

EXECUTIVE ORDER NO. S-3-13

MAYOR'S PARDON REVIEW BOARD

PURPOSE:

To establish a review board under the Mayor to review requests for Mayoral Pardons for citizens convicted of offenses enumerated in Chapter 20 of the Omaha Municipal Code and pursuant to the power granted in Section 20-2 thereof.

POLICY AND PROCEDURES:

A Pardon Review Board is hereby established composed of the following members:

1. The Chief of Staff to the Mayor.
2. Deputy Chief of Staff to the Mayor, if applicable.

REQUIREMENTS:

Petitioners seeking a Mayoral Pardon for a conviction of an offense under Chapter 20 of the Omaha Municipal Code shall:

- A. Submit a written request to the Mayor indicating why a pardon is sought and why the petitioner believes that a Mayoral Pardon should be granted.
- B. Include an affidavit from the court of record stipulating that all requirements and conditions of the conviction have been satisfied, and that at least one year has passed since disposition of a court.
- C. In petitions requesting pardons for offenses against persons or property, provide an affidavit from the victim stipulating that sufficient restitution has been made or an affirmation by such victim that justice has been served and that petitioner should be granted a pardon.
- D. Include an affirmation that the petitioner has not been arrested or convicted subsequent to the conviction for which the pardon is sought.

PROCESS:

Petitions for Mayoral Pardons should be sent to:

The Pardon Review Board
Omaha/Douglas Civic Center
1819 Farnam Street, Suite 300
Omaha, NE 68183-0002

The City Prosecutor will verify the requirements and provide a written report to the Board without prejudice.

CONSIDERATION:

- A. The Board will review each report submitted by the City Prosecutor and make recommendations to the Mayor.
- B. Unsuccessful petitioners will be notified of the Mayor's decision.
- C. Successful petitioners will be notified by the Mayor and provided a certified pardon.
- D. Appearance before the Pardon Review Board is not mandatory, but the petitioner may appear if requested. Representation by counsel or presence of witnesses will not be allowed as deliberations are of a non-judicial nature not involving due process.

GERMANENESS:

Due process having already been served; questions of due process, innocence or guilt, or any other matter under the purview of a competent court will not be entertained under any circumstance by the Pardon Review Board.

The Board will review the report and, from the facts before it, recommend to the Mayor whether the petitioner has demonstrated sufficient remorse, restitution, or other extraordinary behavior to warrant the rare granting of a Mayoral Pardon for the offense committee.

PARDON:

Upon advice of the Pardon Review Board, the Mayor may issue a pardon for the specific offense petitioner has requested, and such will be done in writing, attested by the City Clerk, and sealed.

It shall be the petitioner's responsibility to make notice and application to the courts and other institutions where such pardon may be of merit to the petitioner.

BY THE POWER VESTED IN ME AS MAYOR BY SECTION 3.04 OF THE HOME RULE CHARTER OF THE CITY OF OMAHA, 1956, AS AMENDED, I HEREBY PROCLAIM THIS TO BE THE EXECUTIVE ORDER ESTABLISHING AND GOVERNING THE MAYOR'S PARDON REVIEW BOARD.

WITNESS my hand as Mayor of the City of Omaha this 18 day of October, 2013.



Jean Stothert, Mayor
City of Omaha