

## **APPLICATION INFORMATION AND INSTRUCTIONS**

- All applicants are required to submit a criminal history obtained within 30 days of submission of completed Pardon application. Most Sheriff's Offices offer this service for a fee. **Please request a GCIC Code U.** Those applicants residing out of state can contact their local FBI office for a national criminal check.
- To obtain disposition documents, contact the Clerk of Court in the county of conviction.
- If the applicant has Time Expired Restriction cases on the Georgia criminal history (misdemeanor or felony), the applicant will need to obtain dispositions on each before the State Board of Pardons and Paroles can consider the application. Please visit <http://gcicweb.gbi.state.ga.us/content/disposition-recovery-project-overview> for explanation.
- **Attorneys** who are submitting applications on behalf of their clients should upload a cover sheet on your firm's letterhead that includes your contact information.
- Additionally, **attorneys** who use their business email address as the registration email for their clients will **automatically** receive notifications from the State Board of Pardons and Paroles. **Attorneys** will need to communicate this information to their clients.

### **Section 1: Restoration of Civil and Political Rights**

This restores a person's civil rights which are lost in Georgia when convicted of a felony. 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 the sentence(s); therefore, applicants do not need to submit an application for restoration of that right.

- Applicants for civil and political rights will be considered only if the applicant has completed his/her full sentence obligation, including serving any probated sentence and paying any fine, and has been free of supervision (custodial or non-custodial) and/or criminal involvement for at least **two consecutive years thereafter as well as two consecutive years immediately prior to applying.**

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

This is an order of official forgiveness and may be 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 noting that the state of Georgia has pardoned the crime. It does not expunge, remove or erase the crime from a record. It may serve as a means for an applicant to advance in employment or education.

- A pardon will also restore your civil and political rights.
- Applicants for pardon and/or restoration of firearm rights will be considered only if the applicant has completed his/her full sentence obligation, including serving any probated sentence and paying any fine, and has been free of supervision (custodial or non-custodial) and/or criminal involvement for at least **five consecutive years thereafter as well as five consecutive years immediately prior to applying, unless the applicant is a registered sex offender, in which instance he/she must have completed his/her full sentence obligation and been free of supervision and/or criminal involvement for at least 10 consecutive years thereafter as well as 10 consecutive years immediately prior to applying.**
- You cannot have any pending charges.
- All fines must be paid in full.

### **APPLICATION INFORMATION AND INSTRUCTIONS (continue)**

- You must provide a recent Psychosexual Evaluation, Disclosure Polygraph, and a Risk Level Evaluation from SORRB. A list of providers can be located on the State Board of Pardons and Paroles website.
- A personal face-to-face interview will be required with a State Board of Pardons and Paroles staff member at a location determined by the State Board of Pardons and Paroles staff. This also applies to applicants who reside out of state who will be required to meet with a State Board of Pardons and Paroles staff member within the confines of the state of Georgia. Photo identification must be provided at the time of the interview.

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

- Applicants for restoration of firearm rights will be considered only if the applicant has completed his/her full sentence obligation, including serving any probated sentence and paying any fine, and has been free of supervision (custodial or non-custodial) and/or criminal involvement for at least **five consecutive years thereafter as well as five consecutive years immediately prior to applying, unless the applicant is a registered sex offender, in which instance the applicant must have completed his/her full sentence obligation and been free of supervision and/or criminal involvement for at least 10 consecutive years thereafter as well as 10 consecutive years immediately prior to applying.**
- A Restoration of Firearm Rights for Georgia offenses will be issued in conjunction with a Pardon; for out of state offenses, such restoration will be issued in conjunction with a Restoration of Civil and Political Rights.
- The applicant must submit three (3) letters of reference from citizens (non-family members) of unquestionable integrity. The letters should indicate how long the reference has known the applicant, in what capacity, and why the reference feels the applicant is deserving of a Restoration of Firearm Rights. All three (3) letters of reference must contain the reference's address and phone number, as an investigator may contact the reference to validate authenticity. All letters should be dated, signed by the reference, and notarized.
- A personal face-to-face interview will be required with a State Board of Pardons and Paroles staff member at a location determined by the State Board of Pardons and Parole staff. This also applies to applicants who reside out of state who will be required to meet with a State Board of Pardons and Paroles staff member within the confines of the state of Georgia. Photo identification must be provided at the time of the interview.

