

Subject Requiring records to be sealed following a pardon extraordinary

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Overview

A person may apply to the Board of Pardons for a pardon extraordinary. If the board determines that the person is of good character and reputation, the board may grant a pardon extraordinary which has the effect of setting aside and nullifying the conviction. Individuals who receive such a pardon are not required to disclose the conviction except in a judicial proceeding or as part of the licensing process for peace officers.

Under current law, the Board of Pardons files a copy of the pardon with the district court in which the conviction occurred and the court orders the conviction set aside. The court further includes a copy of the pardon in the file and sends a copy of its order to the Bureau of Criminal Apprehension.

The Board is required to report the number of applications and pardons, and provide some detail on the crimes that were committed in a report to the legislature pursuant to Minnesota Statutes, section 638.075.

Year	Applications	Granted
2018	32	16
2017	43	13
2016	44	15
2015	39	18

This bill amends the procedures following the granting of a pardon and requires that all records related to an arrest, prosecution, and conviction be sealed. The requirement is similar to relief that can be granted pursuant to an expungement.

Summary

Section	Description
1	<p>Pardon extraordinary; filing; copies sent.</p> <p>Requires a court to order all records relating to the arrest, indictment or information, trial, verdict, and pardon sealed after a person received a pardon extraordinary and further prohibits opening the records except under a court order or pursuant to section 609A.03, subd. 7a, paragraph (b), clause (1).</p>



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