

To: Interested Parties
From: ACLU
Re: Clemency Survey
Date: May 20, 2026

On behalf of the ACLU, YouGov fielded a survey of 1001 US registered voters from March 18 to March 20, 2026 as part of its Registered Voter Omnibus. The survey included measures of American voters' views towards clemency, pardons, and the criminal justice system in general. This memo briefly summarizes the results.

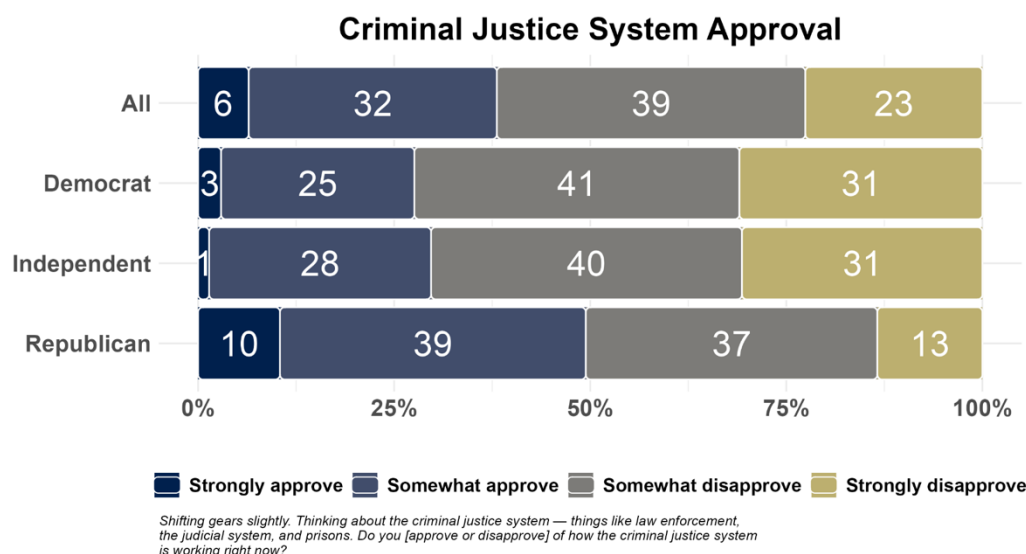
Executive Summary

- **Voters view the criminal justice system negatively.** Only 38 percent approve of how it is currently working, 29 percent think it treats people unfairly, and 27 percent think it's ineffective at reducing crime.
- **A majority of voters support clemency.** Fully 64 percent of respondents said that they support considering release for individuals who meet specific criteria and are found to not pose a danger to public safety. This number increases to 71 percent when specifically asked about offering clemency to individuals imprisoned for lower level crimes, including majority support across party lines.
- **Voters support clemency at high rates.** With the exception of people who were convicted of armed robbery, overall support for each form of categorical clemency exceeded 50 percent with many exceeding 70 percent:
 - 80 percent support it for people who participate in work programs, don't have serious infractions in their disciplinary records and have completed more than half of their sentence.
 - 79 percent support clemency for women who are serving time for violent crimes against their traffickers.
 - 78 percent support clemency for caregivers or parents who have been convicted of non-violent crimes.
 - 75 percent of voters support clemency for elderly or chronically ill people.
 - 73 percent of voters support clemency for women serving time for either killing or attacking their abuser.
 - 73 percent support clemency for domestic violence victims or their family members who were arrested instead or in addition to their abusers.
 - 70 percent support clemency for victims of sex trafficking who are arrested on prostitution charges.
 - 69 percent support clemency for people who were convicted after a single offense and have served more than half their sentence.
 - 57 percent each support clemency for people convicted of property theft that have served more than three years, or for people convicted of a crime as minors but charged as adults.

Voters disapprove of how the criminal justice system is working and support clemency at high rates

