

1999-2000 Clemency Documents

Includes the Parole Board's voting worksheet
and
Clemmons' clemency application
and
the comments on Clemmons' possible
clemency from the judge
and
the Governor's Notice of Intent to Grant Clemency
and
the Clemency Proclamation.

EXECUTIVE CLEMENCY INTERVIEW WORK SHEET

INMATE'S NAME: CLEMMONS, MAURICE

ADC# 092616

UNIT: MAX

DATE: 1-13-00

RECOMMEND TO GOVERNOR THAT APPLICATION IS WITH MERIT WITH THE FOLLOWING RECOMMENDATIONS:

RECOMMEND TO GOVERNOR THAT APPLICATION IS WITHOUT MERIT AT THIS TIME FOR THE FOLLOWING REASONS:

commute sentence to _____ years
 commute to parole eligible

other: _____

insufficient time served
 sentence is not considered excessive
 prior criminal history
other: _____

COMMENTS: Cousin² - Brothers present -

Said he was 16 years old at the time - Been in 11 years - would have a job

Judge recommends -

INTERVIEWER: A. Feloni 1-12-2000

BOARD MEMBER

CONCUR OTHER

Ruby A. [Signature]

D. Stultz

B. F. [Signature]

[Signature]

EXECUTIVE CLEMENCY APPLICATION

Name: MAURICE Chambers Date of Birth: 2-6-72
Address: Tucker unit 2501 State Farm Road Race/Sex: Black / male
City: Tucker (ADC or DCP #: 92616 (If applicable)
State: Arkansas Zip: 72168
Telephone (home): (work):

Person preparing the application (if other than yourself):

Name:
Address:
State: Zip:
Telephone (home): (work):

I AM APPLYING FOR:

- COMMUTATION (time cut) (Please begin on Page 2)
- PARDON (Please begin on Page 3)
- FIREARM RESTORATION ONLY (Please begin on Page 3)

Received
JUN 21 1999
Institutional Parole

My reason(s) for applying for a commutation of my sentence (time cut):

Place an X in the appropriate below:

- 1. I wish to correct an injustice which may have occurred during the trial. I have attached letters or other documentation that will support this claim. If you wish to attach an explanation or statement to this application, it will be considered as a part of the application. Discuss results of appeals or Rule 37 or other post-conviction proceedings in an attached statement.
- 2. I have a life-threatening medical condition which does not qualify for Act 290. I have attached a statement explaining my condition. Your medical statement will be validated by ADC Medical Services before being sent to the Post Prison Transfer Board.
- 3. I want to adjust what may be considered an excessive sentence.
- 4. My institutional adjustment has been exemplary and the ends of justice have been achieved.

NOTE:

- A. All supporting documentation must be available when the Board considers your application.
- B. The Board will ordinarily not consider your application if your case is currently being appealed or if a Rule 37 petition or other petition of post-conviction relief is pending.
- C. If your application is based on your belief that your sentence is excessive or that your institutional adjustment has been exemplary and the ends of justice have been achieved, the application will ordinarily be denied if you have not served the portion of your sentence indicated by the following table:

Life Sentence	12 years
Over 30 years	7 years
25 - 30 years	<u>6 years</u>
22 - 24 years	5 years
19 - 21 years	4 years
16 - 18 years	3 years
11 - 15 years	2 years
Below 11 years	1 year

If you believe that this table should not apply in your case, you should attach a statement of your reasons to this application.

1. Give the full name under which you were convicted and any alias names you have used.
MAURICE L. Simmons

2. List all crime(s) for which you have been convicted, the county of conviction, date of conviction, docket number, and sentence. (Sentence may include fines, probation*, suspended sentence or time incarcerated in the Arkansas Department of Correction or the Department of Community Punishment.)

Crime(s)	County	Conviction Date	Docket #	Sentence
^{THEFT} Burglary Probation Rev	Pulaski	8-3-89	CR-89-0260	8 years Current
Robbery	Pulaski	8-3-89	CR-89-0279	5 years CS

NOTE: Please attach a separate sheet if necessary to include all offenses. See: page 3A Attached hereto
* Please include a copy of any orders of probation or suspended sentence you may have received.

