

Trump has used clemency power less often than any modern president

Clemency statistics, by president

President	Term	Pardons	Commutations	Other	Total clemency	Total requests	Requests granted
Trump	2017-present	28	16	0	44	10,051	<0.5%
Obama	2009-17	212	1,715	0	1,927	36,544	5
G.W. Bush	2001-09	189	11	0	200	11,074	2
Clinton	1993-01	396	61	2	459	7,489	6
Bush	1989-93	74	3	0	77	1,466	5
Reagan	1981-89	393	13	0	406	3,404	12
Carter	1977-81	534	29	3	566	2,627	22
Ford	1974-77	382	22	5	409	1,527	27
Nixon	1969-74	863	60	3	926	2,591	36
Johnson	1963-69	960	226	1	1,187	4,537	26
Kennedy	1961-63	472	100	3	575	1,749	33
Eisenhower	1953-61	1,110	47	0	1,157	4,100	28
Truman	1945-53	1,913	118	13	2,044	5,030	41
FDR	1933-45	2,819	488	489	3,796	13,541	28
Hoover	1929-33	672	405	121	1,198	4,774	25
Coolidge	1923-29	773	773	145	1,691	8,046	21
Harding	1921-23	300	386	87	773	2,461	31
Wilson	1913-21	1,087	1,366	374	2,827	7,454	38
Taft	1909-13	383	361	87	831	2,111	39
Roosevelt	1901-09	668	363	68	1,099	4,513	24
McKinley	1897-01	291	123	32	446	1,473	30

Note: "Other" refers to remissions, which reduce financial penalties, and respites, which are temporary reprieves often granted for medical reasons. Requests under Trump include only those received through the end of fiscal 2020; pardons and commutations under Trump are through Nov. 23, 2020. Totals for McKinley include fiscal 1900 and 1901 only.

Source: U.S. Department of Justice.

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Critical Analysis

1. What modern president has used their clemency power the least?
2. What exactly is [clemency](#)?
3. What is the big story this chart tells?
4. Why do you think Trump is so sparing in his use of clemency?
5. Explain why presidents use their pardon power more in the beginning of their term than at the end of their term.
6. [Article II of the Constitution](#) allows the president the power to, "**grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.**" This means presidents can pardon federal crimes. According to the [Constitution](#) can presidents pardon state crimes?

7. Although the presidential pardon is a part of the constitution, Some scholars argue that a presidential pardon violates the idea of separation of powers because it allows the executive branch to overrule the judicial branch. If you were to recreate the constitution (too late) explain whether you would include a presidential pardon.
8. But seriously, when you think about all the presidential powers **granted** in [Article II of the Constitution](#), how important is the pardon power?
9. When you read about the pardon power in [Article II of the Constitution](#) do you interpret that to mean that the president can self-pardon?
10. And how do legal scholars interpret the meaning of the Constitution's [power to grant pardons](#)?
11. Do you think Donald Trump will **grant** himself a pardon?
12. While rare so far, Trump's use of presidential clemency has caused controversy because of the nature of his pardons and commutations. Many of Trump's clemency recipients have had a "[personal or political connection to the president](#)," according to a July analysis by the Lawfare blog. The Constitution does not limit clemency to people without personal or political connections to the president. What stops most presidents from extending clemency to friends and accomplices?

Learning Extension

Can presidents grant themselves a pardon? Read this amazing [Atlantic article](#) that says no.

Action Extension

Fill in one of the following forms to request that the Office of the Pardon Attorney commute or pardon for you or someone you love.

[Commutation \(reduction\) of Sentence - Information and Instructions](#)

[Commutation \(reduction\) of Sentence - Petition](#)

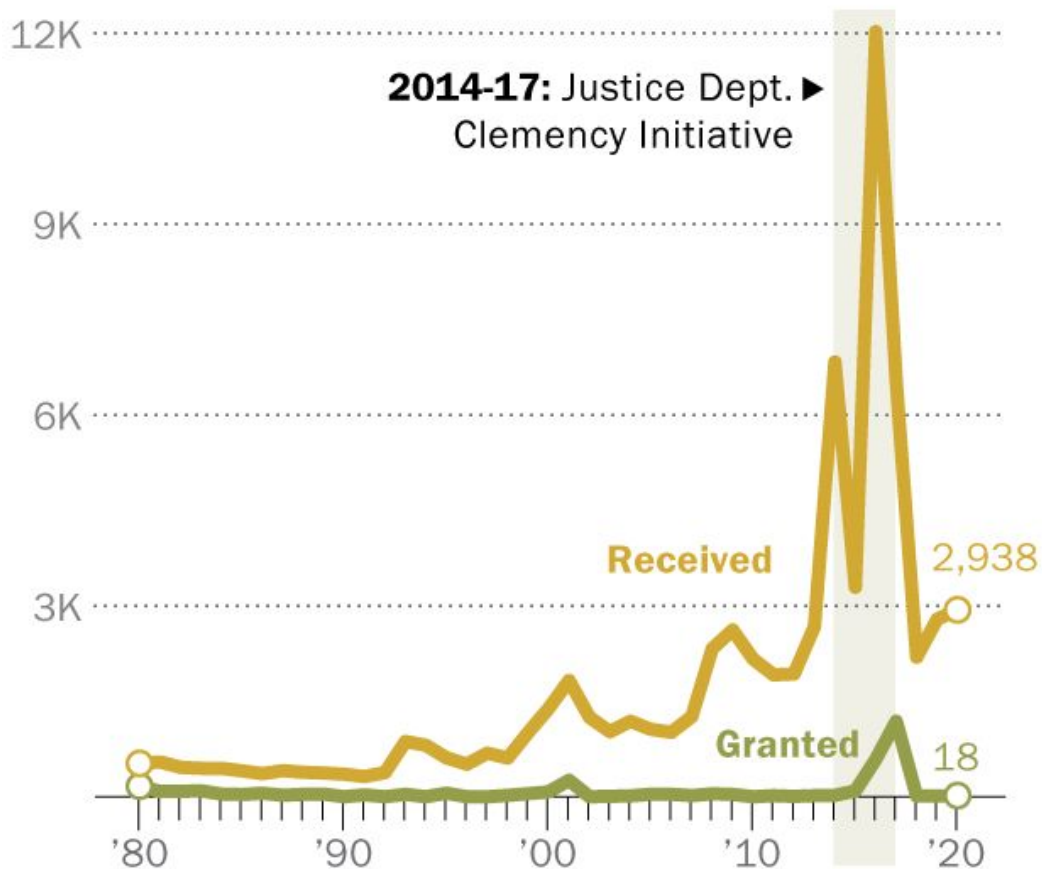
[Pardon after Completion of Sentence - Information and Instructions](#)

[Pardon after Completion of Sentence - Petition](#)

Visual Extension

Clemency petitions soared under Obama's Clemency Initiative but have fallen since

Clemency petitions and grants, by fiscal year



Note: The Clemency Initiative encouraged qualified federal inmates to petition to have their sentences commuted. Fiscal years 1981, 1989, 1993, 2001, 2009 and 2017 span two administrations.

Source: U.S. Department of Justice.

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