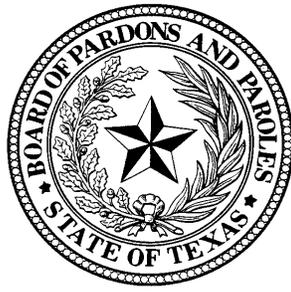


Chairman:
David Gutiérrez

Board Members:
A. D'Wayne Jernigan
Carmella Jones
James LaFavers
Brian Long
Ed Robertson
Fred Solis



State of Texas
BOARD OF PARDONS AND PAROLES

CLEMENCY APPLICATION
SURVIVORS OF HUMAN TRAFFICKING
OR DOMESTIC VIOLENCE

TO: THE APPLICANT

The attached application includes a section that will afford you an opportunity to provide a brief statement to the Board of Pardons and Paroles about your human trafficking or domestic violence victimization. Please provide detailed information for each of the offenses, convictions or deferred adjudications listed in your application. This will assist the Board of Pardons and Paroles when reviewing and considering your application for a recommendation to the Governor.

David Gutiérrez, Chair
Texas Board of Pardons and Paroles

**TEXAS BOARD OF PARDONS AND PAROLES
FULL PARDON APPLICATION
Survivors of Human Trafficking/Domestic Violence**

INSTRUCTIONS

STEP 1:

BEFORE YOU BEGIN, you must have the following documents to complete the application.

1. Offense reports for all arrests, including those that did not result in a conviction.
2. Certified court documents for all arrests, e.g., complaint, indictment or information; judgment; sentence; order of dismissal/disposition/discharge or discharge certificate; and/or clerk statement (fine/restitution paid).
3. Official criminal history statement from the sheriff of your county of residence.
4. Three (3) **current, dated** letters of recommendation from persons other than family members who are familiar with you. Letters from family members may be submitted but will not be considered as one of the three letters of recommendation.

***DO NOT PROCEED TO STEP 2 UNTIL YOU HAVE ALL THE NECESSARY
DOCUMENTS REQUIRED IN STEP 1.***

.....

STEP 2:

After you have obtained all the documents, please read the application instructions carefully, and complete the application form accordingly. To assist you in completing the application, please utilize the Full Pardon Application Checklist on the following two pages. Check the appropriate box as you complete each section.

Do not alter the presentation of this application either through reformatting or rewriting. Do not bind or staple the application with any other submitted material.

Failure to properly complete the application will delay the processing of your application. If we need additional information, you may receive a phone call or letter from an employee in our office.

STEP 3:

Please type or print clearly, place your name at the top of each page, and complete all items. If necessary, you may use “N/A” (for Not Applicable), “Unknown,” “None,” or “Do Not Remember.” After completing all sections, please sign and date the application and **make a copy for your records**. Mail the completed application to:

Texas Board of Pardons and Paroles
ATTN: Clemency Section
8610 Shoal Creek Blvd.
Austin, TX 78757

FULL PARDON APPLICATION CHECKLIST

The Board's Clemency Section has provided the checklist below to assist you in submitting a completed clemency application. This will allow for processing your request in a timely manner. If you need additional assistance in completing your application, please view our Web site at <http://tdcj.state.tx.us/bpp> or contact our office at 8610 Shoal Creek Blvd., Austin, Texas 78757; Phone (512) 406-5852.

For your convenience, general information concerning clemency and the Board of Pardons and Paroles rules are included at the end of this document (pages 2 – 5).

SECTION A: <i>Demographic Information</i>	
<input type="checkbox"/>	Complete all fields, using N/A or Unknown where necessary. Be sure to include all alias names listed on your DPS criminal history.
SECTION B: <i>Addresses</i>	
<input type="checkbox"/>	List current address and all previous addresses since age 18. Use "Do Not Remember" if necessary.
SECTION C: <i>Employment</i>	
<input type="checkbox"/>	List your current employment first and work backwards. Include all available information.
SECTION D: <i>Status</i>	
<input type="checkbox"/>	Answer each question and be sure to include any requested ID numbers.
SECTION E: <i>Justification</i>	
<input type="checkbox"/>	Part (1) State <u>why</u> you are requesting a Full Pardon. Part (2) State <u>what you have done</u> since your conviction to rehabilitate yourself and become a productive member of society.
SECTION F: <i>Certification</i>	
<input type="checkbox"/>	Read the certification statements. <u>Sign</u> and <u>date</u> the application in black or blue ink .