3. Are you currently:
 serving a sentence in the ADC or DCP? Discharge date: 6-1-2046
 on parole? Discharge date: _____
 on probation? Discharge date: _____
 serving a suspended sentence? Discharge date: _____
 discharged from your sentence? Discharge date: _____

4. Are you requesting the restoration of your right to own and possess firearms? Yes No

5. Were other person also involved in the crime? Yes No
If yes, list the names of your accomplices and what, if any, sentences they received.

Curtis Thomas Chris Simmons David Hawthorn
Shawn Markbury

6. Concerning the facts of the crime, briefly explain what happened.

Please see attached sheets pages 8-

7. What is your reason for requesting executive clemency at this time?

Mercy

CRIMINAL HISTORY:

List all juvenile, misdemeanor, DWI, traffic violations, etc, or crimes committed outside the state of Arkansas. Do not include convictions listed in response to question 2 above.

Crime(s)	County / State	Conviction Date	Docket #	Sentence
		N/A		
		N/A		
		N/A		

PERSONAL BACKGROUND:

1. Are you: Single Married Separated Divorced Widowed
 If married, what is your spouse's full name? N/A
 When and where were you married? N/A

2. For any previous marriages, list the following information:

Name of Spouse	Date of Marriage	Date Marriage Ended	Reason (divorce, death, etc.)
	N/A		

3. How many children do you have? N/A. List the following information:
 Name Age Address

	N/A	

4. Have you ever served in the Armed Forces? Yes No
If so, which branch? N/A
What type of discharge did you receive? Honorable Dishonorable Medical Other

EDUCATIONAL BACKGROUND:

List the following information about all schools you have attended, including any vocational-technical training:

Name & Address of School	Date of Attendance	Highest Grade Completed/Degree
<u>Hull High School Little Rock Ark</u>	<u>5-13-87</u>	<u>11</u>

EMPLOYMENT BACKGROUND:

1. Please provide the following information about your current job:

Name of employer: N/A
Employer's address: _____
When were you hired: _____
Give a brief description of your job responsibilities: _____

2. If you are currently unemployed, but on disability, please list how you became disabled (work-related injury, etc.) NO

3. For previous jobs you have held, list the following information:

Name & Address of Employer Type of work Dates employed Reason for Leaving

N/A

MISCELLANEOUS INFORMATION:

1. How is your health? Excellent Good Fair Poor

2. Have you ever been confined to a mental hospital? Yes No
If yes, list the following information:

Name & Address of Institution Date committed Date released

N/A

3. Do you use any type of drugs, including prescription drugs? Yes No
If yes, list the type of drugs and the reason for their use:

N/A

4. Do you use alcohol? Yes No.
If yes, how often: Periodically Regularly Socially Heavily

5. Have you ever received treatment for alcohol or drug problems (example: Alcoholics Anonymous)? Yes No
If yes, please provide a brief explanation:

REFERENCES:

List three (3) people not related to you who have known you for at least five (5) years:

Name	Address/City/State/Zip	Phone
Marilyn Williams	PO Box 842 Little Rock Ark 72203	501-397-9549
Betty Jordan	PO Box 166213 Little Rock Ark 72216	501-666-0193
Leslie Little	5001 west 65 Apt E 113 Little Rock, Ark 72209	

By signing this application, I hereby swear that the information provided is true and accurate to the best of my knowledge.

Maurice Clemmons
Applicant's Signature

6-14-99
Date of application

CRIMES	COUNTY	CONVICTION DATE	SENTENCE	CASE NO.
AGGRAVATED ROBBERY	PULASKI	11-15-89	25 YEARS	CR89-1357
THEFT OF PROPERTY	PULASKI	11-15-89	10 YEARS CS	CR89-1357
BURGLARY	PULASKI	1-30-90	30 YEARS CS	CR89-1624
THEFT OF PROPERTY	PULASKI	1-30-90	30 YEARS	CR89-1624
POSS. OF FIREARM	PULASKI	2-26-90	6 YEARS CC	CR89-1656

**STATEMENT OF FACTS
CONCERNING THE CRIMES**

For the Burglary I was convicted and sentenced to a term of (60) sixty years of hard labor, (30) thirty years for the burglary and (30) thirty years for Theft of Property which was ordered to be served consecutive to each other, and consecutive to the other time I was already serving.