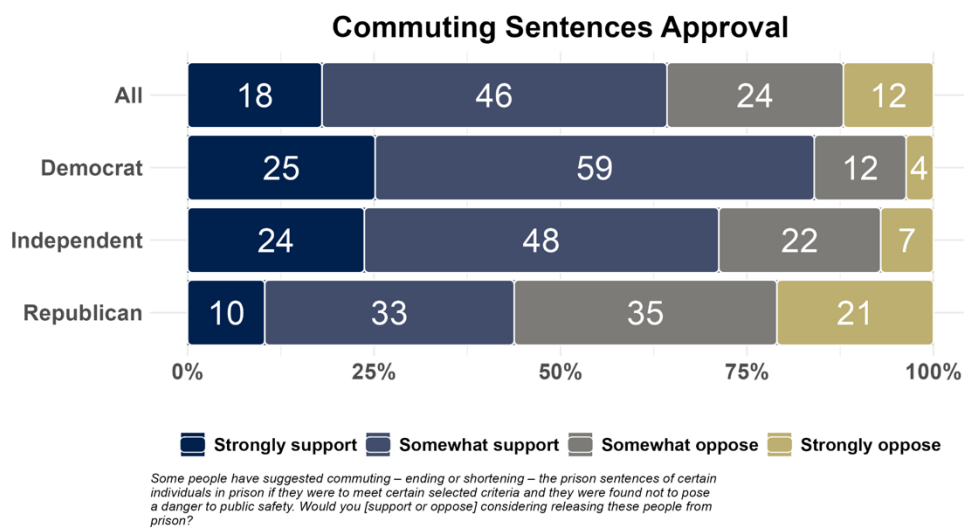
This survey asked respondents about their views on the criminal justice system and potential reforms to it, specifically clemency and pardons. At the beginning of the survey, voters seem to have a negative image of the current system – **fully 62 percent of respondents said they disapprove of how the system is working.** These numbers are largely driven by Democrats and Independents, with 72 percent and 71 percent respectively disapproving of it. Half of

Republican respondents (50 percent) disapprove of the current system, and 49 percent of them say they approve of it.

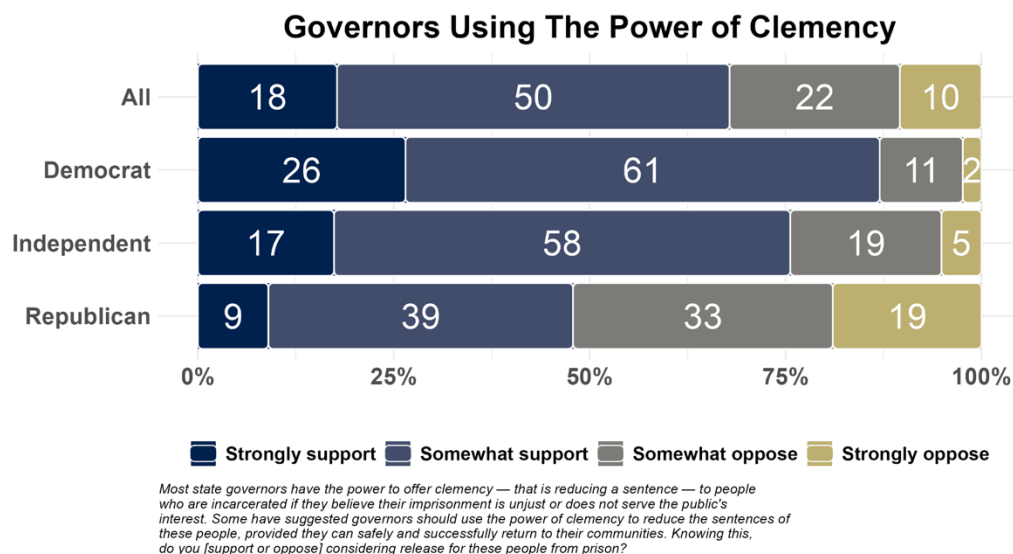


Respondents were then asked the reason for their view. Fully 29 percent of respondents said that it was because the system treated people unfairly while another 27 percent said that the system was not effective at reducing crime. Higher shares of Democrats and Independents (46 percent and 37 percent respectively, versus 12 percent of Republicans) said the system is unfair, while similar shares of the three said that it is ineffective (29 percent of Democrats, 33 percent of Independents, and 24 percent of Republicans).

Overall, **voters are supportive of commuting sentences for those who meet certain criteria and do not pose a threat to public safety.** Fully 64 percent of respondents either strongly or somewhat agree with commuting sentences for these individuals, while 36 percent oppose doing so. This is consistent across key demographics such as age, gender, race, and education. Democrats and Independent voters are more likely to support this policy than Republicans (84 percent and 72 percent, respectively, compared to 43 percent of Republicans).



A strong majority of voters, 68 percent, also support governors using their power to reduce the sentence of people who are incarcerated if they believe their imprisonment is unjust or does not serve the public interest. Nearly 9 out of 10 Democrats (87%) took this position, while 75 percent of Independents and 48 percent of Republicans did.



