

STATE BOARD OF PARDONS AND PAROLES



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APPLICATION FOR RESTORATION OF RIGHTS

The State Board of Pardons and Paroles (SBPP) cannot pardon or restore firearm rights for offenses that occurred in other states. I understand that the SBPP cannot issue Pardons for federal offenses. I understand that the SBPP cannot expunge (remove from my record) any charges or convictions I have received nor can the SBPP seal my records. I understand a Pardon may only be granted for a *State of Georgia* conviction.

NOTE: The right to vote is automatically restored upon completion of felony sentence(s).

I am applying for (check the appropriate line):

- Restoration of Civil and Political Rights (for eligibility requirements, see page 2, Section 1)
 Pardon (for eligibility requirements, see page 2, see Section 2)
 Restoration of Right to Receive, Possess or Transport in Commerce a Firearm
(for eligibility requirements, see page 2, Section 3)
 Pardon exception (for eligibility requirements, see page 2, see Section 4)

In order to be processed, you must:

- (1) Attach your Georgia criminal history record (must be dated within 10 days of the postmark date)
- (2) Review criminal history to ensure all arrests show a disposition (conviction, dismissal, etc.)
- (3) Attach court documentation for any disposition not showing on your criminal record (see application instructions for obtaining criminal history and dispositions)
- (4) For firearms requests, you must submit three (3) letters of reference

PLEASE PRINT:

Name: _____
(as it appears on court documents) Social Security Number

Other names you are known by _____ Sex: (M or F) Race

Inmate # (if applicable) _____ Date of Birth _____ Current County of Residence

Street Address _____ City/State _____ Zip Code

Home Telephone Number _____ Cell Phone Number _____ Daytime Phone Number

On penalty of false swearing, I declare hereby that every statement by me is true and correct. I affirm I have not omitted any requested information. I fully understand any order issued by the Board in reliance on false, inaccurate, or incomplete information will be null and void and of no effect at all. I have not concealed any convictions or unpaid fines or restitution. I understand the Board's decision may not be appealed.

Signature _____ Date

If your application is incomplete, it will be returned to you for completion. Therefore, you must forward a self-addressed, stamped envelope with your application. If you move, you will need to notify the Parole Board in writing.

APPLICATION INFORMATION AND INSTRUCTIONS

- You may obtain your criminal history from the local law enforcement agency. Most Sheriffs' Offices offer this service for a fee.
- To obtain **certified** disposition documents, contact the Clerk of Court in the county of conviction. Dispositions on misdemeanor offenses are only required for Pardon exceptions as noted in Section 4. You are not required to provide dispositions older than 15 years.
- *No attorney is necessary for this process.*

Section 1: Restoration of Civil and Political Rights

This restores a person's civil rights which are lost in Georgia at the time of conviction. These include the right to run for and hold public office, to serve on a jury, and to serve as a Notary Public. The right to vote is automatically restored upon completion of your sentence(s) therefore you need not submit an application.

- You must have completed all sentence(s) within two (2) years prior to applying.
- You must have lived a law-abiding life during the two (2) years prior to applying.

Section 2: Pardon (State of Georgia convictions only):

This is an order of official forgiveness and is granted to those individuals who have maintained a good reputation in their community following the completion of their sentence(s). A Pardon is an official statement attached to the criminal record that states that the State of Georgia has pardoned the crime. **It does not expunge, remove or erase the crime from your record.** It may serve as a means for a petitioner to advance in employment or education.

- A Pardon will also restore your civil and political rights.
- You must have completed all sentence(s) at least five (5) years prior to applying.
- You must have lived a law-abiding life during the five (5) years prior to applying.
- You cannot have any pending charges.
- All fines and restitution must be paid in full.

Section 3: Restoration of Right to Receive, Possess or Transport in Commerce a Firearm

- This Restoration of Firearms Rights will include a Pardon and Restoration of Civil and Political Rights.
- You must submit three (3) letters of reference from citizens of unquestionable integrity.
- You cannot have any felony or misdemeanor drug related convictions.
- You cannot be granted for any offense in which a firearm was used or possessed.
- You must have completed all sentence(s) at least five (5) years prior to applying.
- You must have lived a law-abiding life during the five (5) years prior to applying.
- All fines and restitution must be paid in full.
- A personal interview will be required with a SBPP staff member. Photo identification (photo) must be provided at the time of the interview. This also includes applicants who reside out of state.

Section 4: Exception for Pardon or Restoration of Civil and Political Rights

In some cases, individuals may request an exception to the two (2) and five (5) year eligibility requirement. Additionally, some individuals may require a Pardon for misdemeanor convictions. If you are applying for such an exception, you must provide documentation to verify the specific situation.

