

# CLEMENCY & SECOND CHANCES

**Clemency is often the only option for people who have wrongfully-convicted or given an overly harsh sentence. Everybody makes mistakes, and no person should be permanently judged only by the worst moments of their past.**

## WHAT IS CLEMENCY?

**Clemency is a tool to grant a person relief – by pardon or commutation – from a court-ordered sentence or punishment.**

Kentucky's Constitution allows the Governor to grant clemency. Limitations in the courts frequently make this the only option to correct a sentencing mistake.

**“The fail safe of the judicial system.”**

United States Supreme Court  
in *Herrera v. Collins*, 1992.

## WHY IS CLEMENCY IMPORTANT?

**Kentucky over-criminalizes substance use disorder and crimes of poverty. This has ballooned our prison populations, broken families and communities, and weakened our economy.**

Thousands of Kentuckians are in need of mental healthcare, but are instead torn from their families and incarcerated.

Over-policing in communities of color has compounded this issue to disproportionately incarcerate people color, especially Black Kentuckians.

**Kentucky must preserve the Governor's constitutional authority to grant clemency. Clemency is one of very few tools available to correct judicial system failures or give people a second chance.**

**#3**

KY has the 3rd-highest women's incarceration rate

**#2**

KY has 2nd-highest rate of children with an incarcerated parent

**2X**

Black women are incarcerated at 2x the rate of white women nationally

**300,000**

Kentuckians have past felony convictions and cannot vote.

**243,000**

Kentuckians have completed their entire sentence, probation, and parole.

**1 IN 4**

African-Americans in Kentucky are denied the right to vote. The highest rate in the country.



Only 8% of Kentuckians are Black, yet Black people make up 22% of Kentucky's incarcerated population.