(CONTINUED ON NEXT PAGE)

CRIMINAL HISTORY DOCUMENTS REQUIRED FOR ALL ARRESTS

<i>Criminal History Information Page</i>	
<input type="checkbox"/>	Complete all fields with the appropriate information from your court documents. If requesting a Restoration of Firearm Rights for this offense, you must provide a letter from an employer or potential employer on their letterhead that explains the need to have firearm rights restored in order to gain or maintain employment.
<i>Offense Report(s)</i>	
<input type="checkbox"/>	Attach appropriate law enforcement agency offense reports for all arrests . <i>For example, if you were arrested by the Austin Police Department, you must request offense reports from that agency.</i>
<i>Court Documents</i>	
<input type="checkbox"/>	Attach applicable certified court documentation for all adult arrests . <u>Adult is defined as age 16 or older or when younger than age 16, certified as an adult.</u> <ul style="list-style-type: none">➤ Complaint/Indictment or Information➤ Judgment➤ Sentence➤ Order of Dismissal/Disposition/Discharge or Discharge Certificate➤ Clerk Statement (fine/restitution paid) See page 1 of 5 for procedures on obtaining certified court documentation.
<i>Criminal History</i>	
<input type="checkbox"/>	Attach an official criminal history statement from the sheriff of your county of residence. ALL APPLICANTS , including non-Texas residents, must provide an official criminal history statement from the sheriff of their county of residence.
<i>Letters of Recommendation</i>	
<input type="checkbox"/>	Attach at least three (3) letters of recommendation from citizens directly familiar with the applicant (letters from family members will only be accepted as supplemental information.) Letters of recommendation must: <ul style="list-style-type: none">➤ be dated, current originals (<i>copies of previously submitted letters, photocopies and faxes are not acceptable</i>);➤ be addressed to the Board of Pardons and Paroles (<i>Example: "To the Board of Pardons and Paroles:" -- Do not address letters to Clemency Section or "To whom it may concern"</i>);➤ contain a recommendation for Full Pardon (<i>Example: "I recommend a full pardon on behalf of APPLICANT'S NAME."</i>); and➤ contain the name, occupation, signature, telephone number and mailing address of the writer.

NOTE: If any agency will not provide the requested documentation, you must submit a letter addressed to the Texas Board of Pardons and Paroles. Your letter must be dated and reference the agency name with their address and phone number, the person whom you contacted, the date(s) that you attempted to acquire the information, and an explanation as to why the agency did not provide the requested material.

Date: _____

(Last Name, First and Middle Name)

APPLICATION FOR FULL PARDON TO THE TEXAS BOARD OF PARDONS & PAROLES Survivors of Human Trafficking/Domestic Violence

TO THE BOARD OF PARDONS AND PAROLES OF TEXAS:

I hereby request the Board of Pardons and Paroles or its designated agent to file this application for Clemency, to investigate the statements herein made under oath and, if the facts so justify, make a favorable recommendation to the Governor of the State of Texas that a Full Pardon be Granted and Restoration of Civil Rights, to which I may be entitled under the laws of the State of Texas, be restored.

A. DEMOGRAPHIC INFORMATION (USE BLACK OR BLUE INK)

Current full name	Last Name	<input type="checkbox"/> Jr. <input type="checkbox"/> III	<input type="checkbox"/> Sr. <input type="checkbox"/> IV	First Name	Full Middle Name
Name(s) convicted under					
Race and sex	Race _____ Sex _____				
Date and place of birth	Date of birth _____ Place of birth _____				
Driver's license	State _____ License Number _____				
Alias names (including maiden name, name by former marriage and nicknames), birth dates and any other forms of identification					
Current marital status	<input type="checkbox"/>	Married – Spouse's Name:			
	<input type="checkbox"/>	Divorced	<input type="checkbox"/>	Separated	<input type="checkbox"/>
Children / support / alimony	<p>I have _____ children under the age of 18 years.</p> <p>I am supporting the following named children under the age of 18 years:</p> <p>_____</p> <p>I currently pay \$ _____ / month in child support.</p> <p>I currently pay \$ _____ / month in alimony.</p>				

Date: _____

(Last Name, First and Middle Name)

