



TRUMP'S CLEMENCY GAP

HOW TRUMP'S PARDONS ARE IGNORING
THE PEOPLE WHO NEED THEM THE MOST

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CONGRESSWOMAN

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TRUMP'S CLEMENCY GAP

EXECUTIVE SUMMARY

Since the founding of our nation, the pardon power has served as a powerful tool to grant mercy and confront injustices in our legal system. The crisis of mass incarceration has further underscored its importance, leading a diverse and broad coalition of lawyers, policy advocates, and community organizers to encourage its greater use to prioritize fairness and reunite families. Despite granting more than 1,700 pardons in a single year, this report illustrates how Donald Trump has neglected the people who need clemency the most.

FINDINGS OVERVIEW

- Trump has granted more than 1,500 pardons to January 6th insurrectionists
- 85% of pardons and commutations went to white people
- Only 9 clemency actions (5%) were for people convicted of drug offenses
- 10 out of 17 women (59%) pardoned by Donald Trump with convictions had obstructed or denied women's access to healthcare
- Trump granted the first-ever pardon of a corporation to a multi-million dollar global crypto company
- Approximately \$1.4 billion in restitution and fines were lost as a result of Trump's clemency grants
- Only 17 people (0.08%) were granted clemency through the Department of Justice application process

METHODOLOGY

This report analyzes more than 1,700 presidential pardons and commutations granted by Donald Trump during his current term in office. The data includes all publicly reported federal clemency actions issued from January 20, 2025, through December 15, 2025, as identified through official White House announcements, Department of Justice records, United States Sentencing Commission, academic research institutions, and news organizations.

Each clemency recipient was categorized by type of clemency action (commutation or pardon), offense type, gender, race, and whether the recipient was an individual person or a corporation. When cases involved multiple charges, the primary offense (e.g. drug offense) was defined as the offense prioritized by the Department of Justice.

For comparative figures, the report draws on recent national data available at the time of drafting, including estimates of the U.S. resident population, the federal prison population, and federal offense types from sources such as the Bureau of Prisons and other cited government and research reports. Due to the skewing magnitude of pardons related to the January 6th insurrection, statistical findings exclude these individuals unless otherwise noted.

As additional clemency actions are granted or more information becomes available, specific counts and percentages in this report may change.

INTRODUCTION

Article II, Section 2 of the United States Constitution vests the President with the “Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.”¹ The framers intentionally included the broad executive authority in order to respond to unfair punishments and systemic injustices. Whether a full pardon or a commutation, clemency was incorporated as a problem-solving tool. It was not an accident nor a trivial decision. Clemency is a necessary and innate part of our nation’s legal system.

Throughout American history, the presidential pardon power has been exercised for a wide range of reasons. Nearly every president exercised their pardon power. The only presidents to not do so are William Henry Harrison and James Garfield, who both unexpectedly died within their first year in office.² One of the earliest uses occurred in 1795 by George Washington when he pardoned participants of the Whiskey Rebellion as a demonstration of mercy in the newly created government.³ Some presidents used pardons to move the country past national turmoil, including Abraham Lincoln’s pardons of Confederate soldiers and Gerald Ford’s pardon of Richard Nixon.⁴ More recently, Barack Obama and Joe Biden issued commutations to reduce sentences for people who received extremely harsh punishments.⁵

There has been greater support for clemency action in response to the ongoing mass incarceration crisis. The United States puts more people in prison than any other democratic nation in the world with nearly two million incarcerated throughout the fifty states.⁶ In the federal prison system, there are more than 150,000 people locked behind bars and most of them are serving sentences longer than ten years.⁷ The criminal legal system incarcerates far too many people for far too long. America's reliance on imprisonment destabilizes families, ravages communities, and reproduces generational trauma. The pardon power can help disrupt this vicious cycle and set our country on a path toward healing and progress.

Because mass incarceration does not impact all Americans equally, grants of clemency should account for the disparities. Black, Latino, Indigenous, LGBTQIA+ folks, and people with disabilities are disproportionately overrepresented in our nation's jails and prisons due to centuries of racist and biased laws and enforcement practices.⁸ For example, Black Americans make up 12% of the country's population but comprise 34% of people in federal prison.⁹

In addition to demographics, there are disparities related to what type of offenses are punished with lengthy prison time. Drug offenses, for instance, make up an overwhelming 42.8% of federal prison convictions, incarcerating people who have substance use disorder and mental health illnesses.¹⁰

