

THE BLOG

Pardon Me?

When Haley Barbour gave out 215 pardons a few weeks back, the relatives of victims immediately contacted the media to share their outrage. The media seem to have completely ignored the reality that the real problem is systematic.

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When former Mississippi Governor Haley Barbour [gave out 215 pardons](#) a few weeks back, the relatives of several victims immediately contacted the media to share their outrage about the situation. They are now [calling for lawmakers](#) to end the custom of governors issuing these end-of-tenure pardons. While the media appears to have mainly covered and taken the side of the victims' relatives, they seem to have completely ignored the reality that the real problem is systematic in nature – not whether a governor can give out pardons.

Naturally the blame has been placed on the symptom (the release of 215 inmates near the end of the governor's tenure), rather than the problem of a much larger issue (the fact that there is a major lack of transparency in the clemency process).

Many folks like me who have gone through the justice system and are now 110% rehabilitated have sought out governors' pardons as a means to full restoration of our rights and to realize the "just" in the justice system. Instead of receiving something that is earned and rewarded for outstanding citizenship we find the scales of justice are still unbalanced and our requests for pardons have been filed into an elusive process which leaves us in the dark and unable to find a single trace of the application.

This is what the black hole looks like that we are left in: to receive clemency (at least in California), one must first apply for a certificate of rehabilitation, which states that one must be free from incarceration for seven years and must have an extraordinary/exemplary standing within one's own community. Simply being a law-abiding citizen of society is insufficient for meeting the requirements. Once the certificate has been granted, it is supposed to turn into an application for a governor's pardon. The entire process however, from start to finish, is highly elusive and non transparent. The individual applying for this certificate has no way of following up with the request, and no way of finding out whether his or her application has been denied. In the end, the applicant has to wait and wait, with the possibility of never finding out whether their application has been denied. This is the case of locally active and respected community leaders like, [Susan Burton](#), a recent [CNN 2010 Hero](#), Dawn Branch, a respected businesswoman, both of whom were victims of the war on drugs.

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Historically, pardons have been one of the oldest, and unreviewable powers of heads of state and nations, [dating back to even before the American Revolution](#). What Governor Barbour did was simply execute the powers of his office. He did what governors and presidents have the authority to do without any established criteria ([although it appears he may have had his own arguable reasons](#)). Now that these inmates have been granted clemency, by whose definition will their freedom be deemed unlawful? Again, we see the convenient contradiction of the law not abiding itself...

Many advocates find fault within the system because it is not true to its word, its own nature, and its own intent. As a person who travels around the world speaking, educating and empowering others to stop the cradle to prison pipeline and the capitalistic nature of prison privatization which does little to improve public safety, I find contempt with this system that does not hold its own values to be true. Let's see -- the last time there was public knowledge about the pardon system was when President Ford pardoned ex-president Nixon of the horrible miscarriage of justice and trust of the Oval Office. I guess I'll have to get presidential in order to my pardon.

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