

Shadow Justice: Gubernatorial Clemency in the American States

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**Abstract:**

Seeking to address a substantial hole in the state politics literature, we examine state statutes and constitutions, public records, and government records obtained via sunshine requests, to explain (1) how gubernatorial clemency power varies across the American states, (2) how the state clemency process works, and (3) how modern governors exercise their clemency powers. To do this, we reviewed the varied clemency procedures of 16 states, collected more than 5,000 granted clemency files for 10 between 2001 and 2017. We seek to determine what types of clemency requests are most likely to be granted and under what circumstances clemency applications are most successful.