

## **Petitions for Executive Clemency** **Pardons from the Governor**

### **What is a Petition for Executive Clemency?**

A Petition for Executive Clemency is how a person requests a pardon from the Governor. It is a type-written, detailed petition about a person's criminal record and life history outside of the criminal record.

### **Why do I need a pardon from the Governor?**

Only certain convictions can be sealed through the Court, removing criminal records from public view so employers and landlords conducting background checks have no access. The only way to clear all other convictions is to have a pardon from the Governor authorizing expungement.

### **What does a pardon do?**

If a pardon is granted, with authorization to expunge, you can expunge a conviction. The expungement portion happens through the court and removes records from public view. Only law enforcement will have access to the record after.

### **Do I have to wait a certain period of time to file?**

There are no time frames for filing a Petition for Executive Clemency. However, it is best to wait a minimum of five years from the conviction with no criminal history to have the greatest chance of success. The vast majority of pardons are given to those whose convictions are greater than 10 years.

### **What's the process?**

A petition is filed with the Prisoner Review Board (PRB), an agency in Illinois with members appointed by the Governor. The PRB holds hearings four times per year (January & July in Springfield and April & October in Chicago). A person is put on a hearing docket by filing before the deadline for each (which is approximately two and a half months before the hearings). Deadlines are available on the PRB website at [www.state.il.us/prb](http://www.state.il.us/prb).

### **How long does it take to receive an answer?**

The Governor is under no time frame to make a decision. As of the summer of 2012, there was approximately a 4 year wait to receive a decision. The current administration has close to a 40% grant rate on the petitions they have decided.

### **Is there anything else I can do to remove my record from public view?**

The General Assembly recently passed SB 3458, a bill that will allow individuals to petition the PRB for a Certificate that allows one to seal a felony conviction record that is otherwise ineligible. That bill is currently awaiting the Governor's signature. The process will be similar, but an answer will be received much quicker (within one month of the hearing). Only those with single, qualifying felony convictions are eligible to apply. These include Class 3 and 4, non-violent, non-sexual felony convictions. A person must have a minimum of five years with no arrests. This bill, if signed by the Governor, will take effect no later than January 13, 2013. Check the Illinois General Assembly Website ([www.ilga.gov](http://www.ilga.gov)) to see when the bill gets signed and after, the PRB website for further information on the process ([www.state.il.us/prb](http://www.state.il.us/prb)).