B. ADDRESSES

<p style="text-align: center;">Current Mailing Address <i>Indicate your current mailing address.</i></p>		<p style="text-align: center;">Current Physical Address <i>Provide information even if the physical and mailing addresses are the same.</i></p>
Number and street _____ Apartment _____		Number and street _____ Apartment _____
City _____ State _____ Zip Code _____		City _____ State _____ Zip Code _____
Home phone number [_____] _____		County of residence _____
Work phone number [_____] _____		Years resided at physical residence _____
Email Address _____		

Previous Addresses

List **all** previous physical addresses since age 18. Do not use post office boxes. If you lived in an apartment complex, list your apartment number. *All time periods must be accounted for.* Include complete dates (months and years of residence), addresses, city, state and zip codes. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

Date: _____

(Last Name, First and Middle Name)

C. EMPLOYMENT

Please give a comprehensive adult (since age 18) employment history, beginning with your present employment and working backwards. Include employer’s name, address, your job position working title, description of job duties, salary, dates employed, and reason for leaving. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

Date: _____

(Last Name, First and Middle Name)

D. STATUS

<p>Are you currently incarcerated in a Texas penal institution? <i>If "yes," list your (TDCJ-CID) identification number.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No ID number: _____</p>
<p>Were you ever incarcerated in a Texas penal institution? <i>If "yes," list all (TDCJ-CID) identification numbers.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No Prior ID number: _____ Prior ID number: _____</p>
<p>Are you currently serving a term of probation? <i>If "yes", identify the county of current residence, name and phone number of your probation officer.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No County: _____ Name: _____ Number: () _____</p>
<p>Are you currently on parole, annual report status, or serving a term of mandatory supervision? <i>If "yes", identify the county of current residence, name and phone number of your parole officer.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No County: _____ Name: _____ Number: () _____</p>
<p>Do you have any pending criminal charges? <i>If "yes," attach an explanation page. Place the attachment behind this page.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Have you been incarcerated in a federal or non-Texas state institution? <i>If "yes," list all identification numbers. Include the facility name and location.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No ID Number: _____ Institution: _____ Location: _____</p>
<p>Do you have any prior federal or out of state convictions resulting in a loss of civil rights that have not been cleared by a pardon? <i>If "yes," attach an explanation page. Place the attachment behind this page.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Is a Texas pardon needed before another jurisdiction can act on a pardon? <i>If "yes," attach an explanation page and a written statement from the other jurisdiction. Place the attachment behind this page.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Date: _____

(Last Name, First and Middle Name)

F. CERTIFICATION BY APPLICANT

Please read the following statements carefully and indicate your understanding and acceptance by signing in the space provided. This application must be signed.

I hereby give my permission to the Board of Pardons and Paroles or its designated agent to make any inquiry and receive any information of record that it may deem proper in the investigation of this application for clemency; and

I understand that compliance with these requirements is sufficient for the Board's consideration of this application, but compliance does not necessarily mean that favorable action will result.

I hereby swear upon my oath that I am the subject herein named and the facts contained in this application are true and correct.

Applicant's Signature (Full Name)

Date

PROCEDURES FOR OBTAINING COURT DOCUMENTATION

All court documents must be **CERTIFIED**, whether they originate from the office of the District, County, or Municipal Clerk. Acquire the proper documentation, accordingly:

IF convicted and the judgment included a court ordered **fine** and or **restitution**, furnish a statement from the appropriate clerk confirming the amount paid.

IF convicted and the sentence is probated or deferred, furnish the Complaint/Indictment or Information, Judgment, Sentence and Dismissal.

IF convicted of a misdemeanor resulting in a fine and/or jail time, furnish the Complaint, Judgment and Sentence.

IF arrested and the charge was dropped or dismissed, furnish the charging papers and the Dismissal. If unobtainable, furnish a dismissal or “no formal charge made” statement from the prosecuting attorney.

IF arrested for out-of-state, federal or foreign offense(s) prior to the last Texas conviction, furnish court documentation. If convicted, provide clearance by full pardon from the jurisdiction or show by official source, preferably the court of conviction, that no civil rights were lost.

IF convicted of a felony probation and revoked to the Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID), furnish the Indictment, Judgment and Sentence granting probation and the revocation document(s), and a copy of the TDCJ discharge certificate.

