

How Can a Victim Have Input
into the Clemency Process?


A victim, or the next of kin, may provide written or oral recommendations regarding the granting of clemency. The type of recommendation they may make will depend upon which step of the process the application is in. Any written materials will be made available to the inmate for his/her review. If the victim plans to make an oral recommendation they will need to contact the Board of Parole to schedule a time to make their statement at a victim impact hearing. A victim, or the next of kin, may provide written recommendations to the Governor at any time during the process. This correspondence will be considered confidential and will not be shared with the Board of Parole.

Where and When will the
Victim Impact Hearings be
Held?

The impact hearings are generally held twice a month on Wednesdays at the Board of Parole office in Little Rock.

Can a Victim Bring Someone to
the Victim Impact Hearing?

The victim may bring as many people as they would like to the impact hearing, but presentations will be limited to 15 minutes. The victim must have prior approval of the Board to bring members of the press or media.



For More Information Please Contact:

Office of the Governor

State Capitol, Room 250
Little Rock, AR 72201

Phone: (501) 682-2345
Fax: (501) 682-3597

www.arkansas.gov/governor

Arkansas Board of Parole

105 W. Capitol, Suite 500
Little Rock, AR 72201

Phone: (501) 682-3850
Fax: (501) 682-3860

www.arbop.org

For VINE Information:

1-800-510-0415

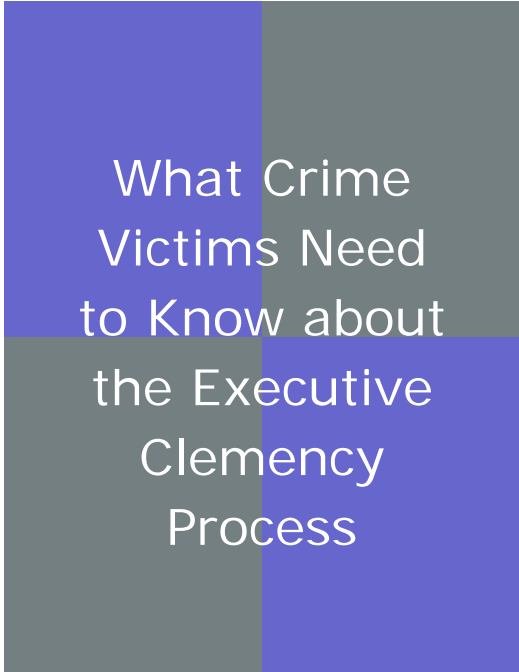
www.vinelink.com

**Arkansas Crime
Information Center**

One Capitol Mall
Little Rock, AR 72201

Phone: (501) 682-2222
Fax: (501) 682-7444

www.acic.org



What Crime
Victims Need
to Know about
the Executive
Clemency
Process



State of Arkansas

Office of the Governor
Arkansas Board of Parole
Arkansas Crime Information Center

Frequently Asked Questions

What is Clemency?

Clemency is the process through which the Governor considers requests for granting reprieves, commutations of sentence, and pardons after conviction.

What is a Pardon?

A pardon is the exoneration of a convicted person from the penalties of an offense or crime. A pardon can be requested by anyone convicted of a crime in Arkansas; however, it is most often requested by someone who is no longer incarcerated.

Who May Apply for Clemency?

Any person serving a term of any number of years, life, life without parole, or a sentence of death may apply for executive clemency. A person who is not presently incarcerated may also apply.

What are the Steps in the Clemency Application Process?

1. Any person making a request for clemency must first have their application processed by the Board of Parole in what is called a screening. This will determine if there is any merit to the application. A vic-

tim can only make written recommendations to the Board of Parole during this step of the process.

2. If the application is found to have merit, it will most likely be scheduled for a hearing before the Board of Parole. A victim will be notified (if they have requested these notifications) when a hearing is scheduled and can contact the Board of Parole about providing written or oral recommendations. Once the hearing is complete the Board will vote on a recommendation to send to the Governor for final action.
3. The Governor will review the application, the recommendation of the Board of Parole, and all other pertinent materials before making his decision. If the Governor intends to grant the application for clemency, he will announce his intent and allow a 30 day period for public comment. If the Governor decides to deny the application it will be announced and no further action will be taken. If the victim (or next of kin) is registered with the VINE program, they will receive a phone call and/or email notifying them of the Governor's final decision.

How Often Can Someone Apply for Clemency?

If an application is denied in writing by the Gover-

nor, the person filing the application shall not be eligible to file a new application related to the same offense for a period of four (4) years from the date of filing the application that was denied.

Also, if an application from a person sentenced to *life imprisonment without parole* is denied in writing by the Governor, the person filing the application shall not be eligible to file a new application related to the same offense for a period of six (6) years from the date of the denial.

Who is a Victim?

A crime victim is defined by A.C.A. § 16-90-1101 as a victim of a sex offense, an offense against a minor, or a victim of a violent crime.

How Will a Victim be Notified of an Application for Clemency?

The Executive Clemency Coordinator for the Board of Parole will send notice to the victim's (or next of kin's) last known address if they have registered to receive such notices. If the victim or next of kin is registered with the VINE program they will also receive a phone call and/or email notifying them of the application.