The home that I burglarized. There was nobody home and it was a cellular phone and other household appliances that I stole.

On my aggravated robbery conviction. The victim Karen Hodges and approached by myself and two other youths. (I was sixteen (16) years old at the time.), who robbed her of her purse! There was no gun involved and I was the only one convicted of the crime.

These are the only convictions/sentences which I am asking consideration be given on for executive clemency.

Thank you for your consideration.

IN THE OFFICE OF GOVERNOR MIKE HUCKABEE
GOVERNOR OF ARKANSAS

IN THE MATTER OF: MAURICE CLEMMONS

BRIEF IN SUPPORT OF EXECUTIVE CLEMENCY APPLICATION

Comes now the applicant, Maurice Clemmons (Pro Se), with his Brief in Support of Executive Clemency Application and does so set forth the following for consideration:

- 1.) There is absolutely no excuse/justification whatsoever for my past criminal behavior which ultimately led me to commit the crimes which led me to prison, and of which I now eleven (11) years after the fact seek mercy, via executive clemency. However, I pray that the following will be taken into careful consideration.
- 2.) At the time of the crimes I was (16) sixteen years old and had just moved to Arkansas from Seattle, Washington. Having just moved into a new neighborhood that was already crime infested and because I did not possess the social skills and/or the mental tools and ability to resist the negative peer pressure that was heavily placed upon me. I succumbed to the peer pressure and the need I had to be accepted by other youth in my new environment and fell in with the wrong crowd and thus began a seven (7) month crime spree which led me to prison.
- 3.) Please keep in mind that before this crime spree I had at no time in my life ever been into any kind of problems with the law. I come from a very good Christian family and I was raised much better than my actions speak. (I'm still ashamed to this day for the shame my stupid involvement in these crimes brought upon my family's name.)
But, as mentioned I was only (16) sixteen years old and had just moved into a very crime ridden neighborhood. Where I was unable to resist the negative influence of the other neighborhood boys because I only wanted to fit in and be accepted because I'd just moved away from all my

childhood friends and had no friends in Arkansas.

4.) Where once stood a young (16) sixteen year old misguided fool, who's own life he was unable to rule. Now stands a 27 year old man, who has learned through the 'school of hard knocks' to appreciate and respect the rights of others. And who has in the midst of the harsh reality of prison life developed the necessary skills to stand along and not to follow a multitude to do evil, as I did as a 16 year old child.

5.) Also, on _____, 19___, I was granted a new hearing in the Pulaski County Circuit Court where I was convicted and sentenced and the Honorable Judge Marion Humphrey in fact did reduce my sentence from _____ years to _____ years.

But, the prosecutor appealed his decision to the Arkansas Supreme Court and after this appeal the Arkansas Supreme Court reversed the Judge's decision. Judge Humphrey did reduce the sentence. So you can see that I do have some merit to my claims cited herein. I am attaching the Court's Order for your review and consideration marked as **Exhibit "A."**

6.) The sentences I received even Judge Humphrey thought to be harsh considering my age and the biasness he discovered in the trial prosecution by the trial judge.

7.) Since that hearing the angel of death has visited and taken away my dear sweet mother and this more than anything has effected change for the good in my heart. Because now I have to live with all that I put her through I wasn't able to be with her and make her proud of me before she passed away.

I have never done anything good for God, but, I've prayed for him to grant me in his compassion the Grace to make a start. Now, I'm humbly appealing to you for a brand new start.

8.) My institutional record will reflect that I have had problems. Yet, Nonetheless, it will also reflect that change has occurred. And all things considered I think my institutional 'adjustment' (For it has been just that, an adjustment), has been exemplary and the ends of justice have been achieved, because I am no longer the same misguided youth I was (11) eleven years ago. I know I can if given the opportunity live a

productive life in society.

WHEREFORE, For all the forestated reason I Pray you will be compassionate to my situation and have mercy upon me by considering extending clemency to me in the form of a time cut, so I can go up before the parole board and possibly be paroled to my family. Where I am loved, missed and sincerly needed.

God Bless You for your time and consideration. It is so prayed!

