference's address and phone number as an investigator may contact the reference to validate authenticity. All letters should be dated, signed by the reference and notarized.
- If you have documentation from your employer which helps to substantiate the need for the Exception for Pardon, please submit that documentation with your completed application.

Additionally, some individuals may require a Pardon for misdemeanor conviction. In such instances, you must provide documentation to verify the specific situation.

- Adoption / Custody / Foster Care/ Daycare (copies of court documents)
- Section VIII (8) Housing (application). (Note: Federal law may prohibit some drug offenders and sex offenders from being admitted into public housing.)
- Truck driver into Canada (letter from employer)
- Education (supporting documents)
- Employment (supporting documents)
- Immigration (proof of deportation status and proof of legal, permanent residency)
- Peace Officer Standards and Training Council (POST). For additional information on law enforcement qualifications, please see POST Council Rule number 464-3-02(1)(g) at the following link: <http://www.gapost.org/Rules/3offcrt.html>.

Glossary of Terms

Restoration of Civil and Political Rights – This is an order restoring a person's civil rights which are lost in Georgia upon conviction. These rights include: the right to run for and hold public office, the right to serve on a jury, and the right to serve as a Notary Public. The right to vote is automatically restored upon completion of your sentence(s) therefore you need not submit an application.

Pardon – This is an order of official forgiveness and is granted to those individuals who have maintained a good reputation in their community following the completion of their sentence(s). A Pardon is an official statement attached to the criminal record which affirms that the state of Georgia has pardoned the crime. It does not expunge, remove or erase the crime from your record. It may serve as a means for a petitioner to advance in employment or education.

Frequently Asked Questions

What is the difference between a restoration of rights and a pardon? Restoration of civil and political rights, if granted, will fully restore citizenship. It removes all civil disabilities and disqualifications imposed as a result of a conviction. These rights include the right to run for and hold public office, to serve on a jury, and to serve as a Notary Public. A pardon is an act of official forgiveness and is granted only in exceptional cases. It may serve as a means for the petitioner to advance in employment or education. A pardon does not expunge (remove) an offense from your record.

Do I need an attorney to apply? No, you do not need an attorney to apply for a Pardon or Restoration of Civil and Political Rights.

Is there a fee to apply? No, there is no application fee.

How long does it take for my application to be processed? The entire process can be lengthy since all information you provide to us must be verified. On average, processing an application takes approximately *six to nine months* and may take longer based on the Board's workload.

What will happen if I cannot obtain my criminal history or dispositions for my convictions? Your application will not be processed without the Georgia criminal history and certified sentence document for any disposition not showing on your record.

When am I eligible to apply for a Pardon? You must have completed all sentence(s) at least five (5) years prior to applying and have lived a law-abiding life since the completion of your sentence(s). You can have no pending charges against you. All fines and restitution must be paid in full. HOWEVER, if you are seeking a Pardon for a sex offense which has required you to be listed on Georgia's Sex Offender Registry, there are additional requirements and you must apply using the Sex Offender Pardon application found on the SBPP's website.

Will my conviction still show on my record? Yes, however, a Pardon or Restoration of Civil and Political Rights will become part of your criminal history record.

How do I get a Record Expungement? This is not a function/duty of the Parole Board. To research details regarding a Record Expungement, go to OCGA Section 35-3-37 for Georgia law requirements.

If I receive a Pardon, and then I am asked by an employer or future employer whether I have been convicted of a crime, do I answer "no" since I received a Pardon? You must answer "yes" to your employer or future employer. Explain that you have received a Pardon and provide a copy of your Pardon paperwork.

What is a Restoration of Civil and Political Rights? A Restoration of Civil and Political Rights is an order restoring the rights which are lost *in Georgia* upon conviction. These include the right to run for and hold public office, to sit on a jury, and to serve as a Notary Public. Restoration of Civil and Political Rights does not automatically include the right to possess, own or carry a firearm; it must be specifically granted by the Board.

When am I eligible to apply for Restoration of Civil and Political Rights? You must have completed all sentence(s) at least two (2) years prior to applying and lived a law-abiding life since the termination of your sentence(s).

Is a Restoration of Civil and Political Rights a separate process from a Restoration of Firearm Rights? Yes, these are different processes. If you would like to have your firearm rights restored, you must check the line on the application for "Restoration of Right to Receive, Possess or Transport in Commerce a Firearm" and meet the applicable requirements. A personal interview will be required for firearm restorations.

Can I bow hunt even if I do not receive a Pardon or Restoration of Civil and Political Rights? Yes, you may bow hunt without a Pardon or Restoration of Civil and Political Rights.

Is a muzzle loader considered a firearm? Yes, a muzzleloader is considered a firearm.

Do I have to apply with the Parole Board to restore my right to vote? No, your right to vote is automatically restored upon termination of your sentence(s). However, you must re-register with your local registrar's office in the county of your residence. To find your local registrar's office, visit this site: http://sos.georgia.gov/elections/elections/voter_information/2011_voter_info.asp

Do I need to apply with the Parole Board to restore my right to sit on a jury? Yes, you must apply for a Restoration of Civil and Political Rights in order to sit on a jury.

Do I need to apply with the Parole Board to restore my right to run for public office? Yes, you must apply for a Restoration of Civil and Political Rights to run for public office.

Do I need to apply with the Parole Board to restore my right to apply for a Notary Public? Yes, you must apply for a Restoration of Civil and Political Rights to apply to be a Notary Public.