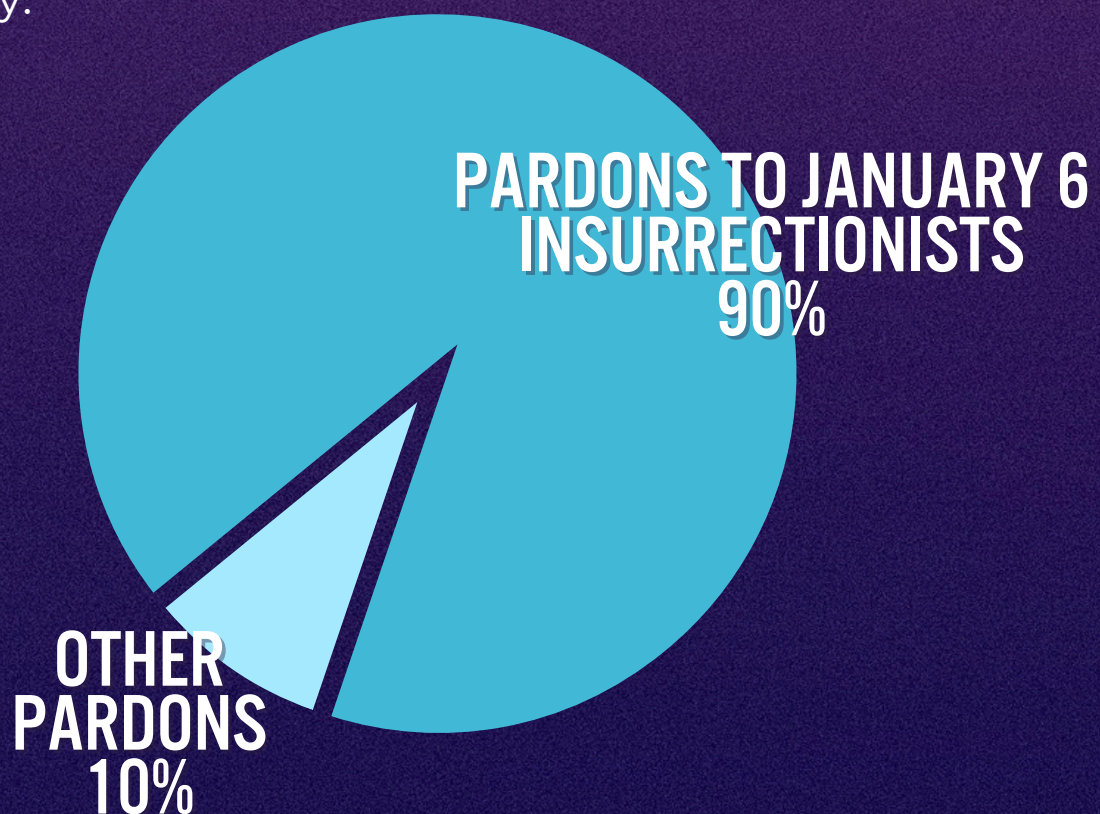
Extending clemency to communities that have felt the brunt of systemic injustice would be transformative. Commutations and pardons represent a real opportunity for people to thrive and succeed in our society. Many clemency recipients have exemplified this fact by proving their rehabilitation, obtaining gainful employment, rebuilding their families, and serving as role models in their communities.¹¹ A focus on reducing the prison population for marginalized people would benefit our economy and our democracy.¹²

Unfortunately, the Trump Administration has failed to prioritize clemency for communities that are directly harmed by mass incarceration. Donald Trump has set a historic record for granting more pardons than any of his predecessors in his first year,¹³ but he has neglected the people who need it most. This report details who has benefited and who has been left behind by Trump.

FINDINGS

TRUMP HAS GRANTED MORE THAN 1,500 PARDONS TO JANUARY 6th INSURRECTIONISTS

Trump promised to pardon participants in the violent January 6th attack on the U.S. Capitol while campaigning for the presidency. The violent riot was carried out by Trump supporters to prevent Congress from certifying the results of the 2020 presidential election. The insurrection resulted in multiple deaths, more than 170 police officers injured, and \$2.7 million in property damages. Over 1,500 participants – 93% white and 87% male – were charged with several offenses ranging from theft of government property to assaulting law enforcement to seditious conspiracy.¹⁴



Enrique Tarrio



Photo Credit: Allison Dinner/Associated Press

On his first day, Trump granted a full, complete, and unconditional pardon to individuals convicted of offenses related to the January 6th insurrection, including Enrique Tarrio. Tarrio was the national chairman of the Proud Boys, a far-right neo-fascist organization.¹⁵ He was sentenced to 22 years in prison for seditious conspiracy and other charges.¹⁶

