



Request for Review Information Sheet For Commutation of Sentence Only

Effective March 10, 2021

This document is designed to provide helpful information on how to apply for a Request for Review for Commutation of Sentence **ONLY**. The complete Rules of Executive Clemency defining the entire clemency process are located at https://www.fcor.state.fl.us/docs/clemency/clemency_rules.pdf. The Request for Review application is located at <https://www.fcor.state.fl.us/docs/clemency/RequestReviewApplication.PDF>.

Commutation of Sentence Requirements: You are eligible to apply if you meet the following rule requirements.

1. You are serving a prison sentence of 5 years or more.
2. You have completed whichever of the following is greater:
 - a) one third of your prison sentence;
 - b) one half of your minimum mandatory sentence; or
 - c) 20 years of your life sentence.

Applications received for prison sentences of less than 5 years will be rejected.

Directions on how to apply for Request for Review for Commutation of Sentence Only:

1. You are required to **provide certified court documents for EACH conviction** with the application for Request for Review for Commutation of Sentence. See the "Required Court Documents" section below for details.
2. Fill in each section of the application in its entirety.
3. Sign and date the application.
4. Mail the application and court documents to this office at the address listed at the end of this sheet.
5. Do not place documents in sheet protectors or any type of notebook or binder. You may either staple or use binder clips.

Required Court Documents:

1. a certified copy of the **charging instrument (indictment, information, or warrant with supporting affidavit)** for **EACH** felony conviction.
2. a certified copy of the **judgment and sentence** for **EACH** felony conviction, which may include an order of community control or order of probation.

Certified court documents must be obtained from the clerk of court in the county where your criminal case was processed. If you have multiple convictions in different counties, you will need to contact each separate clerk of court to obtain the required court documents. Florida Statute 940.04 states that certified court documents required for clemency are to be provided by the applicable clerk of court free of charge and without delay.

Optional Supporting Documents:

On a separate sheet of paper, you may list the titles of any classes and/or programs you have completed and the date the certificate was issued. Do not submit copies of certificates for completion of educational and/or

vocational classes. Documents not relevant to the application for clemency will not be retained or returned to you. Do not submit pictures.

Steps in the clemency process once an application is accepted by this office:

1. Applications are generally processed in the order received.
2. Applications that meet the requirements of the Rules of Executive Clemency may be referred to the Florida Commission on Offender Review (FCOR) for a report and recommendation to the Clemency Board.

Favorable recommendations to grant clemency:

1. After a report is completed by FCOR, upon the Commission recommending that an application be granted, a full investigation will be completed.
2. The applicant may be placed on an agenda to be heard by the Clemency Board.
3. Applicants will be notified once placed on an agenda. If an applicant is granted clemency by the Clemency Board, an executive order granting clemency will be prepared and steps necessary to carry out the Clemency Board's action will be initiated.

Unfavorable recommendations to deny clemency:

1. After a report is completed by FCOR, upon the Commission recommending that an application be denied, the application will be submitted to the Clemency Board on a list of applicants to be denied without a hearing.
2. If no member of the Clemency Board objects to the denial of an applicant's application without a hearing, the application will be summarily denied.
3. The applicant will be notified of the Clemency Board's denial via a written letter.

Additional information:

All information submitted to the Office of Executive Clemency becomes the property of this office and **may not be returned**. Keep copies of any paperwork you may need in the future.

Any person who has been denied a Request for Review may not reapply for at least **five** years from the date the prior request was denied.

Please note that this process is not adversarial, and you do not need an attorney for the process.

Executive Clemency files are maintained for the Governor and Cabinet and are routinely made available to them, members of their staff, and other officials concerned with these proceedings. Pursuant to Florida Statute 14.28 and Rule 16 of the Rules of Executive Clemency, all records generated and received in the executive clemency process are confidential and exempt from public records disclosure and may not be released absent the express permission of the Governor.

Mailing Address: Office of Executive Clemency, 4070 Esplanade Way, Tallahassee, FL 32399-2450