

Commutation Advisory Board in Wisconsin

Governor Tony Evers established the **Commutation Advisory Board** in Wisconsin on **April 3, 2026**, through **Executive Order 287**, marking the state's first commutation process in over 25 years.

The board is comprised of **14 members** with expertise in reentry services, victim rights, corrections, and related fields, and its primary role is to review eligible applications and provide **non-binding recommendations** to the Governor on who should receive a commutation and how their sentence should be shortened.

Key details about the board and process include:

- **Leadership:** The Governor appointed **Mel Barnes** (Chief Legal Counsel) as Chair and **Cindy O'Donnell** (corrections veteran) as Vice Chair, with the first board meeting scheduled for **June 2026**.
- **Evaluation Criteria:** The board must consider the impact on victims and the community, public safety, the interests of justice, and the applicant's personal growth, including rehabilitation programs, education, and work history.
- **Eligibility Requirements:** Inmates must have **more than one year remaining** on their sentence, have served at least **half of their sentence** (or 20 years for life sentences), and have no recent violent misconduct or unresolved charges.
- **Excluded Crimes:** The process excludes individuals convicted of **sexual assault, child abuse, child exploitation, child trafficking, incest, and solicitation of a child**.
- **Juvenile Process:** A separate process under **Executive Order 288** specifically addresses commutations for individuals who were tried as adults and sentenced to life imprisonment for crimes committed while they were youths.

Commutations differ from pardons in that they **shorten current sentences** rather than restoring civil rights or forgiving past convictions; pardons require the completion of the entire sentence, whereas commutations apply to those currently incarcerated.

Applications are reviewed by the board, which holds hearings and submits recommendations to Governor Evers, who holds the sole authority to grant commutations for Wisconsin convictions.

How does this policy compare to other states?

Wisconsin's new commutation policy, reinstated by Governor Tony Evers in 2026 after a 25-year hiatus, aligns with broader national trends while featuring specific exclusions and a structured advisory process.

- **Governance Model:** Wisconsin's use of a **Commutation Advisory Board** to provide non-binding recommendations to the Governor places it in the middle ground of state clemency structures.

This model is similar to states like **Texas, Florida, and Oklahoma**, where a board investigates and advises the governor, who then makes the final decision.

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This contrasts with states where the governor has sole authority (e.g., **California, Oregon, North Carolina**) or where a board has the final say (e.g., **Georgia, Nebraska**).

- **Exclusion of Certain Crimes:** Wisconsin's policy of excluding individuals convicted of **sexual assault, child abuse, and related offenses** from eligibility is a common restriction. Many states impose similar bans on clemency for sex offenders or those convicted of violent crimes, reflecting a national trend to limit commutations for these categories.
- **Focus on Rehabilitation and Disparity:** The board's mandate to consider an applicant's rehabilitation, personal growth, and the interests of justice mirrors the criteria used in states like **California** and **New Jersey**, where governors have recently used clemency to address excessive sentences and promote decarceration.
- **Juvenile Sentencing:** The creation of a separate process for youth offenders sentenced to life is a progressive step in line with U.S. Supreme Court rulings and practices in other states, acknowledging the greater capacity for rehabilitation in young people.

Overall, Wisconsin's policy is **comparable to other states** in its use of an advisory board and its focus on rehabilitation, while its specific exclusions for certain crimes are a standard feature of many state clemency programs.