Respectfully submitted,



Maurice Clemmons

Received

JUL 12 1999

DATE 06/28/99

Institutional Parole

TIME 10.38.27

DDRO170
PAGE 1

POST PRISON TRANSFER BOARD
EXECUTIVE CLEMENCY
LEGAL NOTICE - FORM 153

TO: JUDGE HUMPHREY

RE: CLEMMONS, MAURICE ADC#: 092616 LOCATION: C01 - MAXIMUM SECURITY

BOARD NO: 09
PE DATE: 01/03/12

PERSUANT TO ARKANSAS CODE ANN 5-4-607 ATTACHED IS THE ABOVE NAMED INMATES'S APPLICATION FOR EXECUTIVE CLEMENCY.

OUR FILE CONTAINS THE FOLLOWING INFORMATION:

COUNTY	DOCKET	CRIME	COUNTS	SENTENCE DATE
PULASKI	890679	ROBBERY	1	08/03/89
PULASKI	890260	BURGLARY_ _PROBATION REVOCATION	1	09/19/89
PULASKI	890260	THEFT OF PROPERTY_ _PROBATION REVOCATION	1	09/19/89
PULASKI	891357	AGGRAVATED ROBBERY	1	11/15/89
PULASKI	891357	THEFT OF PROPERTY	1	11/15/89
PULASKI	891624	BURGLARY	1	02/23/90
PULASKI	891624	THEFT OF PROPERTY	1	02/23/90
PULASKI	891656	POSS. OF FIREARM - SCHOOL	1	11/19/90

TOTAL SENTENCE LENGTH 108 YRS 0 MOS 0 DAYS MINIMUM RELEASE DATE 11/30/45

THE INMATE'S APPLICATION WILL BE REVIEWED BY THE POST PRISON TRANSFER BOARD DURING THE MONTH NOTED ABOVE. AT PRESENT, THIS IS ONLY A RECORD REVIEW. HOWEVER, THE INMATE MAY LATER BE SCHEDULED FOR AN INTERVIEW (HEARING) AT THE REQUEST OF THE BOARD. IF YOU WISH TO COMMENT OR EXPRESS AN OPINION REGARDING THIS APPLICATION, PLEASE RESPOND NOW. THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE PERTAINING TO "THIS" APPLICATION. YOUR COMMENTS WILL BE PLACED IN THE FILE AND CONSIDERED WHENEVER "THIS" APPLICATION IS REVIEWED BY THE BOARD.

REPLY TO:

PAROLE ADMINISTRATOR
P. O. BOX 8707
PINE BLUFF, AR 71611

RESPONSE:

I favor a time cut for Maurice Clemmons. Mr. Clemmons was 16 years of age when his cases began in this court. I do not know why the previous judge ran his sentences consecutively, but, concurrent sentences would have been sufficient.

(SIGNED)

Marion G. Humphrey
7/9/99

DATE



STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

State Capitol
Little Rock 72207

Mike Huckabee
Governor

March 30, 2000

Maurice Clemmons, ADC# 92616
Cummins Unit
P. O. Box 500
Grady, AR 71644

Dear Mr. Clemmons

Enclosed you will find your copy of the Governor's Notice of Intent to Grant a Commutation. According to Arkansas Code Annotated §16-93-207, the Governor must give a notice of intent at least thirty days prior to granting a commutation, so that the public can comment. This is not a commutation of your sentence.

This notice does not preclude the Governor from denying the request for a commutation.

You will be contacted in writing as to the Governor's decision once the thirty days have passed.

Sincerely,

A handwritten signature in cursive script that reads "Robyne Culver".

Robyne Culver
Assistant for Executive Clemency

Enclosure



STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

State Capitol
Little Rock 72201

Mike Huckabee
Governor

NOTICE OF INTENT TO GRANT EXECUTIVE CLEMENCY

WHEREAS, Maurice Clemmons, ADC# 92616, has applied for executive clemency, specifically a commutation; and

WHEREAS, Maurice Clemmons, ADC# 92616, was convicted in the Circuit Court of Pulaski County, Arkansas, on November 15, 1989, of aggravated robbery (Class Y felony) and theft of property (Class C felony) (CR-89-1357); and

