

State of South Carolina
Department of Probation, Parole and Pardon Services

HENRY McMASTER
Governor



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Director

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HOW TO APPLY FOR A PARDON:

The Pardon Application has three (3) components: three (3) written letters of support; information from the applicant and payment of an application fee.

As to the three (3) letters of support written by people not related to you by birth or marriage, you must list the name, address and contact telephone number(s) for each of your supporters. Each support letter must be signed and dated within the past six (6) months by the writer and specifically state that they are in support of your pardon.

Application forms must be filled out completely, signed and dated by you, the applicant. Be certain to complete the General Release of Information section of the application and have it notarized. S. C. Code of Laws 17 -25- 322: an offender may not be granted a pardon until all restitution* has been paid in full.

***Restitution refers to money ordered by the Court and/or Parole Board to be paid to victim/victims. If during the pardon investigative process it is discovered that restitution is owed, a deadline will be issued for the applicant to pay all restitution owed. A civil judgment ordered for restitution does not remove the obligation to pay the restitution in full. If restitution/civil judgment is not paid by the deadline given, the request for pardon will be denied.**

A one hundred dollar (\$100.00), non-refundable fee must accompany an Application for Pardon. The fee must be in the form of a money order or cashier's check and made PAYABLE to: The South Carolina Department of Probation, Parole and Pardon Services. If the fee does not accompany the pardon application, the application will be returned to the sender.

Mail Application to: **SCDPPPS, P.O. Box 207, Columbia, SC 29202.**

NOTE: FALSIFICATION OF ANY DOCUMENTATION WILL RESULT IN YOUR PARDON REQUEST TO BE ADMINISTRATIVELY DENIED.

The application process is approximately seven (7) to nine (9) months from the time the pardon application is received until a pardon hearing date is scheduled for applicants. If there are any changes of address or contact information, please call our office to update your application.

If you have any questions, please feel free to contact the Office of Paroles, Pardons, and Release Services at (803) 734-3505.

PARDON FACT SHEET

Definition: Pardon means that an individual is fully forgiven from all the legal consequences of his crime and of his conviction, direct and collateral, including the punishment, whether of imprisonment, pecuniary penalty or whatever else the law has provided. An arrest without a disposition cannot be pardoned.

Guidelines for Determining Eligibility for Pardon: The Board of Pardons and Paroles shall determine if the individual is eligible for a pardon after reviewing the pardon application based upon the following criteria:

Probationers: Probationers are eligible to be considered for a pardon any time after discharge from supervision, provided all restitution has been paid in full.

Parolees: Parolees are eligible to be considered for a pardon: 1) Any time after the successful completion of five years under supervision; 2) Any time after the date of discharge of successful completion of the maximum parole period, if less than five years. No person will be granted a pardon unless all restitution has been paid in full.

Persons Discharged from a Sentence: Any time after the date of discharge, provided all restitution has been paid in full.

Inmates with Terminal Illness: Any time after the inmate is afflicted with a terminal illness with a life expectancy of one year or less. The Board will decide, based upon the application and findings, whether or not the evidence comprises a terminal illness with a life expectancy of less than one year. Two separate doctors' statements documenting life expectancy must be attached to the application. All restitution must be paid in full.

Inmates: Any time prior to becoming parole eligible upon proof of the most extraordinary circumstances. The Board will decide based upon the application and findings whether or not the evidence comprises the most extraordinary circumstances. All restitution must be paid in full.

THE BOARD'S DECISION SHALL BE THE FINAL DETERMINATION OF PARDON ELIGIBILITY.

Order of Pardon: An Order of Pardon shall be signed by at least two thirds of the members of the Board. Upon a favorable consideration by the Board, the Department of Probation, Parole and Pardon Services shall issue a Pardon Certificate. A pardon order obtained by fraud is void.

Civil Rights Restored upon Pardon: A pardon shall fully restore all civil rights lost as a result of a conviction, which shall include the right to: 1) Register to Vote; 2) Vote; 3) Serve on a jury; 4) Hold public office, except as provided in Section 16-13-210; 5) Testify without having the fact of the conviction introduced for impeachment purposes except to the extent provided by rule 609 of the South Carolina Rules of Evidence; 6) Not have testimony excluded in a legal proceeding if convicted of perjury; 7) Be licensed for any occupation requiring a license.

NOTE: It should be noted that an individual regains the rights to register to vote and to vote when the entire sentence has been satisfied. S.C Code ' 7-5-120 (B)(3) provides that a person is disqualified from being registered or voting if he is convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

COMMONLY ASKED QUESTIONS:

- 1) Does a pardon clear (expunge) my record? **No. When completing a job application, the conviction should be listed and then indicate that the conviction was pardoned. For expungement information, contact the Solicitor's Office in the county of your conviction.**
- 2) Does one need a pardon to register to vote or to vote? **No. Once the sentence is fully satisfied, you automatically regain your right to vote. You must re-register to vote.**
- 3) How long will the entire pardon process take? **The application process is lengthy since all the references and information must be verified. On average, it takes about seven (7) to nine (9) months from the time the pardon application is received until a pardon hearing date is scheduled. Cases are scheduled in the order in which they are received. If the person who is applying for a pardon has been laid off or faced with possible job termination pending the results of a pardon hearing, they must so indicate on the application under "Reason for Requesting Pardon," and attach statements concerning the circumstances.**
- 4) Does a pardon restore my right to own or purchase a firearm? **According to state law, a South Carolina pardon will allow a person to apply for ownership of a firearm in South Carolina. However, the effect of the South Carolina pardon on federal or other state law and regulations is entirely determined by that jurisdiction.**
- 5) Does a pardon clear me from registering as a sex offender? **No, a pardon will not relieve you of the requirements of continuing to register as a sex offender.**
- 6) If I am denied a pardon can I appeal the decision? **No, there is not an appeal process. You may reapply one year from the date of denial.**