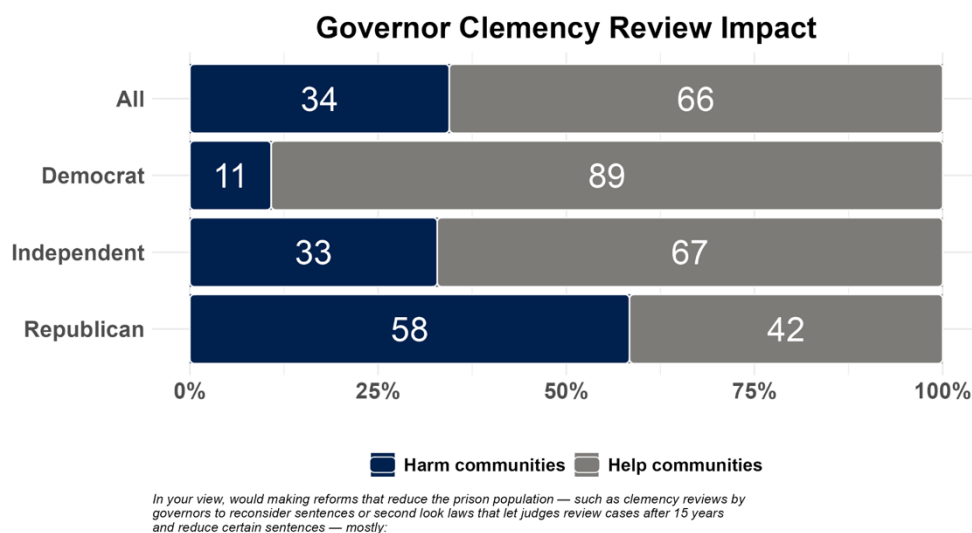
Similarly, 7 out of 10 respondents supported using clemency for lower-level crimes to reduce overcrowding in the prison system. This includes majority support across party lines, with 88 percent of Democrats, 73 percent of Independents, and 55 percent of Republicans taking this position.

A majority of voters believe that reforms such as clemency or other sentence reduction measures would help improve their communities. Respondents were asked:

In your view, would making reforms that reduce the prison population—such as clemency reviews by governors to reconsider sentences or second look laws that let judges review cases after 15 years and reduce certain sentences — mostly:

- *Harm communities because people who belong behind bars will be let out early, endangering others and raising crime*
- *Help communities by reuniting families and saving taxpayer dollars that can be reinvested into preventing crime and rehabilitating people convicted of crimes*

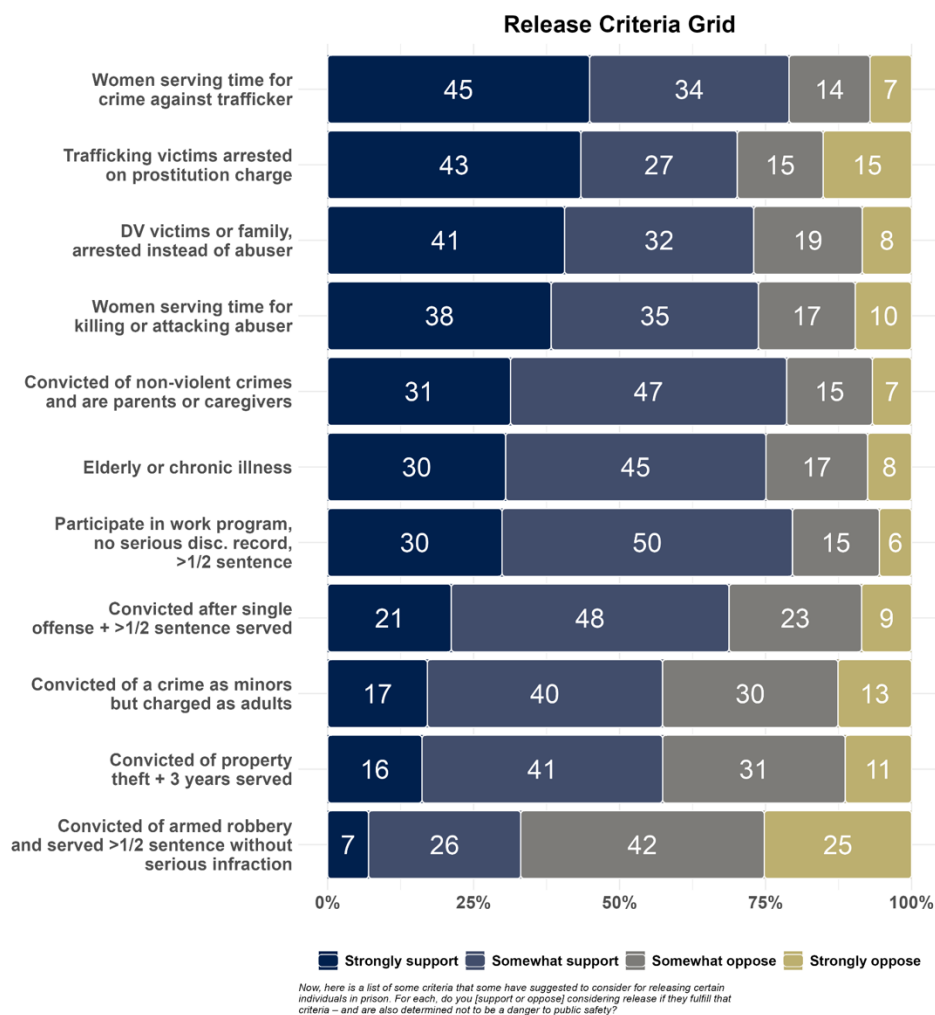
Fully 66 percent of respondents said that these reforms would help communities, including 42 percent of Republicans, 67 percent of Independents, and 89 percent of Democrats.



