

IF YOU COMPLETED DEFERRED ADJUDICATION, YOU ARE NOW ELIGIBLE FOR A PARDON.



TEXAS CRIMINAL
JUSTICE COALITION

WHAT CHANGES DID PROPOSITION 9 MAKE TO PARDONS IN TEXAS?

Proposition 9 was approved by Texas voters on November 8, 2011. It allows people who have completed a term of deferred adjudication community supervision to seek a pardon from the governor.

Before Proposition 9, only people who were actually convicted of a crime were eligible for a pardon. People who successfully completed deferred adjudication were not considered “convicted,” so they were not eligible for a pardon.

WHY WOULD I WANT TO SEEK A PARDON FOR MY DEFERRED ADJUDICATION?

If you receive a pardon, you may request to have all records relating to your arrest expunged. This is important because if you do not have your deferred adjudication expunged or sealed, it will show up on your record as both an arrest and a form of probation or community supervision. Employers, landlords, schools, and others may see a deferred adjudication on your record and deny you a job, housing, education, or other important opportunities.

Even without a pardon, you may still ask the judge who put you on deferred adjudication to give you an order of nondisclosure. (You can find more information in [Texas Government Code Section 411.081](#).) An order of nondisclosure will keep employers, landlords, and others from seeing the deferred adjudication on your record. However, unless you receive a pardon, the judge may deny your request for an order of nondisclosure. But if you receive a pardon, the judge is required to expunge your record.

HOW DO I APPLY FOR A PARDON?

An application must be submitted to the Texas Board of Pardons and Paroles, and a new application form will be available on the website after January 1, 2012, which is the effective date of the law.

For a sample of a current application and the documents you may be required to submit, visit the Texas Board of Pardons and Paroles website at <http://www.tdcj.state.tx.us/bpp/forms/FP%20App.pdf>.

HOW DO I GET MY RECORD EXPUNGED AFTER MY PARDON?

If you are pardoned, you may request to have your deferred adjudication expunged, but you must file an “ex parte petition for expunction” with a district court in the county of your arrest. (An “ex parte petition for expunction” is basically an application to the court for expunction – you can ask the court for the form.) You can find more information about that petition in [Section 55.02 of the Texas Code of Criminal Procedure](#). An attorney is not required for this process, but you may want to hire an attorney to assist you with your petition.

**Complete Deferred Adjudication → Submit Full Pardon Application and Documents →
Petition District Court To Expunge Your Arrest Record**