CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

APPLICATION INSTRUCTIONS FOR:

- **SPECIAL RESTORATION OF CITIZENSHIP (FIREARMS RIGHTS)**
- **PARDON**
- **COMMUTATION OF LIFE SENTENCE**

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY. IF YOU DO NOT COMPLETE THE APPLICATION IN FULL, IT WILL BE RETURNED TO YOU WITHOUT PROCESSING.

GENERAL INFORMATION—The Constitution of the State of Iowa vests the Governor with the authority to grant executive clemency for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Except for the restoration of the right to vote and hold public office, the Governor does not grant executive clemency for any conviction received in federal court or the court of another state. Executive clemency may take one of the following forms:

*1. **Restoration of Citizenship (Right to Vote and Hold Public Office)***: A restoration of citizenship restores the right of a person to vote and hold public office. **This is not an application for restoration of citizenship rights. If you are interested in restoration of citizenship rights, you may obtain information by contacting the Governor's Office at 515/281-5211.**

*2. **Special Restoration of Citizenship (Firearms Rights)***: A special restoration of citizenship restores the right of a person who has been convicted of a non-forcible felony to possess a firearm under state law. **Notwithstanding the receipt of a special restoration of citizenship (firearms rights) from the Governor, there may be applicable federal laws that ban the possession of firearms by certain convicted offenders. For more information, contact the Bureau of Alcohol, Tobacco, Firearms, and Explosives, a division of the U.S. Department of Justice.**

*3. **Pardon***: A pardon, which if full and unconditional, restores all citizenship rights (right to vote, hold public office, and firearm rights) and relieves an offender from further punishment imposed by reason of a conviction of a criminal offense. A pardon will not, however, erase or expunge the record of conviction.

*4. **Commutation of Sentence***: A commutation of sentence is a reduction or lessening of the original sentence. Usually it takes the form of a reduction in the length of imprisonment. In some cases, it may result in release from prison.

ELIGIBILITY—You must have paid all court costs, fines, and restitution before your application will be considered—**You must include documentation verifying your payment of costs, fines, and restitution, which may be obtained from the clerk of court in the county of your conviction.** Although you may submit an application at any time, it is the general policy of the Governor's Office to require at least five (5) years to pass from the date that a person is discharged from sentence before granting restoration of firearm rights and at least ten (10) years to pass from the discharge date for a pardon.

PROCESS—The special restoration of citizenship (firearms rights) and pardon process will take approximately two years from the time your application is complete. Each application will be forwarded to the Department of Public Safety, Division of Criminal Investigation for a full review of criminal and traffic violations as well as credit history. Additionally, you and anyone listed in your application materials may be contacted to verify that the information provided is correct. The Iowa Department of Revenue will provide verification of your income tax filings. According to state law, the Iowa Board of Parole will review these materials, and submit a recommendation to the Governor's Office.

OTHER REQUIRED DOCUMENTATION—You must submit a current Iowa criminal history record and personal credit report from one reporting agency with your completed application. To request these items, please contact:

Iowa Criminal History Record
Address: Iowa Division of Criminal Investigation
215 E. 7th Street
Des Moines, IA 50319
Phone: 515/725-6066
Internet: www.dps.state.ia.us/DCI/Records_Ident/index.shtml

Credit History
Address: Annual Credit Report Request Service
P.O. Box 1058281
Atlanta, GA 30348-5281
Phone: 877/322-8228
Internet: www.annualcreditreport.com

LETTERS OF RECOMMENDATION

You are strongly encouraged to provide letters of recommendation from the following people **at the time you submit your application**:

1. Prosecuting Attorney in your case
2. Sentencing Judge in your case
3. County Sheriff in your case or where you reside
4. Minister (if applicable)
5. Present and/or former employer
6. Other reputable persons in the community who can attest as to your moral character

If you are unable to obtain letters of recommendations from any of these individuals due to factors beyond your control (retirement, relocation, deceased, etc.) please include an explanation on your application. Letters of recommendation must reference that the letter writer is aware that you are seeking executive clemency.