Voters support considering release for individuals in prison who meet various criteria (see appendix for full question wording). Each of these criteria proved to be popular among voters. **With the exception of people who were convicted of armed robbery, overall support for each exceeded 50 percent with many exceeding 70 percent.** Specifically:

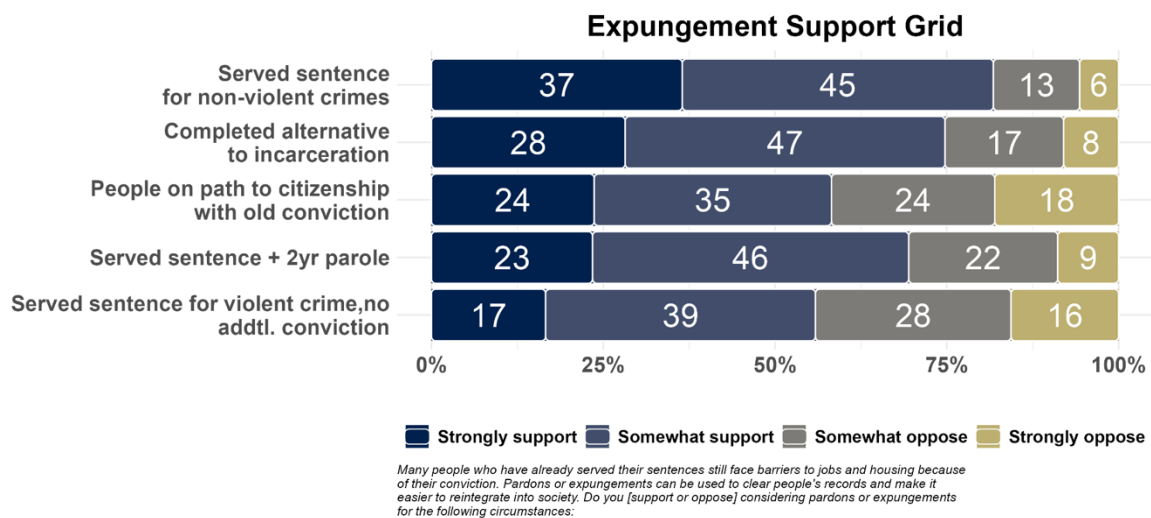
- 80 percent support it for people who participate in work programs, don't have serious infractions in their disciplinary records and have completed more than half of their sentence.
- 79 percent support clemency for women who are serving time for violent crimes against their traffickers.
- 78 percent support clemency for caregivers or parents who have been convicted of non-violent crimes.
- 75 percent of voters support clemency for elderly or chronically ill people.
- 73 percent of voters support clemency for women serving time for either killing or attacking their abuser.
- 73 percent support clemency for domestic violence victims or their family members who were arrested instead or in addition to their abusers.

- 70 percent support clemency for victims of sex trafficking who are arrested on prostitution charges.
- 69 percent support clemency for people who were convicted after a single offense and have served more than half their sentence.
- 57 percent each support clemency for people convicted of property theft that have served more than three years, or for people convicted of a crime as minors but charged as adults.



Support for clemency increased in cases where the imprisoned individual has served part of their sentence without infractions, have needs or responsibilities that can't be managed from prison, or are victims of abuse. Republicans in particular responded to the latter cases with more than half saying they would support considering release for women serving time for attacks against their abusers or traffickers as well as for victims of domestic violence or sex trafficking.