#### **Section 4: Waiver of Waiting Periods**

Individuals may request a waiver of the two (2) or ten (10) year eligibility requirement if the waiting period is shown to delay qualification for employment in one's chosen profession. In addition to the completed Pardon or Restoration of Rights application:

- The applicant must submit three (3) letters of reference from citizens (non-family members) of unquestionable integrity. The letters should indicate how long the reference has known you, in what capacity, and why the reference feels you are deserving of a waiver of the applicable waiting period. All three (3) letters of reference must contain the reference's address and phone number, as an investigator may contact the reference to validate authenticity. All letters should be dated, signed by the reference, and notarized.
- The applicant must provide documentation from an employer or potential employer which substantiates the need for a waiver of the applicable waiting period.

## **Glossary of Terms**

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

**Pardon** – This is an order of official forgiveness and **is granted at the Board’s discretion** 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 which affirms 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.

**Pardon including the Restoration of the Right to Bear Firearms** – This is an order of official forgiveness that includes the restoration of the right to receive, possess, or transport in commerce a firearm and **is granted at the Board’s discretion** to those individuals who have maintained a good reputation in their community following completion of their sentence(s).

### **Frequently Asked Questions**

**What is the difference between a restoration of rights and a pardon?** Restoration of civil and political rights, if granted, will restore the right to run for and hold public office, to serve on a jury, and to serve as a Notary Public. A pardon is an act of official forgiveness and is granted only in exceptional cases. It may serve as a means for the petitioner to advance in employment or education. A pardon does not expunge (remove) an offense from your record.

**Do I need an attorney to apply?** No, you do not need an attorney to apply.

**Is there a fee to apply?** No, there is no application fee.

**How long does it take for my application to be processed?** The entire process can be lengthy since all information you provide 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 obligations, including any probation, and been free of supervision (custodial or non-custodial) and/or criminal involvement for at least five (5) consecutive years thereafter as well as five (5) consecutive years immediately prior to applying, unless you are a registered sex offender, in which you must have completed all sentence obligations and been free of supervision and/or criminal involvement for at least ten (10) consecutive years thereafter as well as ten (10) consecutive years immediately prior to applying. You can have no pending charges against you. All fines must be paid in full. HOWEVER, if you are seeking a Pardon for a sex offense which has required you to be listed on Georgia's Sex Offender Registry, there are additional requirements and you must apply using the Sex Offender Pardon application found on the State Board of Pardons and Paroles website.

**Can I apply for restoration of rights if I have a Dead Docket case(s) on my criminal history?** No, you need to have all Dead Docket cases disposed of prior to applying for a pardon, restoration of civil and political rights, or restoration of firearm rights.

**Will my conviction still show on my record?** Yes, however, the Restoration of Civil and Political Rights, Pardon, and/or Pardon including the restoration of the right to bear firearms will become part of your criminal history record if granted.

**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.

### **Frequently Asked Questions (continue)**

**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.

**What is a Restoration of Civil and Political Rights?** A Restoration of Civil and Political Rights is an order restoring 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 automatically include the right to possess, own or carry a firearm; it must be specifically granted by the Board.

**When am I eligible to apply for Restoration of Civil and Political Rights?** You must have completed all sentence obligations, including probation and payment of all fines, and been free of supervision (custodial or non-custodial) and/or criminal involvement for at least two (2) consecutive years thereafter as well as two (2) consecutive years immediately prior to applying.

**Is a Restoration of Civil and Political Rights a separate process from a Restoration of Firearm Rights?** Yes, these are different processes. If you would like to be considered for the restoration of your firearm rights, you must click and select an application type that includes firearms and meet the applicable requirements. A personal interview will be required for any rights requested.

**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. Please contact your game warden regarding the laws and any stipulations regarding bow hunting.

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

**Do I have to apply with the Parole Board to restore my right to vote?** No, 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: <https://sos.ga.gov/how-to-guide/how-guide-registering-vote>

**Do I need to apply with the Parole Board to restore my right to sit on a jury?** Yes, you must apply for a Pardon or the 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 Pardon or Restoration of Civil and Political Rights to run for public office, in addition to meeting any other requirements under state and/or federal law.

**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 Pardon or Restoration of Civil and Political Rights to apply to be a Notary Public.