SPECIAL CIRCUMSTANCES

DOMESTIC ASSAULT AND DOMESTIC ABUSE CONVICTIONS

A person convicted of an offense such as domestic assault/abuse is subject to federal law, which prohibits such a person from possessing a firearm. Accordingly, under federal law, that person must receive a pardon in order to restore the right to possess a firearm—A SPECIAL RESTORATION OF CITIZENSHIP (FIREARM RIGHTS) IS NOT ACCEPTABLE UNDER FEDERAL LAW FOR DOMESTIC ASSAULT/ABUSE OFFENSES.

CONVICTIONS OUTSIDE OF THE STATE OF IOWA

Except for the restoration of citizenship to restore the right to vote and hold public office, the Governor does not grant executive clemency for a criminal offense the resulted in a conviction in federal court or the court of another state. If you wish to seek clemency for a federal conviction, you should contact:

Office of the Pardon Attorney
U.S. Department of Justice
500 First Street, N.W., Suite 400
Washington, D.C. 20530

If you wish to seek clemency for a conviction from another state, you should contact the Governor or other appropriate authority of the state in which your conviction occurred to determine whether any relief is available to you under that state's law.

Persons convicted of a federal crime who are seeking to have their firearm rights restored must first apply to the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives for relief from the disabilities imposed by federal law before seeking a special restoration of citizenship (firearms rights) from the Governor. In order to obtain an application, please write to:

Bureau of Alcohol, Tobacco, Firearms, and Explosives
Office of Public and Governmental Affairs
650 Massachusetts Avenue, N.W., Rm. 8290
Washington, D.C. 20226

MAILING ADDRESS—Please mail your completed application and documentation to:

Jame s C. Larew, General Counsel
Governor's Office
State Capitol Building
Des Moines, Iowa 50319
515/281-5211

Checklist of Materials

- ☐ **Completed, signed, and dated application**
- ☐ **Proof of payment of court costs, fines, and restitution**
- ☐ **Current Iowa Criminal History Record**
- ☐ **Letters of Recommendation**
- ☐ **Signed Release to obtain personal records**
- ☐ **Current Credit History**

- ➢ ***Failure to disclose true and accurate information may affect your application for clemency.***
- ➢ ***There is no application fee for clemency.***

APPLICATION FOR EXECUTIVE CLEMENCY

TO: Chester J. Culver, Governor of Iowa

YOU MUST CHECK AT LEAST ONE OF THE FOLLOWING:

I hereby make application for: _____ **Special Restoration of Citizenship (Firearms Rights)**
_____ **Pardon**
_____ **Commutation of Life Sentence**

1. Name:_____
2. Address:_____
   Street City State Zip Code County
3. Other names you may have used (maiden, etc.): _____
4. Home Phone: ( ) _____ Work Phone: ( ) _____
5. Date of Birth: _____ Place of Birth: _____ Sex: Male/ Female
6. Social Security Number: _____ U.S. Citizen (circle one) Yes or No
7. Crime or Offense:_____
   Classification of crime (i.e., class D felony, aggravated misdemeanor, etc.): _____
8. Please describe in your own words the facts concerning the crime for which you were convicted. (Use additional *sheets of paper if necessary.)*

   _____
   _____
   _____
   _____
   _____
   _____
   _____
   _____

9. Date of Crime (Month/Day/Year): _____
10. Date of Conviction (Month/Day/Year): _____
11. County and State of Conviction: _____
12. Sentence Received: _____
13. Place and Dates of Time Served: _____
14. Beginning and Ending Date of Parole: _____
    or Probation: _____ or both: _____
15. Name and Current Address of Parole or Probation Officer:

    _____

16. Name and Current Address of Prosecuting Attorney:

    _____

17. Name and Current Address of Defense Attorney: _____

18. Name and Current Address of Judge who heard Case: _____

19. Were you ordered to pay court costs? Yes _____ No _____ Amount _____

20. If ordered, amount you have paid: _____

21. Was any restitution ordered? Yes _____ No _____

    Amount to be paid: _____ Amount you paid: _____

22. Attorney's fees: _____ Amount you paid: _____

23. Court costs owed: _____ Amount you paid: _____

24. Address at time charged and convicted: _____

25. Provide the following information about your employment since conviction. *(Attach additional sheets if needed.)*

    a. Name, address and phone number of present employer: _____

    _____

    Immediate Supervisor: _____ Dates of employment: _____

    What is your trade or job description?