In a separate grid, voters were asked to consider criteria for pardons or expungements for people who have already served their sentences. More than half of all respondents were supportive of each of the criteria laid out.



Conclusion

Voters across the country support reforms to the criminal justice system regarding clemency. High shares of voters believe that these reforms would be helpful to their communities, and see the system as unfair or ineffective.

These views are reflected in overwhelming support for a number of different criteria for early release or pardons. More than half of respondents said they would consider early release or pardons for the majority of conditions shown to them. Of these, criteria that related to women who were either victims of abuse prior to imprisonment, of people who have served part of their sentence without infractions while in prison, or have external factors like medical needs that need to be handled outside of prison. This includes bipartisan support as well as majority support across age, gender, and education. Similar levels of support were seen for different pardon criteria.

Methods Statement

This survey is based on 1,001 interviews conducted by YouGov on the internet of registered voters. The sample was weighted according to gender, age, race/ethnicity, education, and geographic region based on voter registration lists, the U.S. Census American Community Survey, and the U.S. Census Current Population Survey, as well as 2020 Presidential vote and approximate 2024 Presidential vote based on available results, and party identification estimates based on Pew Research Center's National Public Opinion Reference Survey. Respondents were selected from YouGov to be representative of registered voters. The weights range from 0.11 to 6.03 with a mean of 1 and a standard deviation of 0.66.

The margin of error (a 95% confidence interval) for a sample percentage based upon the subsetting sample is approximately 3.7%. It is calculated using the formula:

$$\hat{p} \pm 100 \times \sqrt{\frac{1 + CV^2}{n}}$$

where CV is the coefficient of variation of the sample weights and n is the sample size used to compute the proportion. This is a measure of sampling error (the average of all estimates obtained using the same sample selection and weighting procedures repeatedly). The sample estimate should differ from its expected value by less than margin of error in 95 percent of all samples. It does not reflect non-sampling errors, including potential selection bias in panel participation or in response to a particular survey.

Appendix

Question wording for criteria on early release

Now is a list of some criteria that some have suggested to consider for releasing certain individuals in prison. For each, do you support or oppose considering release if they fulfill that criteria – and are also determined not to be a danger to public safety?

- *People who were convicted of a crime as minors but charged as adults*
- *People who are elderly (over 65) or have chronic illnesses that cannot be managed in prison*
- *People who have been convicted of non-violent crimes who are primary parents or caregivers for relatives or children*
- *People who were convicted of property theft, who have served more than 3 years*
- *People who were convicted of armed robbery, who have served more than half their sentence without serious disciplinary infractions.*
- *People who were convicted after only a single offense and have served more than half their sentence*
- *People who participate in work programs, do not have serious infractions on their disciplinary records, and have completed more than half of their sentence.*
- *Women serving time for either killing or attacking their abuser*
- *Women serving time for violent crimes against their traffickers*
- *Domestic violence victims or their family members who are arrested instead of or in addition to their abusers*
- *Victims of sex trafficking who are arrested on prostitution charges*

Question wording for criteria for pardons

Many people who have already served their sentences still face barriers to jobs and housing because of their conviction. Pardons or expungements can be used to clear people's records and make it easier to reintegrate into society. Do you support or oppose considering pardons or expungements for the following circumstances:

- *Pardons for people who have completed a court-ordered alternative to incarceration, such as drug treatment or anger management and do not have any subsequent convictions for 2 years*
- *Pardons for people who have served their prison sentence and completed more than 2 years of parole*

- *Pardons for people who are on a path to citizenship with convictions more than a decade old, which might compromise their chance at becoming a citizen*
- *Pardons for people who have served their sentences for non-violent crimes so they can more easily get professional licenses, jobs, or housing*
- *Pardons for people who have completed their prison sentences for violent crimes a decade ago and have not had any additional convictions*

Question wording on clemency

- *Clemency has been in the news lately given commutations or pardons by President Trump. Which of the following most closely reflects concerns you might have about how this process has been carried out, even if none are exactly right?*
- *Clemency is being prioritized for the wealthy, politically connected, or powerful, and not average people*
- *Clemency is being determined by backroom deals and "pay to play" access, rather than a transparent process*
- *Clemency is being used to reward political allies or followers for their loyalty, rather than to correct injustices*
- *Clemency for fraud and financial crimes is being used to create a two-tier clemency system, where the wealthy don't have to pay restitution for their crimes*