



Filing for Clemency While Incarcerated: A Toolkit

Please see **Clemency Explained** and ensure you understand what clemency is before filing. All clemency paperwork can be found in the Kansas Department of Corrections' IMPP 23-101A.¹ Below is a toolkit for applying for clemency when you are incarcerated. Please be sure to refer to our included Example Clemency Application as you complete the below steps. If you are currently not incarcerated and wish to apply for clemency, please see our toolkit for individuals who are not incarcerated.

- 1) Complete **Attachment A – Application for Executive Clemency** (page 6 of IMPP 23-101A), including the highest court decision on any appeals or other motions filed. You may complete this form on your own or you may request that the Clemency Clerk or Unit Team prepare the form on your behalf.
- 2) Complete a narrative of **Exhibit A - Reasons for Seeking Clemency** as shown in the EXAMPLE. Be sure to discuss:
 - a. Achievements while incarcerated, including programs completed, jobs worked, and other hobbies;
 - b. Release plans, including housing, family or friend support, treatment plans, and any prospective employment opportunities.
- 3) **Attachment B – Notice of Clemency Application Sentencing Form** (page 7 of IMPP 23-101A). Four (4) copies of this form will be sent per county in which the applicant has active charges. A copy will be sent to the following individuals in each county where you were sentenced: 1) Judge of the District Court; 2) County District Attorney; 3) Chief of Police; and 4) County Sheriff. This form should be prepared by the designated Clemency Clerk or Unit Team. They will send a copy to the officials and provide you with a copy of the form for your records.
- 4) **Attachment C – Request for Publication for Clemency** (page 8 of IMPP 23-101A) for each county with active charges. The designated staff member will prepare Attachment C and provide copies to the official county newspaper in each county of conviction, send a copy of each notice to the Prisoner Review Board, and provide you with a copy for your records. Before processing the request for publication, the designated facility personnel will notify the Office of Victim Services seven (7) business days before contacting the official county newspapers.
- 5) Complete **Attachment D – Affidavit to Process as Pauper in Clemency Application** (page 9 of IMPP 23-101A). Complete this form if you are unable to pay for the publication notice in **Attachment C**. Once this form is submitted, it will be reviewed by the facility. If approved, the State will pay for the costs of publication. If it is determined that you have sufficient funds to pay, you will be given the option of either paying the publication costs or withdrawing the clemency application.

¹ See <https://www.doc.ks.gov/prb/impp-23-101a-prisoner-review-board-applying-for-clemency/view>





The State will not pay for more than one (1) publication notice for anyone (1) individuals during any 12-month period.

- 6) If an attorney has been retained for the clemency application, they must complete and include in the final submitted packet **Attachment E – Affidavit – Executive Clemency and Parole Matters** (page 10 of IMPP 23-101A). It is your responsibility to provide this form to your legal counsel. The form must be signed and notarized. Your attorney should return the form to you so that it can be included in the original clemency application for the Prisoner Review Board. You should keep a copy of this form for your records and provide a copy to the facility Parole Officer.
- 7) Your application should not be submitted to the Prisoner Review Board until all the forms have been prepared. Note that the officials who received **Attachment B** may forward their recommendation directly to the Prisoner Review Board.
- 8) If friends, family, or other supporters would like to submit letters in support of your application, they can mail them to the above address or email them to: KDOC_PRB_Public_Comment@ks.gov.

