

6600.0400 APPLICATIONS FOR PARDONS AND COMMUTATIONS.

Applications for pardons and commutations shall also include:

A. A statement of legal actions undertaken or pending on behalf of the party for whom relief is being sought. The statement should identify the grounds upon which relief was sought and the outcome or current status. If the court has acted upon the case in the previous five years, then the name, most recent address, and telephone number of the attorney handling the matter should be included.

B. A specific statement of the relief sought and an explanation of why it should be granted. Examples of specific statements for relief should include pardon on grounds of innocence (supported by evidence not otherwise assessable in a court of law) and commutation to time served, commutation to a lesser sentence, commutation to reduce or remove a minimum sentence, a conditional commutation to achieve substantial equity with an accomplice, or commutation in light of recent decisions from court or the legislature on relevant matters.

To assist with the discussion of rationale for relief, the application shall contain a checklist of the most frequently used rationale supporting an application. For example:

(1) the crime and trial: innocence, entrapment, inadequate counsel, unfair trial, prejudicial jury;

(2) sentence: excessive in light of plea bargain or in comparison to that given an accomplice, harsh in light of criminal history;

(3) institutional adjustment: model prisoner, unusual educational achievements, religious conversion, recovery from chemical dependency, threats to life while in prison, no chance for rehabilitation in prison setting;

(4) personal situation: medical complications, total rehabilitation, desperate family need.

C. A statement of the current status of proceedings before the executive officer - adult release, including whether the relief requested has been sought from the executive officer - adult release and when and what decision the executive officer - adult release made.

Statutory Authority: *MS s 14.06; 638.02*

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