

What is clemency?



Can you tell me more about the clemency initiative?



Why has the Governor established this new clemency process?



Can you explain how and why some applications will be expedited?

Each clemency application reviewed will be given thorough, individualized consideration. However, the Executive Order also establishes categories that are particularly likely to warrant an exercise of executive clemency – applications that fall into these categories will be expedited for review.

For individuals who have completed their terms of incarceration and/or community supervision, expedition consideration will be given to applications that satisfy at least one time-based criteria and one offense-based criteria from the lists below.

Time-Based Criteria

1. More than ten (10) years elapsed since applicant completed their most recent sentence,
 1. unless the applicant is currently at least 60 years old, in which case more than five (5) years elapsed since applicant completed their most recent sentence; or
 2. unless the applicant was 25 years old or younger at the time of the offense, in which case more than five (5) years elapsed since applicant completed their most recent sentence.

Offense-Based Criteria

1. Applicant does not seek clemency for a No Early Release Act (NERA) offense.
2. Applicant seeks clemency for a conviction for a crime or offense which is no longer unlawful.
3. There is no objection from the Prosecutor for any county where the applicant received a conviction for which they are seeking clemency.
4. The Conviction Review Unit (CRU) within the Office of the Attorney General has referred the application.

For individuals who are presently serving a term of incarceration or community supervision, expedited consideration will be given to applications that satisfy at least one of the following requirements.

1. Applicant is a victim of domestic or sexual violence or sex trafficking who was convicted of a crime or offense against the perpetrator of that abuse, or of a crime or offense committed under the duress or coercion of such a perpetrator
2. Applicant was subject to an excessive trial penalty
3. Applicant seeks clemency for a conviction for a crime or offense which is no longer unlawful
4. Applicant seeks clemency for a conviction that would have resulted in a less severe sentence under current law or policy
5. The Conviction Review Unit (CRU) within the Office of the Attorney General has referred the application

Expedition consideration will not be given to applications requesting clemency for a crime involving public corruption; if the applicant has pending charges that have not yet resulted in a sentence; or if the applicant has been convicted in another jurisdiction since the offense(s) for which they are seeking clemency, and a clemency application relating to that conviction would be ineligible for expedited consideration were it to have occurred under New Jersey state law.

What does the timeline look like for reviewing clemency applications?



Clemency

Statewide

