

NORTH DAKOTA PARDON ADVISORY BOARD APPLICATION
 NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
 SFN 14859 (12-2020)

INSTRUCTIONS:

- A REQUEST FOR A PARDON WILL NOT EXPUNGE AN INDIVIDUAL'S CRIMINAL HISTORY RECORD.
- **Deadline:** The Pardon Advisory Board meets in April and November, and this form must be received 90 days before the Pardon Advisory Board convenes, which is early August for the November meeting and early January for the April meeting.
- **Required Attachments:** A copy of the criminal judgment and the criminal information, complaint, or citation for each offense for which you seek relief, if those records are available. Or an explanation of the attempts you made to obtain these items. A photocopy of your driver's license or state identification card. **(Required court documents may be obtain by contacting the Clerk of Court in the sentencing jurisdiction)**
- **Application Completeness:** If you fail to complete this application in full, including the needed attachments, it will be returned to you, which could result in a postponement of your hearing. If additional pages are needed for any section, please attach on 8 ½ x 11 paper and number the sections accordingly.
- Send completed information to one of the following: Pardon Advisory Board Clerk, fax 701-328-6780, mail to P.O. Box 1898, Bismarck, ND 58502-1898, or email pardonclerk@nd.gov.

Check All That Apply <input type="checkbox"/> First-Time Applicant <input type="checkbox"/> I am scheduled for or was reviewed by the Parole Board on <input type="checkbox"/> I was previously denied relief by the Pardon Advisory Board and have a change in circumstances (see question number 26) since my prior application on					
Applicant Name			Social Security Number		
Date of Birth		Place of Birth		Race	
Applicant's Address			City	State	ZIP Code
Home Telephone Number		Work Telephone Number		Cellphone Number	
List of Former Names or Aliases					
Prison Inmate Number			Choose Location <input type="checkbox"/> NDSP <input type="checkbox"/> JRCC <input type="checkbox"/> MRCC <input type="checkbox"/> DWCRC		
I am requesting one of the following and am providing the Date, Case Number, City/County, Offense, and Prosecutor/Defense: <input type="checkbox"/> Pardon <input type="checkbox"/> Commutation of Sentence <input type="checkbox"/> Reprieve of Sentence <input type="checkbox"/> Remission of Fine <p style="text-align: center;">Please list ALL cases within your North Dakota criminal record.</p>					
Date Sentenced	Case Number	City or County	Offense	Prosecutor/Defense	Pardon Requested
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes
					<input type="checkbox"/> No <input type="checkbox"/> Yes

*If you run out of space, please attach information on a separate sheet of paper.

1. What was the disposition of your case(s)?

Date Sentenced	Case Number	Disposition

*If you run out of space, please attach information on a separate sheet of paper.

2. Tell us your version of the crime(s) for which you are seeking a pardon.

3. If any cases included a victim, please fill out the following:

Name	Relationship	Case Number	Do you maintain contact?
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes

4. If contact is maintained with the above-mentioned victims, please include most recent contact information:

5. How old were you when you were first arrested?

6. Have you ever been in a juvenile correctional facility? No Yes (If yes please explain below)

7. Have you ever been in prison? No Yes (If yes please explain below)

8. Have you ever received write-ups while in prison? No Yes (If yes please explain below)

9. Have you ever had probation or parole revoked (supervised or unsupervised)? No Yes (If yes please explain below)

10. Do you have any record of violence? No Yes (If yes please explain below)

11. List the Last Five Employers:

Date Started	Date Ended	Occupation	Employer	Address	Telephone Number

12. What job skills do you have?

13. Have you ever been fired from employment? No Yes (If yes please explain below)

14. Tell us about your education (include high school and college):

15. Tell us about your financial situation. Include things such as, all sources of income, estimated net worth, bankruptcies, credit rating, repossessions, and if you have been on any public assistance.

16. Tell us about your childhood, your parents and your current relationship with them, siblings, your marriages or relationships, your children, foster care placement, etc.