(NOTE: All information provided on application will be verified.)

| | | | |
|---|--|---|----------------------------------|
| Present Name | | Name Indicted Under (if different from Present Name) or Alias | |
| Social Security Number (XXX-XX-XXXX) | | Date of Birth (MM-DD- YEAR) | Gender (check) Male or Female |
| Email Address | | Reason for Requesting a Pardon | |
| Phone Number | | | |
| County of Residence | Driver's License Number and Issuing State (optional) | | |
| Mailing Address (if different from Street Address), City, State, and Zip Code | | | |
| Street Address* | | | |
| City | State | | |

ADDRESSES FOR THE PAST FIVE YEARS* (Please list previous address(es) if you have resided less than 5 years at the address above)

| STREET | CITY | STATE | ZIP CODE |
|--------|------|-------|----------|
| | | | |
| | | | |
| | | | |

LIST ALL EMPLOYMENT FOR THE PAST FIVE YEARS (IF RETIRED, STUDENT, OR UNEMPLOYED, GIVE BEGINNING/ENDING DATES)

Do not leave unexplained gaps. (NOTE: If you do not wish employer to be notified, you must provide documentation of employment)

| | | | |
|---------------|------------------------|---------------|----------|
| Company Name: | Begin date & End date: | Phone number: | |
| Address | City | State | Zip code |
| Company Name: | Begin date & End date: | Phone number: | |
| Address | City | State | Zip code |
| Company Name: | Begin date & End date: | Phone number: | |
| Address | City | State | Zip code |
| Company Name: | Begin date & End date: | Phone number: | |
| Address | City | State | Zip code |
| Company Name: | Begin date & End date: | Phone number: | |
| Address | City | State | Zip code |

LIST ALL SOUTH CAROLINA CONVICTIONS

THE BOARD WILL ONLY CONSIDER DOCUMENTED CRIMINAL CONVICTIONS AS LISTED ON THE APPLICATION

| CONVICTION | DATE | COUNTY OF CONVICTION | EXPUNGED? |
|------------|------|----------------------|-----------|
| | | | YES or NO |
| | | | YES or NO |
| | | | YES or NO |
| | | | YES or NO |
| | | | YES or NO |
| | | | YES or NO |
| | | | YES or NO |

PARDON APPLICATION

Please mark "YES" or "NO" for the following questions. (Note that pending charges, federal and out of state convictions are not considered for pardon.)

GENERAL RELEASE OF INFORMATION

I hereby authorize any agent or other authorized representative of the South Carolina Department of Probation, Parole and Pardon Services bearing this release, or copy thereof, within one year of its date, to obtain any information in your files pertaining to my grievance records, employment, military, credit, medical or educational records including, but not limited to, academic, job performance, achievement, attendance, athletic, personal history, and disciplinary records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information will be used in connection with my pardon investigation by the bearer and will be disseminated to those individuals or agencies directly involved in this pardon determination or to fulfill other obligations imposed by law, regulation or executive order. I hereby release you, as the custodian of such records, and any school, college, university or other educational institution, hospital, or other repository of medical records, credit bureau, consumer reporting agency, personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, my family or associates because of compliance with this authorization and request to release information, or any attempt to comply with this release. A photocopy of this release shall be treated as an original. Should there be any question as to the validity of this release, you may contact me as indicated below.

I certify that all the contents of the above application are true and correct. I understand that all information provided on the pardon application will be verified. I further understand that if any of it is of a sensitive nature which might lead to the damaging of my current status (such as contacting neighbors, employers, etc.) that I will take the appropriate steps to minimize this risk.

NOTE: If you are applying on behalf of someone, indicate your authority to file this application below next to your printed full name.

| | | | |
|---------|------|---------------|----------|
| Name: | | Phone number: | |
| Address | City | State | Zip code |
| Name: | | Phone number: | |
| Address | City | State | Zip code |
| Name: | | Phone Number: | |
| Address | City | State | Zip code |

| | |
|--|--|
| | I have been discharged from probation supervision and any or all restitution has been paid in full. |
| | I have been discharged from my sentence without having been on probation or parole and any or all restitution has been paid in full. |
| | I am a parolee and have successfully completed five (5) years under supervision and any or all restitution has been paid in full. |
| | I have been discharged after successfully completing my maximum parole period and any or all restitution has been paid in full. |
| | I am an inmate not presently eligible for parole and can produce evidence comprising the most extraordinary circumstances. |
| | I was previously considered for pardon and rejected on _____. (date of previous hearing) |
| | I have paid all restitution owed in full. (NOTE: Outstanding restitution will result in the request for a pardon to be denied.) |

| | |
|--|--|
| Full Name (<i>Signature</i>) | Date |
| Full Name (<i>Printed</i>) | |
| NOTARY Sworn to me this _____ day of _____, _____. <div style="display: flex; justify-content: space-around; width: 100%;"> (date) (month) (year) </div> | Full Name of Notary (<i>Signature</i>) <hr/> Full Name of Notary (<i>Printed</i>) |
| My commission expires: _____ | |
| Mail completed application, application fee and 3 letters of support to: SCDPPPS, P.O. Box 207, Columbia, SC 29202 | |

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