

MINNESOTA BOARD OF PARDONS

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Frequently Asked Questions

I have multiple convictions; can I still apply for a pardon extraordinary?

Yes. On your application you will be required to disclose all convictions.

I'm not sure if I am eligible; how do I determine if I have met the waiting period?

First, you need to determine if you have been convicted of a crime of violence which is defined under [Minn. Stat. 624.712, subd. 5](#). Second, you will need to know your date of discharge (if multiple convictions you need to know your **most recent** date of discharge).

If you determine you were convicted of a crime of violence, you will be eligible **ten years** after your most recent date of discharge. If you determine you were **not** convicted of a crime of violence, you will be eligible **five years** after your most recent date of discharge. In both cases of crimes of violence and other crimes, **NO** new convictions can occur or your waiting period will start over.

I would like to apply for a pardon extraordinary but recently received a new conviction; how does this affect my eligibility?

A new violation will start the waiting period over, whether the waiting period was initially met or not. "Violation" includes any misdemeanor, gross misdemeanor or felony. **You must be violation-free for the five or ten years immediately preceding your appearance before the Board.**

I received an expungement but my conviction is still showing up on my record; why is this? An expungement is a completely different process than a pardon extraordinary. An expungement will only seal your court records but does not affect your criminal history recorded by the Bureau of Criminal Apprehension (BCA). If you are granted a pardon extraordinary you will no longer be required to disclose your conviction in most situations. And your criminal history will indicate that you have been granted a pardon for the conviction.

Will I still be legally required to disclose my conviction if I am granted a pardon extraordinary?

No, unless you are in a court proceeding or are applying to be licensed as a peace officer.

Because a Pardon Extraordinary results in the vacation of your conviction, the **public** criminal record, which lists criminal convictions, should be cleared. The **private** record, which lists arrests and the final disposition, will show that a Pardon Extraordinary was granted.

I have had recent petty misdemeanor driving infractions; will my driving record affect my ability to get a pardon?

It may. A thorough investigation is conducted by Board of Pardons staff prior to the hearing and all gathered materials are given to the board members for review, including all court records and any others records that provide added information regarding other past criminal or non-law abiding behavior, including driving records, victim statements, input from judges and county attorneys, and all information that you submit as part of your application. The board considers many factors when deciding whether or not to grant a Pardon Extraordinary and an applicant's driving record is a part of the information provided to them.

If I am granted a pardon what happens next?

If your petition is granted, Board of Pardons staff will then draft and circulate your certificate to each board member, then send a copy of the signed certificate and a court order to the county court where you were convicted on. Once the court order is signed, it is sent to all law enforcement agencies involved in your conviction and the BCA. The BCA will then alter your criminal history to reflect your pardon and notify Board of Pardons staff the change has been made. Board of Pardons staff will then send a certified copy of your certificate, a copy of the court order and a copy of the BCA notification to you. This entire process following the hearing often take several months.

Will receiving a Pardon Extraordinary allow me to have my firearm rights restored?

The legal effect of a Pardon Extraordinary is to vacate the conviction. Gun control laws are complex and vary from state-to-state and in federal law. The Minnesota Board of Pardons does not have jurisdiction over guns rights. You should contact local law enforcement or conservation authorities for information.

Do I need to hire an attorney?

No, all applicants are able to complete the pardon extraordinary process without counsel. However, if you would like to hire an attorney to assist you in the process you may do so.

Are there any filing fees associated with applying for a pardon extraordinary?

There are no costs to file a pardon application, but there is a nominal fee to obtain your record from the BCA, and you must bear the costs of travelling to appear before the Board yourself.

Can I apply for a pardon extraordinary for a DWI conviction?

Yes, however, the board has not recently granted pardons for DWI convictions. There are no legal requirements that bar any applicant for requesting a pardon for a DWI but the likelihood of being granted a pardon for a DWI conviction is limited.

What do I have to submit to apply for a Pardon Extraordinary?

You will be required to submit the application paperwork and three letters of recommendation. The three letters of recommendation should be from people whom you have known for several years or more and the letters must attest to your good character and reputation. You can obtain a copy of your criminal history from the BCA to ensure your application is complete. There is a small fee associated with this. You do not necessarily need to submit a copy of your BCA record; however, you should obtain it to be sure you have included your full criminal history in your application.