17. Tell us what you do in your leisure time (hobbies, groups you belong to, how you spend a typical day).

18. List Your Last Five Residences:

Start Date	End Date	Residence Address

19. Tell us about your friends (names of close friends, what you do when you are with friends, state whether your friends or acquaintances have been involved in criminal activity).

20. Tell us about your use of chemicals (alcohol, drugs, treatment, etc.)

21. Tell us about any mental health conditions you have or may have had (include psychological evaluations, diagnosis, medications taken, suicide thoughts or attempts, etc.)

22. Tell us about any medical conditions.

23. Tell us what is the reason or justification for your request? (be specific as to your reason(s) for relief)

24. Complete this section only if you are reapplying for Pardon Advisory Board consideration. List specific changes in your circumstances since your prior application that would present a compelling need for relief.

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I understand that by submitting this application, I will be subject to a check of my criminal records, including criminal history background information, and I consent to a criminal history background information check. I understand that this may include a fingerprint-based background check, if requested.

Signature of Applicant	Date
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Open Record Notice: Upon the DOCR's receipt of your pardon application, it will become public record, which means it is open for release to the public. Your participation in the pardon board will also be documented in the agenda and meeting minutes, which are posted online.

Effect of Pardon with Removal of Guilt: The Governor can only grant pardons for North Dakota convictions and not for federal or tribal cases. Even after a pardon with removal of guilt, a criminal history background check may continue to show your offense. However, the North Dakota Bureau of Criminal Investigation will modify the disposition of your offense to reflect the pardon once it is granted. The North Dakota Court System's public website also will reflect the pardon.

This is provided for informational purposes only and not for the purpose of providing legal advice. You should contact your attorney to obtain advice with respect to any particular issue or problem.

**North Dakota Century Code Chapter 12-55.1
Pardon Advisory Board**

12-55.1-01

DEFINITIONS. In this title, unless the context otherwise requires:

1. "Commutation" means the change of the punishment to which a person is sentenced to a less severe punishment.
2. "Conditional pardon" means a pardon, commutation, reprieve, or remission of fine subject to terms and conditions established by the governor upon the recommendation of the pardon advisory board.
3. "Department" means the department of corrections and rehabilitation.
4. "Pardon" means the removal of punishment or custody imposed upon a person for the commission of an offense. A pardon does not remove the fact of that person's conviction or plea or finding of guilt for an offense unless specifically stated in the certificate of pardon.
5. "Remission of fine" means a release or partial release of a fine.
6. "Reprieve" means a temporary relief from or postponement of the execution of a criminal sentence.

12-55.1-06

APPLICATION FOR COMMUTATION, REPRIEVE, PARDON, CONDITIONAL PARDON, OR REMISSION OF FINE. An application for commutation, reprieve, pardon, conditional pardon, or remission of fine must be made with the pardon clerk on a form prescribed by the clerk and in accordance with any rules adopted under this chapter.

12-55.1-07

NOTICE OF APPLICATION. The pardon clerk shall provide written notice of an application for a commutation, reprieve, pardon, conditional pardon, or remission of fine to the district court and the state's attorneys in the county or counties where the judgment of conviction was entered against the applicant. The notice must include the name of the applicant, the date of entry and docket number of the criminal judgment, the crime or crimes stated in the criminal judgment, and the date and place for the meeting on the application.

12-55.1-08

GOVERNOR MAY RECONSIDER ACTION. If the governor has granted an application for a commutation, reprieve, pardon, conditional pardon, or remission of fine and the applicant is still in custody in any correctional facility, the governor may reconsider the decision any time before the applicant is released from the correctional facility. If an applicant is released from custody pursuant to a conditional pardon and the applicant has violated any of the terms or conditions of the conditional pardon, the governor may revoke the conditional pardon in the same manner provided for violation of any of the terms or conditions of parole. In all other cases, the governor may reconsider a decision on an application if the reconsideration is made within thirty days from the date of the initial decision. A decision made on reconsideration may not be reviewed by any court.