    _____

    b. Name, address and phone number of previous employer: _____

    _____

    Immediate Supervisor: _____ Dates of employment: _____

    What is your trade or job description?

    _____

    c. Name, address and phone number of previous employer: _____

    _____

    Immediate Supervisor: _____ Dates of employment: _____

    What is your trade or job description?

    _____

26. Have you ever been **arrested, charged** or **convicted** of an offense at any other time? **(You must answer this question even if you received a deferred judgment. If you were a juvenile at the time of your conviction, what was the disposition of the case? Were the records sealed?)**

_____

_____

_____

27. If the answer to Question #26 is yes, provide the following information for **each** offense. *(Attach additional sheets if needed.)*

a. Crime or offense: _____

b. Date of offense: _____

c. Sentence received: _____

d. Terms of sentence: _____

e. County and state where convicted or charged: _____

_____

f. Place and dates of incarceration and/or dates of probation or parole:

_____

g. Amount of restitution, court costs and attorney's fees ordered and amount paid:

(1) Restitution ordered: _____ Amount paid: _____

(2) Court Costs ordered: _____ Amount paid: _____

(3) Attorney's fees ordered: _____ Amount paid: _____

28. Have you ever been addicted to or abused alcohol or drugs of any type?

_____

29. If so, please state:

a. Kind of addiction or abuse: _____

b. Dates of addiction or abuse: _____

c. Description of help received and dates: _____

30. Marital status at present, include spouse's name, address and phone number if other than your own:

_____

31. List names and present addresses of any previous spouses and dates of divorce or separation: _____

_____

32. Names and ages of dependents presently living with you:

_____

_____

33. Names, ages and addresses of dependents not living with you:

_____

_____

34. If divorced, list any alimony or child support payments you were ordered to make:

_____

35. Amount of alimony or child support you are presently paying: _____

_____

36. Have you made a previous application for executive clemency (citizenship, firearms or pardon)? _____

37. If yes, when and in what state? _____

_____

38. Provide the names, addresses and phone numbers of three persons (not relatives or convicted felons) who know you well and would serve as references:

a. Name: _____ Phone No. _____

Address: _____

b. Name: _____ Phone No. _____

Address: _____

c. Name: _____ Phone No. _____

Address: _____

39. Did you file federal and state income tax returns for the following years?

a. This year? ____ Yes ____ No b. Last Year? ____ Yes ____ No

c. Two Years Ago? ____ Yes ____ No d. Three Years Ago? ____ Yes ____ No

If you did not file either the federal or state tax return or both, please explain which returns(s) you did not file and why.

_____

_____

40. Provide a brief description of your lifestyle by listing organizations you belong to, hobbies and special interests:

_____

_____

41. List all honors, awards or achievements which you have accomplished since your conviction:

_____

_____

42. List all community service or volunteer service projects that you have participated in since your conviction including name, address, and phone number of the contact person(s) affiliated with the project: _____

_____

_____

_____

_____

43. Please state why you believe that you are deserving of an executive clemency grant by the Governor. *(Use additional sheets of paper if necessary.)*

_____

_____

_____

_____

_____

_____

_____ _____

Signature of Applicant Print Name of Applicant

RELEASE

YOU MUST SIGN AND DATE THIS RELEASE FORM
OR YOUR APPLICATION WILL NOT BE PROCESSED

I, _____, the undersigned applicant for executive clemency to the Governor of the State of Iowa, do hereby authorize any and all persons, firms or corporations, to release any and all information or documents they may now have or hereinafter receive concerning me.

I authorize the release of said information to the Governor of the State of Iowa, his designee or agent. In granting this release, it is my understanding that the information or documents obtained will be used for the sole consideration of my application for executive clemency.

I further forever hold blameless those persons, firms, corporations and the Governor's Office, who by virtue of this consent may release information as requested.

A photocopy of this release form will be valid as an original, even though said photocopy does not contain an original writing of my signature.

I have read fully and understand the contents of this application and the authorization for release of personal information.

_____
Signature of Applicant

_____
Print Name of Applicant

Date of Application:

_____