IF convicted of a felony, sentenced to TDCJ-CID and currently on parole or mandatory supervision or on annual report status, or have discharged the sentence, furnish the Indictment, Judgment, Sentence and a copy of the TDCJ discharge certificate. Contact the following office(s) to obtain the appropriate certificate:

TDCJ-CID RECORDS OFFICE
P. O. BOX 99
HUNTSVILLE, TEXAS 77342

or

TDCJ PAROLE DIVISION
8610 SHOAL CREEK BLVD.
AUSTIN, TEXAS 78757

PROCEDURES FOR OBTAINING ARREST/OFFENSE REPORTS

For **each** criminal offense, acquire from the appropriate law enforcement arresting agency copies of the arrest/offense reports. These copies of reports do not have to be certified. For offenses involving drugs, please provide copies of laboratory reports.

GENERAL INFORMATION

Definition – An unconditional act of executive clemency by the Governor which serves to release the grantee from the conditions of his or her sentence and from any disabilities imposed by law thereby.

A Full Pardon restores the following civil rights:

1. Right to vote.
2. Right to hold public office.
3. Right to serve on a jury.
4. Licensing privileges for certain types of employment (however, you must check with the appropriate licensing authority to determine if a full pardon is necessary to be licensed). If available, please provide written documentation from that authority advising that you will not be considered for a license without receiving a full pardon. If the licensing authority will not provide you with written documentation, please obtain and furnish the name of the licensing authority, phone number, and name of the person you contacted.
5. Right to serve as Executor or Administrator of an estate.

A FULL PARDON RESTORES VOTING RIGHTS. Please note, effective September 01, 1997, a felon's voting rights are automatically restored when one fully discharges the felony sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court.

A FULL PARDON DOES NOT NECESSARILY RESTORE THE RIGHT TO BEAR ARMS. Many felons also lose their right to bear arms with the federal government. Additionally, you may or may not qualify for a State of Texas license to carry a concealed handgun. You **MUST** check with **BOTH** the Federal Bureau of Alcohol, Tobacco & Firearms **AND** the Texas Department of Public Safety for your status **BEFORE** bearing any arms.

A FULL PARDON DOES NOT expunge an arrest under the criminal laws. This can only be accomplished by petitioning a district court in the county of conviction.

A FULL PARDON DOES NOT restore the right of the applicant to drive and operate a motor vehicle upon public highways after an automatic suspension of that license as a result of a conviction for Driving While Intoxicated or other similar suspension, unless the Governor's Proclamation specifically so states.

A FULL PARDON DOES NOT relieve the convicted person of any outstanding fines, fees, restitution or reparation as ordered by the Court.

The Board will consider Full Pardon requests for the following cases:

- (01) An offender whose offense occurred on or before August 28, 1977, and who has served 12 months on parole in a manner acceptable to the board.
- (02) An offender who is currently in prison if the offender indicates extenuating circumstances.
- (03) An offender who has been under supervision at least two years with no violations in the year preceding the application date.
- (04) Former Texas Department of Corrections (TDC) or Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID) offenders who have discharged their sentences.
- (05) Probated sentences (must provide discharge/dismissal documentation and proof that the applicant's conviction prevents him from obtaining employment or proof that his civil rights have been lost).
- (06) Suspended sentences (completed).
- (07) Jail sentences (completed).
- (08) Misdemeanor sentences (completed).

The Board will NOT consider Full Pardon requests for the following cases:

- (01) Treason or impeachment.
- (02) A person who has been on community supervision and has received a judge's discharge in which the judge restores the person's civil rights by setting aside the conviction and dismissing the charging instrument (see Attorney General Opinion DM-393*).
- (03) TDCJ-CID offenders (except when exceptional circumstances exist).
- (04) Prior out-of-state felony convictions (must first clear priors by pardon from other jurisdiction).
- (05) Prior federal convictions (must first clear by Presidential Pardon).
- (06) Applicants who were denied Full Pardon or Restoration of Civil Rights less than two years prior to application date.

* You may read the opinion on the Attorney General's Web site at www.oag.state.tx.us.

For your records, please retain copies of all documentation, including the application, that you submit to the Clemency Section.

Due to the inability to retain records for extended time periods for incomplete applications, we are advising you NOT to provide originals of personal items, including but not exclusive to photos, transcripts, birth and other certificates, achievement awards, licenses, literature and other identification cards or items, notebooks or binders, and clemency proclamations. You may in lieu of originals provide copies of these documents with your submitted application.

