



Infographic

# Infographic: Pardon Power

February 8, 2013

STATELINE INFOGRAPHIC

## Pardon Power

**There are three basic decision-making structures states use to grant pardons.** In six states, an independent board makes the pardon decision and pardons tend to be more consistent as politics plays virtually no part in the process. In 20 states, the governor shares the power with a board of high-level officials or gubernatorial appointees. This structure usually produces a relatively small number of regular pardons. In the remaining 24 states, there is virtually no restriction on the governor's pardon power and the number of pardons is largely reflective of the personal philosophy of the executive.

### Shared Power

State	Independent Board	Governor on Board	Gatekeeper Board	Advisory Board	Governor's Decision
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Alaska  
 Arizona  
 Arkansas  
 California  
 Colorado  
 Connecticut  
 Delaware  
 Florida  
 Georgia  
 Hawaii  
 Idaho  
 Illinois  
 Indiana  
 Iowa  
 Kansas  
 Kentucky  
 Louisiana  
 Maine  
 Maryland  
 Massachusetts  
 Michigan  
 Minnesota  
 Mississippi  
 Missouri  
 Montana  
 Nebraska  
 Nevada  
 New Hampshire  
 New Jersey  
 New Mexico  
 New York  
 North Carolina  
 North Dakota  
 Ohio  
 Oklahoma  
 Oregon  
 Pennsylvania  
 Rhode Island  
 South Carolina  
 South Dakota  
 Tennessee  
 Texas  
 Utah  
 Vermont  
 Virginia  
 Washington  
 West Virginia  
 Wisconsin  
 Wyoming

Alaska			
Arizona			
Arkansas			
California			
Colorado			
Connecticut			
Delaware			
Florida			
Georgia			
Hawaii			
Idaho			
Illinois			
Indiana			
Iowa			
Kansas			
Kentucky			
Louisiana			
Maine			
Maryland			
Massachusetts			
Michigan			
Minnesota			
Mississippi			
Missouri			
Montana			
Nebraska			
Nevada			
New Hampshire			
New Jersey			
New Mexico			
New York			
North Carolina			
North Dakota			
Ohio			
Oklahoma			
Oregon			
Pennsylvania			
Rhode Island			
South Carolina			
South Dakota			
Tennessee			
Texas			
Utah			
Vermont			
Virginia			
Washington			
West Virginia			
Wisconsin			
Wyoming			

**Independent board**

The pardon power is exercised by a governor-appointed board that is also responsible for prison releases. These independent pardoning boards are heavily regulated in terms of their procedures, and conduct most of their business in public.

**Shared Power**

**Governor on Board:** The pardon decision is made by a board, and the governor is also a member.

**Gatekeeper Board:** The board must issue an affirmative recommendation before the governor can grant a pardon.

**Advisory board:** The constitution requires the governor to consult with an administrative board before granting a pardon.

**Governor's Decision**

The constitution imposes no prior restrictions on the governor's pardon power, though some constitutions permit a degree of legislative regulation of the "manner of applying," and some require the governor to report to the legislature about pardons granted after the fact.

\* In Alabama and South Carolina the governor remains responsible for clemency in capital cases, and in Idaho the governor must approve the board's decision to pardon certain serious crimes.

\*\* In California the governor is required to consult with the parole board, and seek approval of the state supreme court, in recidivist cases only.