



Filing for Clemency: 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 11-1110.¹ Please be sure to refer to our included Example Clemency Application as you complete the below steps.

- 1) Complete **Attachment A – Application for Executive Clemency** (page 5 of IMPP 11-1110), including the highest court decision on any appeals or other motions filed.
- 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) Complete **Attachment B – Notice of Clemency Application Sentencing Form** (page 6 of IMPP 11-1110). You must fill out 2 copies of this form per county in which the applicant has active charges, one copy each for the judge and prosecutor. Repeat for every county there are active charges. **Send each completed form** directly to the respective judge and prosecutor and **include a copy of the Exhibit A – Reasons for Seeking Clemency**. We suggest keeping additional copies of these forms for your final submitted clemency packet.

The judge should be the original sentencing judge or the judge currently assigned to the same division. If current active charges are from more than one division of the court and had different sentencing judges, Attachment B should be completed and sent to the Chief Judge. To find the judge and courthouse address for your county, visit the Kansas District Courts website.² To find the prosecutor, visit the county's website and search for the "District Attorney" or the "County Attorney."

The respective judges and prosecutors will complete this and return the form to the Prisoner Review Board. If possible, we encourage mailing these notices with a USPS tracking number so you can demonstrate notice has been provided in your cover letter.

- 4) Complete **Attachment C – Request for Publication for Clemency** (page 7 of IMPP 11-1110) for each county with active charges. Contact the county newspaper(s) in which there are active charges and request a Legal

¹ See <https://www.doc.ks.gov/kdoc-policies/AdultIMPP/chapter-23/23-101a>

² See <https://www.kscourts.org/District-Courts>





Notice. In your request include the exact language of the notice that you would like the publication to publish. Suggested email request language is below (you can also do this by phone):

I would like to place a legal notice in The Topeka Capital-Journal. Please advise the cost of doing so and the earliest publication date. Also attached is the affidavit of publication that I request you fill out and return to me via email or mail. Please contact me with any questions or for payment at 913-444-2020. Thank you.

NOTICE OF REQUEST FOR CLEMENCY. George Washington (KDOC #12345), sentenced 7/23/04; 12/23/01 for burglary; arson; distribution/possession with intent to distribute drugs (sch1-4) in Shawnee County, Kansas, has applied for executive clemency. Persons wishing to comment should send information in writing to the following address within fifteen days from the date of this publication: Kansas Department of Corrections Prisoner Review Board, Jayhawk Walk, 714 SW Jackson, Suite 300 Topeka, KS 66603-3722.

You may send them a copy of the Attachment C with the applicant's completed information, but many newspapers also have their own. These are valid substitutions for the Attachment C form provided in the IMPP. These costs vary widely depending on the size of the newspaper and the length of your notice. On average, a notice with the above language will cost \$20 to \$40, but some larger newspapers may charge as high as \$90.

After your notice has been published, be sure the newspaper provides you the completed Attachment C or other publication affidavit to include in the final clemency application packet. The publication affidavit must be completed and notarized by the newspaper that publishes your notice – it is a legal document in which they are declaring that the public has been notified of the application for clemency as required under the statute.

- 5) If filing for yourself, also complete and include **Attachment D – Affidavit to Process as Pauper in Clemency Application** (page 8 of IMPP 11-1110). This form is for the individual who is incarcerated and unable to pay for the publication notice in Attachment C.
- 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 9 of IMPP 11-1110).
- 7) If submitted on behalf of someone else to the Prisoner Review Board, we suggest including a **Cover Letter** showing the contents of the application packet and the tracking numbers of the notices provided to the county judges and prosecutors. An example of a cover letter is included in the complete example we provide.
- 8) Submit the completed clemency application packet with the following documents (we suggest including a cover letter as shown in the EXAMPLE):





- a. Cover Letter
- b. Attachment A - Application for Executive Clemency
- c. Exhibit A – Reasons for Seeking Clemency
- d. Attachment B – Notice of Clemency Application (blank copies)
- e. Attachment C – Request for Publication for Clemency (completed by newspaper)
- f. If applicable: Attachment D – Affidavit to Process as Pauper in Clemency
- g. If applicable: Attachment E – Affidavit – Executive Clemency and Parole Matters

You may submit the application via mail to: Kansas Department of Corrections; ATTN: Prisoner Review Board; 714 SW Jackson, Suite 300; Topeka, Kansas 66603. You may also email all documents to cj.perez@ks.gov.

- 9) 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](mailto:KDOC_PRB_Public_Comment@ks.gov)