TEXAS BOARD OF PARDONS AND PAROLES RULES



Chapter 143. EXECUTIVE CLEMENCY

Subchapter A. FULL PARDON AND RESTORATION OF RIGHTS OF CITIZENSHIP

§143.1. Authority To Grant Pardons

Except in cases of treason or impeachment, after conviction, the governor may grant a full pardon upon the recommendation and advice of a majority of the board (Texas Constitution, Article IV, §11; Texas Code of Criminal Procedure, Articles 48.01 and 48.03).

§143.2. Pardons for Innocence

- (a) On the grounds of innocence of the offense for which convicted the board will consider applications for recommendation to the governor for a pardon for innocence upon receipt of:
 - (1) written recommendation of at least two of the current trial officials of the court of conviction, with one trial official submitting documentary evidence of actual innocence; or
 - (2) certified order or judgment of a court having jurisdiction accompanied by a certified copy of the findings of fact and conclusions of law where the court recommends that the Court of Criminal Appeals grant state habeas relief on the grounds of actual innocence.
- (b) Evidence submitted under subsection (a)(1) of this section shall include the results and analysis of pre-trial and post-trial DNA tests or other forensic tests, if any, and may also include affidavits of witnesses upon which the recommendation of actual innocence is based.

§143.3. Twelve Months on Parole

When any prisoner has served 12 months on parole for an offense committed on or before August 28, 1977, in a manner acceptable to the board, upon request, the board may review the prisoner's record upon application therefore and make a determination whether to recommend to the governor that the prisoner be pardoned and finally discharged from the sentence under which he is serving.

§143.4. Parolee Discharging Sentence

Whenever any prisoner who has been paroled for an offense committed on or before August 28, 1977, has complied with the rules and conditions governing his parole until the end of the term to which he was sentenced, and without a revocation of his parole, the board may report such fact to the governor prior to the issuance of the final order of discharge. The board may, at this time, recommend to the governor a full pardon (Texas Constitution, Article IV, 11; §508.119, Government Code).

§143.5. Discharged Prisoner

Upon request from a person who has discharged a felony sentence, the board will consider recommending a full pardon. Applicant's name, prison number, county of conviction, offense, and length of sentence shall be furnished for identification.

§143.6. Inmate in Texas Department of Criminal Justice-Institutional Division

A full pardon will not be considered for an inmate while in prison, except when exceptional circumstances exist.

§143.7. Prior Out-of-State or Federal Convictions

Where there exists one or more convictions for offenses of felony grade, in other states or in federal court, prior to the last Texas conviction, the board will consider recommending a pardon only if the applicant:

- (1) provides a clearance by full pardon from the jurisdiction(s) of the previous conviction(s); or
- (2) furnishes proof in writing that the other jurisdiction(s) will not act until a full pardon is granted by the Governor of Texas.

§143.8. Suspended Sentence, Felony Conviction

Upon request from the applicant or person acting for him, the board will consider recommending full pardon for a suspended sentence. Applicant's name, the county of conviction, offense, and sentence shall be furnished when the request is made.

§143.9. Sentence of Probation, Felony Conviction

The board will consider recommending a full pardon for a sentence of probation only upon a showing of receipt of maximum relief available through the court of conviction, and then, only in an extreme or unusual circumstance which prevents the applicant from gaining a livelihood or in the event of loss of civil rights. The burden of showing such unusual conditions rests upon the applicant.

§143.10. Misdemeanor

The board will consider recommending a full pardon in misdemeanor cases only when exceptional, extreme, and unusual circumstances exist. The burden of showing such exceptional, extreme, and unusual circumstances rests upon the applicant.

§143.11. Request of Governor

The board shall consider a recommendation for a full pardon or request for restoration of firearm rights in any case upon the request of the governor (§508.050, Government Code).

§143.12. Restoration of Firearm Rights

The board will consider recommending restoration of the right to receive, possess, bear, and transport in commerce a firearm only in extreme and unusual circumstances which prevent the applicant from gaining a livelihood, and only if the applicant:

- (1) provides either proof of clearance by a previously granted full pardon or a request for such express restoration in a pending application for a full pardon from jurisdiction(s) of the relevant conviction(s); and
- (2) provides proof of application under the United States Code, Title 18, §925(c), for exemption, relief from disabilities to the attorney general, and furnishes copies of all relevant applications and responses thereto by the attorney general including any final actions by said attorney general.

§143.13. Posthumous Pardon

Upon request from a person acting on behalf of a deceased person who was convicted of a felony offense, the board will consider recommending a full pardon for the deceased person.