

Wyoming Reprieve Power

Governor Gordon has plenary authority to grant reprieves to incarcerated people.

“The governor shall have power to remit fines and forfeitures, to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment; but the legislature may by law regulate the manner in which the remission of fines, pardons, commutations and reprieves may be applied for.” Wyo. Const. art. IV, § 5.

The legislature’s authority to regulate the “manner” of applying for clemency “does not prevent the governor from [acting] upon his own motion, without any application or any hearing.” *In re Moore*, 4 Wyo. 98, 31 P. 980, 981 (1893). In other words, the governor may unilaterally grant reprieves without adhering to any process or procedure. This ensures that the governor may act swiftly to release people from jails and prisons during times of emergency.