- Adoption / Custody / Foster Care/ Daycare (certified copies of court documents)
- Section VIII (8) Housing (application)
- Truck driver into Canada (letter from employer)
- Education (supporting documents)
- Employment (supporting documents)
- Immigration (proof of deportation status and proof of legal, permanent residency)
- Peace Officer Standards and Training Council (POST). For additional information on law enforcement qualifications, please see POST Council Rule number 464-3-02(1)(g) at the following link: <http://www.gapost.org/Rules/3offert.html>.

Glossary of Terms

Pardon – This is an order of official forgiveness and is granted to those individuals who have maintained a good reputation in their community following the completion of their sentence(s). A Pardon is an official statement attached to the criminal record that states that the State of Georgia has pardoned the crime. It does not expunge, remove or erase the crime from your record. It may serve as a means for a petitioner to advance in employment or education.

Restoration of Civil and Political Rights – This is an order restoring a person's civil rights which are lost in Georgia upon conviction. These include the right to run for and hold public office, to serve on a jury, and to serve as a Notary Public. The right to vote is automatically restored upon completion of your sentence(s) therefore you need not submit an application.

Frequently Asked Questions

Do I need an attorney to apply? No, you do not need an attorney to apply for a Pardon or Restoration of Civil and Political Rights.

Is there a fee to apply? No, there is no cost to apply for restoration of rights.

How long does it take for my application to be processed? The entire process can be lengthy since all information you provide to us must be verified. On average, processing an application takes approximately *six to nine months* and may take longer based on the Board's workload.

What will happen if I cannot obtain my criminal history or dispositions for my convictions? Your application will not be processed without the Georgia criminal history and certified sentence document for any disposition not showing on your record.

When am I eligible to apply for a Pardon? You must have completed all sentence(s) at least five (5) years prior to applying and have lived a law-abiding life since the completion of your sentence(s). You can have no pending charges against you. All fines and restitution must be paid in full.

Will my conviction still show on my record? Yes, however, a Pardon or Restoration of Civil and Political Rights will become part of your criminal history record.

How do I get a Record Expungement? This is not a function/duty of the Parole Board. To research details regarding a Record Expungement, Go to OCGA Section 35-3-37 for Georgia law requirements. You may also search at the following website:
http://www.ehow.com/how_5481088_expunge-record-georgia.html

If I receive a Pardon, and then I am asked by an employer or future employer whether I have been convicted of a crime, do I answer "no" since I received a Pardon? You must answer "yes" to your employer or future employer. Explain that you have received a Pardon and provide a copy of your Pardon paperwork.

I was convicted of a sex offense and I was pardoned. Do I still have to register on the Sex Offender Registry? Yes, even if you received a Pardon, you must continue to register on the Sex Offender Registry. You may research at www.gbi.georgia.gov (click on Services and then Sex Offender Registry).

What is a Restoration of Civil and Political Rights? A Restoration of Civil and Political Rights is an order restoring the rights which are lost in Georgia upon conviction. These include the right to run for and hold public office, to sit on a jury, and to serve as a Notary Public. Restoration of Civil and Political Rights does not include the right to possess, own or carry a firearm. If you were convicted in another state and wish to have these rights restored, you must currently reside in Georgia.

When am I eligible to apply for Restoration of Civil and Political Rights? You must currently live in Georgia. You must have completed all sentence(s) at least two (2) years prior to applying and lived a law-abiding life since the termination of your sentence(s).

Is a Restoration of Civil and Political Rights a separate process from a Restoration of Firearms Rights? Yes, these are different processes. If you would like to have your firearms rights restored, you must check the line on the application for "Restoration of Right to Receive, Possess or Transport in Commerce a Firearm." A personal interview will be required for firearms restorations.

Can I bow hunt even if I do not receive a Pardon or Restoration of Civil and Political Rights? Yes, you may bow hunt without a Pardon or Restoration of Civil and Political Rights.

Is a muzzle loader considered a firearm? Yes, a muzzle loader is considered a firearm.

Do I have to apply with the Parole Board to restore my right to vote? No, you do not have to apply to restore your right to vote. Your right to vote is automatically restored upon termination of your sentence(s). However, you must re-register with your local registrar's office in the county of your residence. To find your local registrar's office, visit this site:
http://sos.georgia.gov/elections/elections/voter_information/2011_voter_info.asp

Do I need to apply with the Parole Board to restore my right to sit on a jury? Yes, you must apply for a Restoration of Civil and Political Rights in order to sit on a jury.

Do I need to apply with the Parole Board to restore my right to run for public office? Yes, you must apply for a Restoration of Civil and Political Rights to run for public office.

Do I need to apply with the Parole Board to restore my right to apply for a Notary Public? Yes, you must apply for a Restoration of Civil and Political Rights to apply for a Notary Public.