

QUESTIONS ABOUT PARDONS

What Is a Pardon? A PARDON means that you are fully forgiven by the state for South Carolina criminal convictions.

What does a Pardon do? A pardon should restore all civil rights you might have lost when you were convicted.

A Pardon means you can:

- Vote or register to vote (Pardon is not required to vote. Voting eligibility is restored once sentence is complete)
- Serve on a jury
- Hold public office (in most instances)
- Testify in court without having the conviction used against you
- Be licensed for a job requiring a license
- Own or possess a gun under South Carolina law

Do I still have to list my conviction on a job application? YES. A pardon “forgives” you, but it does not mean the state “forgets” that you were convicted. If an employer asks, you should list your conviction but tell them that you received a pardon. Employers often look favorably at job applicants who have received a pardon.

If you are pardoned, your conviction will still show up during a criminal history check. The records are NOT destroyed or sealed. The only way to seal your record is by getting an expungement.

Who can ask for a Pardon? Pardons are not limited based on type or seriousness of charge. A person with any charge or any number of charges may be eligible for a pardon. Before applying for a pardon, make sure you have paid off all your court fees. Court fees might include restitution, fines, or other court costs. If you still owe court fees, your pardon application will not be considered.

Before applying for the pardon, make sure you meet one of the following:

- **You have completed your sentence** – Sentence includes any term of probation or parole.
- **If you are on parole** – You have been on parole for at least 5 years.
- **If you are in prison** – The Board will consider a pardon if you have an extraordinary situation.
- **Inmates with a terminal illness** – If you are in prison and you have been told you have less than one year to live, you could ask for a pardon. You must include letters from two different doctors with your application. The doctors need to agree that you have less than one year to live.

Applying for a Pardon

You can get a Pardon Application Form online at www.dppps.sc.gov.

If you do not have a computer, you can ask for an application by mail by writing to:

Dept. of Probation Parole and Pardon Services
P.O. Box 50666
Columbia, SC 29250

This is what you need to apply for a pardon:

1. The completed Pardon Application Form

2. Three written letters from people who can tell the Pardon Board all about you. The people who write the letters cannot be related to you. These letters could be from your boss, or a preacher, or another person who knows you well. These letters should tell the Pardon Board about your character. These letters could be about your work history, or your activities in the community, or your family. The letters will help the Pardon Board know more about you.
3. A \$100 non-refundable fee. You will not get this money back if you are denied the pardon.

FAQS

Do I need an attorney to get a pardon?

No. You can fill out the application yourself. If you are having trouble filling out the application, find someone you trust to help you. You can also retain an attorney to help you.

How long before I know if I will be pardoned?

The process takes about 7-9 months from start to finish. It might be longer if you don't live in South Carolina. Your application will be given to an investigator. After the investigation, you will get a notice that your hearing has been set. You will find out if you received the pardon at the end of the hearing.

I need a pardon before I can be hired for a job. Is there anything I can do to speed up the process?

In some cases, you can ask to make the process go faster. There is a part of the application that says "Reason for Requesting a Pardon." That is where you can ask to have your application processed quickly.

You must write a letter to the Pardon Board explaining why you need the process to be sped up. Make sure you have a good reason if you ask for this. An example of a good reason is if you applied for a job and they won't hire you unless you are pardoned first. The Board does not have to speed up your application if they decide not to.

My pardon is scheduled for a hearing. Now what?

You will get a notice in the mail about 30 days before to the hearing date. If you have an attorney, you should tell him or her that you have a hearing date. You do not need to have an attorney.

You do not have to go to your hearing, but you should. You can also bring people to the hearing to speak on your behalf. You could bring an employer or a pastor or someone else who knows you well. The Pardon Board wants to know why they should give you a pardon. It is up to you to tell them.

If there were victims in your case, they may know about your hearing. A victim may want to speak at your hearing. A victim might write a letter or appear by video. Sometimes a victim may not have anything to say.

Who decides if I get a pardon?

The Pardon Board will vote to decide if you will be given a pardon. 2/3ds of the Pardon Board must vote in favor of a pardon in order for your application to be approved. If approved, you will receive a pardon certificate.

How often do people get a pardon? What are my chances?

In 2017, almost 70% of the people who applied for a pardon were given a pardon. 692 people applied for a pardon and 481 of those people received a pardon.

What happens if I am not given a pardon?

If you don't get the pardon, you must wait one (1) year before filing another application. You will have to pay the \$100 fee with each application. There is no limit on how many times you can ask for a pardon. If you do try again, you may want to look over your application to see if there was something missing. You might be able to make your application better. You may want to have different people write letters on your behalf.