


**EXECUTIVE DEPARTMENT**

EXECUTIVE ORDER NO. 39

WHEREAS, the Governor, by virtue of Article V, Section 6, of the Wisconsin Constitution, is granted the power to grant reprieves, commutations, and pardons, after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for executive clemency; and

WHEREAS, more diverse state and public input into the executive clemency process will foster the goals of equal justice and fair consideration for each applicant;

NOW, THEREFORE, I, LEE SHERMAN DREYFUS, Governor of the State of Wisconsin, do hereby create a PARDON ADVISORY BOARD.

1. The Pardon Advisory Board shall consist of five members, appointed for two-year terms, to be selected on the following basis:
 - a. one person to be designated by the Attorney General;
 - b. one person to be designated by the Secretary of the Department of Health and Social Services; and
 - c. three public members, one of whom shall have law enforcement experience, if deemed reasonable and necessary, to be appointed by the Governor.
2. The Pardon Advisory Board shall review all completed applications for pardon or for commutation of sentence filed with the Governor, such application to be governed by the following regulations:
 - a. Hearings, as required by law, shall be held by the Pardon Advisory Board to review executive clemency applications. The hearing calendar shall be prepared one month in advance and all required papers shall be in the Governor's office at least one month prior to the proposed hearing. Any person serving a sentence of less than one year, or who has completed his or her sentence may request a hearing.

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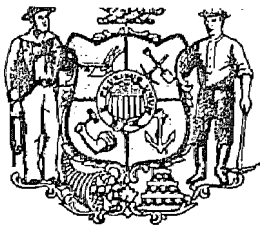
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- b. Applications for commutation of sentence of any person convicted in any court of this state of any crime, serving a sentence of one year or more, shall be made in the same manner that applications for pardon are made under the statutes and rules governing applications for pardon of any person serving a sentence of one year or more.
 - c. All applications for commutation of sentence or pardon of any person serving a sentence of less than one year, or for the pardon of any person who has completed his or her sentence, shall be made by written verified application by the person for whom clemency is sought, or by someone in his or her behalf, and shall set forth the name of the person, the court imposing the sentence, the date and term of his or her sentence, the place of imprisonment, and the facts and reason upon which the application is based. Notice of such application need not be published, but notice shall be served on the judge of the court which imposed the sentence and the District Attorney of the county where the sentence was imposed, setting forth the same facts as are required for the notice of application for pardon, at least five days before such application is heard, unless the Governor otherwise directs. The application shall be accompanied by a certified copy of the docket entry, the indictment or information, judgment of conviction, and such additional papers on file in the court, if obtainable, as the Governor requires.
 - d. The waiting period required prior to re-application to the Governor after denial of executive clemency shall be one year from the date of denial.
3. The presence of three pardon Advisory Board members shall constitute a hearing quorum and after all scheduled applications are heard, the Board shall meet in executive session.
 4. The Board shall establish such guidelines as are necessary to facilitate its work and responsibilities and to govern its procedures.



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FURTHER, I hereby instruct the Secretary of the Department of Administration to provide the Pardon Advisory Board with such sums of money as are necessary to reasonably compensate those members not employed by the State of Wisconsin.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of State of Wisconsin to be affixed. Done at the Capitol at the City of Madison this 6th day of March in the year of Our Lord one thousand nine hundred eighty.



Lee Sherman Dreyfus
LEE SHERMAN DREYFUS

By the Governor:

Vel R. Phillips
VEL R. PHILLIPS
Secretary of State