

## **IC 11-9-2**

### **Chapter 2. Commutations, Pardons, Reprieves, and Remissions**

#### **IC 11-9-2-1**

##### **Application**

Sec. 1. An application to the governor for commutation of sentence, pardon, reprieve, or remission of fine or forfeiture shall be filed with the parole board. The application must be in writing and signed by the person seeking gubernatorial relief or by a person on his behalf. The board may require the applicant to furnish information, on forms provided by the parole board, that it considers necessary to conduct a proper inquiry and hearing regarding the application.

*As added by Acts 1979, P.L.120, SEC.2.*

#### **IC 11-9-2-2**

##### **Recommendation of parole board to governor; notice to victim or next of kin of victim**

Sec. 2. (a) As used in this section, "victim" means a person who has suffered direct harm as a result of a violent crime (as defined in IC 5-2-6.1-8).

(b) The parole board shall submit to the governor its recommendation regarding an application for commutation of sentence, pardon, reprieve, or remission of fine or forfeiture. Before submitting its recommendation, the parole board shall do all of the following:

(1) Notify:

(A) the sentencing court;

(B) the victim of the crime for which the person was convicted (or the next of kin of the victim if the victim is deceased or incompetent for any reason), unless the victim has made a written request not to be notified; and

(C) the prosecuting attorney of the county where the conviction was obtained.

(2) Conduct an investigation, which must include the collection of records, reports, and other information relevant to consideration of the application.

(3) Conduct a hearing where the petitioner and other interested persons are given an opportunity to appear and present information regarding the application. The hearing may be conducted in an informal manner without regard to formal rules of evidence.

(c) The notice to a victim or the next of kin of a victim that is sent under subsection (b)(1) must comply with the requirements for notices to victims that are established under IC 11-13-3-3.

*As added by Acts 1979, P.L.120, SEC.2. Amended by P.L.126-1985, SEC.1; P.L.134-1993, SEC.1; P.L.1-1994, SEC.42.*

#### **IC 11-9-2-3**

**Constitutional power of governor**

Sec. 3. This chapter does not limit the constitutional power of the governor to grant pardons, reprieves, commutations, or remissions of fines and forfeitures.

*As added by Acts 1979, P.L.120, SEC.2.*

**IC 11-9-2-4**

**Conditional pardon; removal of disabilities applicable to holding handgun permit or license**

Sec. 4. The governor may issue a pardon that conditions the removal of all disabilities applicable to holding a handgun permit or other license issued under IC 35-47-2 upon a determination by the superintendent of state police that circumstances have changed to such an extent since the pardoned conviction was entered that the applicant for the permit or license is likely to handle handguns in compliance with the law.

*As added by P.L.148-1987, SEC.1.*