

**OFFICE OF EXECUTIVE CLEMENCY**  
4070 Esplanade Way  
Tallahassee, FL 32399-2450  
Telephone: (850) 488-2952 or Toll Free 1-800-435-8286

**CLEMENCY APPLICATION INFORMATION SHEET REGARDING  
RESTORATION OF CIVIL RIGHTS, PARDONS, PARDONS WITHOUT FIREARM  
AUTHORITY, FIREARM AUTHORITY, AND REMISSION OF FINES AND FORFEITURES**  
Effective January 21, 2020

This information sheet pertains to Restoration of Civil Rights and all other forms of clemency with the exception of Commutation of Sentence requests. A Request for Review (Form 1502) must be completed for the Commutation of Sentence process. This application is available on our website, <https://fcor.state.fl.us/Clemency.htm>, or you may request this application by calling our office as indicated above.

To apply for clemency, you are required to **provide certified court documents for EACH conviction** with the application for clemency before it will be accepted. Certified court documents can be obtained from the Clerk of Court in the county where the offense occurred and consists of the charging document (often referred to as the Information or Indictment), Judgment; and Sentence/Community Control/Probation Order. Florida Statute 940.04 states that certified court documents required for clemency are to be provided free of charge and without delay. For out-of-state or federal convictions, contact the Court where your criminal case was handled.

Restoration of Civil Rights cases are divided into two categories: Without a Hearing (Rule 9.A.) and With a Hearing (Rule 10.A.). You may visit our website for more detailed information regarding the list of offenses that determine each category.

**RESTORATION OF CIVIL RIGHTS WITHOUT A HEARING (Rule 9.A.):** This type of investigation is designed to process less serious offenses and requires you to be **crime and arrest free for 5 years prior to applying**. If restitution is owed, you will be processed through the Restoration of Civil Rights *With A Hearing* process (Rule 10.A.).

**RESTORATION OF CIVIL RIGHTS WITH A HEARING (Rule 10.A.):** This type of investigation is designed to process the more serious offenses and requires that **7 years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions**. This form of clemency requires a hearing before the Clemency Board.

**PARDON OR PARDON WITHOUT AUTHORITY TO OWN, POSSESS, OR USE FIREARMS Rule 5.A):** This type of investigation requires that you must have completed all sentences imposed and all conditions of supervision have expired or been completed, for a period of no less than 10 years. You may not have any outstanding detainers or pending charges, owe restitution, or have any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. This form of clemency requires a hearing before the Clemency Board. Individuals convicted in a federal, military, or out-of-state court are not eligible to apply.

**SPECIFIC AUTHORITY TO OWN, POSSESS, OR USE FIREARMS (Rule 5.D.):** This type of investigation requires that you must have completed all sentences imposed and all conditions of supervision have expired or been completed, for a period of no less than 8 years. You may not have any outstanding detainers or pending charges, owe restitution, or have any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. This form of clemency requires a hearing before the Clemency Board. Individuals convicted in a federal, military, or out-of-state court are not eligible to apply.

**REMISSION OF FINES AND FORFEITURES (Rule 5.C.):** This type of investigation requires that you must have completed all sentences imposed and all conditions of supervision have expired or been completed.

**INVESTIGATIVE PHASE:** If your application requires a hearing, you will be scheduled to meet with a Commission Investigator with the Florida Commission on Offender Review (“FCOR”), who is assigned the investigative phase by the Clemency Board for an interview. During the investigative phase, the Clemency Board will consider, but not be limited to, the following factors when determining whether to grant an applicant clemency:

- the nature and circumstances of the offense;
- prior and subsequent criminal record, including traffic offenses;
- employment history;
- mental health, drug, or alcohol issues;
- domestic violence issues; and
- letters submitted in support of, or in opposition to, the granting of executive clemency.

The information FCOR requests from you is necessary to provide the basic facts needed by the Clemency Board to make an informed judgment as to whether or not you should be granted clemency.

FCOR may also speak with individuals who have written character or reference letters, employers, and other individuals who may be able to provide relevant information concerning you.

If you are granted Restoration of Civil Rights based on the *Without* a Hearing investigation, you will be sent a Certificate of Restoration of Civil Rights to the address on file.

If the Clemency Board grants an application regarding a *With* a Hearing investigation, an Executive Order will be prepared, signed by the Clemency Board members, and a copy mailed to you.

**ADDITIONAL INFORMATION:**

You will not be eligible for any form of clemency if you have pending criminal charges or outstanding detainers or warrants.

If a hearing is scheduled before the Clemency Board, you are not required to attend. You are not required to appear with an attorney.

All information submitted to the Office of Executive Clemency becomes the property of this office and **will not be returned**. Keep copies of any paperwork you may need in the future.

Any eligible person who has been **granted** or **denied** any form of clemency may not apply for further clemency for at least **2 years** from the date that such action became final. A Request for Review of a Commutation of Sentence requires a **5-year** waiting period before reapplying.

The fact that your rights have been granted is public record. Whether you have filed an application and the application is still pending investigation is not public information. Executive clemency files are maintained to provide for the exercise of the Governor and Cabinet’s Constitutional clemency power and are routinely made available to them, members of their staff, and other officials concerned with these proceedings. The Governor is the only person who can release information regarding an individual’s clemency and can do so when required by law or to further the ends of justice.