WHEREAS, Maurice Clemmons, ADC# 92616, was convicted in the Circuit Court of Pulaski County, Arkansas, on February 23, 1990, of burglary (Class B felony) and theft of property (Class B felony) (CR-89-1624); and

WHEREAS, Maurice Clemmons, ADC# 92616, was sentenced to 95 years in the Department of Correction consecutive to the time he was already serving from previous convictions; and

WHEREAS, Maurice Clemmons, ADC# 92616, was age 17 at conviction and is now 28; and

WHEREAS, the judicial and law enforcement officials of the Sixth Judicial District were notified by the Post Prison Transfer Board on June 28, 1999, and have raised no objections to applicant's request; and;

NOW THEREFORE, I, Mike Huckabee, in accordance with Arkansas Code Annotated §16-93-207, and pursuant to the recommendation of the Arkansas Post Prison Transfer Board, hereby give notice of my intent to commute the sentence of Maurice Clemmons, ADC# 92616, for the above offense(s) making him immediately parole eligible.

This notice is given to assure opportunity for public comment before my final decision is made and does not preclude me from later denying this application.

March 30, 2000

Date

Handwritten signature of Mike Huckabee in black ink.

Mike Huckabee
Governor

COPY



STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

State Capitol
Little Rock 72201

Mike Huckabee
Governor

May 2, 2000

Maurice Clemmons, ADC #92616
Cummins Unit
P. O. Box 500
Grady, AR 71644

Dear Mr. Clemmons,

This letter is to advise you that, after review of the information forwarded to me from the Arkansas Post Prison Transfer Board, I have granted you a commutation. Your commutation proclamation is enclosed.

Sincerely,

Mike Huckabee

MH:rc

Enclosure

cc: Secretary of State
Speaker of the House
President of the Senate
Post Prison Transfer Board
Pulaski County Circuit Clerk
Arkansas State Police

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETINGS:

WHEREAS, Maurice Clemmons, ADC # 92616, has applied for executive clemency, specifically a commutation; and

WHEREAS, Maurice Clemmons, ADC# 92616, was convicted in the Circuit Court of Pulaski County, Arkansas, on November 15, 1989, of aggravated robbery (Class Y felony) and theft of property (Class C felony) (CR-89-1357); and

WHEREAS, Maurice Clemmons, ADC# 92616, was convicted in the Circuit Court of Pulaski County, Arkansas, on February 23, 1990, of burglary (Class B felony) and theft of property (Class B felony) (CR-89-1624); and

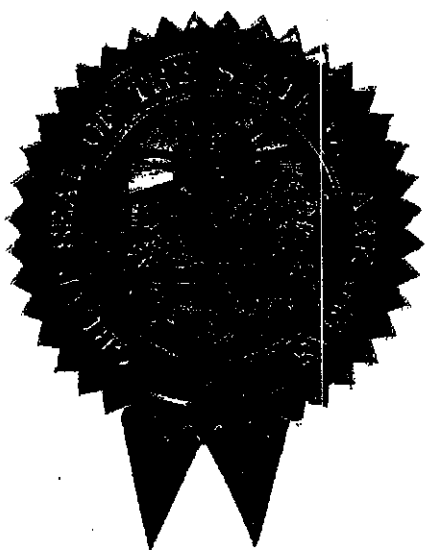
WHEREAS, Maurice Clemmons, ADC # 92616, was sentenced to 95 years in the Department of Correction consecutive to the time he was already serving from previous convictions; and

WHEREAS, Maurice Clemmons, ADC # 92616, was age 17 at conviction and is now 28; and

WHEREAS, the judicial and law enforcement officials of the Sixth Judicial District have raised no objections to applicant's request since receiving the notice of intent dated March 30, 2000; and;

NOW THEREFORE, I, Mike Huckabee, by virtue of the power and authority vested in me as Governor of the State of Arkansas, do hereby commute the sentences of Maurice Clemmons for the above offense(s) making him immediately parole eligible.

In Testimony Whereof, I hereunto set my hand and caused to be affixed hereto the Great Seal of the State of Arkansas in the Governor's Office, Little Rock, Arkansas, this 2nd day of May, 2000.



Mike Huckabee

Mike Huckabee
Governor

Sharon Priest

Sharon Priest
Secretary of State

COPY