

 <p style="text-align: center;">ADMINISTRATIVE REGULATIONS</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number:	Page Number:
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	Board Approval Date: 10-27-06	
	Supersedes: 1305	Dated: 12-4-91
	Reference:	Effective Date: 3-5-07
SUBJECT: Executive Clemency, Pardons and Commutations of Sentences		

I. AUTHORITY:

The Board of Corrections is vested with the authority to promulgate this Administrative Regulation pursuant to Arkansas Code Annotated section 12-27-105 and in accordance with the Arkansas Administrative Procedure Act 25-15-201, et seq.

II. APPLICABILITY:

This policy applies to all offenders sentenced to the Arkansas Department of Correction.

III. DEFINITIONS:

- A. Pardon: The deliverance of a convicted person from punishment dealt by the courts and restoration of their civil rights by order of the Governor of the State of Arkansas. A pardon request asks that a criminal record be expunged (removed) from the public record. A pardon is a permanent cancellation of a sentence. A pardon may be requested by a person who is no longer incarcerated.
- B. Commutation: A reduction in a convicted person's penalty (i.e., length of sentence) to a less severe penalty.
- C. Executive Clemency: Executive Clemency is the process through which the Governor considers requests for granting reprieves, commutations of sentence, and pardons after conviction; and considers requests to remit (forgive) fines and forfeitures.
- D. Reprieve: A reprieve is a temporary relief from or postponement of execution or criminal punishment or sentence. A reprieve is just a stay (delay) of the execution of the sentence for a time, which is typically given to allow an offender an opportunity to reach agreement on a change to the imposed sentence.

- E. Waiver: The authority granted by Arkansas law to the Arkansas Parole Board to allow for the filing of a new application for executive clemency under certain conditions before expiration of the waiting period.

IV. POLICY:

Incarcerated persons must submit requests through the Institutional Release Officer (IRO). The requests are then forwarded to the Parole Board for investigation, and the Parole Board provides a report and recommendation to the Governor. The Parole Board may waive the waiting period for the filing of a new application for executive clemency under certain conditions pursuant to applicable Arkansas statutes.

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