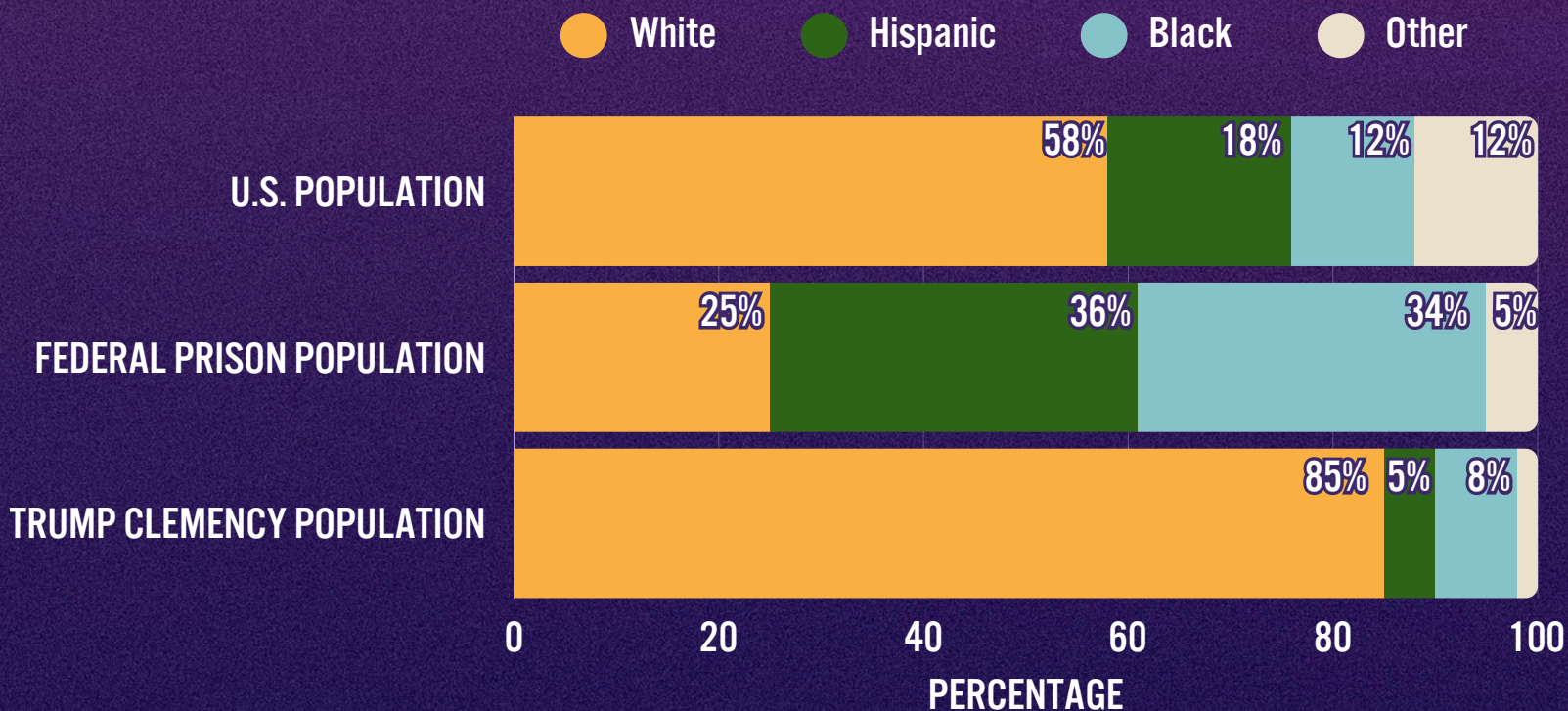
Tarrio played a leadership role in the first-ever attack in American history that disrupted the peaceful transfer of power, in which Members of Congress were targeted and law enforcement officers were assaulted. He served less than one-tenth of his sentence before being pardoned. Approximately one month after his pardon, Tarrio was arrested on assault charges at the U.S. Capitol.¹⁷

Mass pardons have served an important purpose in American history to correct injustices, unite the public, and move the country forward. From President George Washington's Whiskey Rebellion pardons to President Jimmy Carter's blanket pardon for hundreds of thousands of men who evaded the draft during the Vietnam War, there is established precedent to grant clemency to groups.

The current prison population includes thousands of people who are serving lengthy sentences that would be significantly shorter today under current laws and practices. In the interest of fairness, people punished under outdated sentencing guidelines should be considered for mass clemency.

85% OF PARDONS AND COMMUTATIONS WENT TO WHITE PEOPLE

Racial disparities are well-documented throughout the criminal legal system, including in law enforcement interactions, pretrial release and prosecution, and sentencing. Despite making up only 12% of the country's population, Black people represent 34% of people in federal prison. This inequality is difficult to ignore, but Trump has granted 85% of his pardons to white people.



Trevian Kutti

Trevian Kutti is a former publicist for Kanye West and R. Kelly, accused of conspiracy to overturn the 2020 presidential election in Georgia. Kutti allegedly traveled to Atlanta, identified herself as a crisis manager, and threatened an election worker. She coordinated with co-conspirators in a broader criminal case charging 20 people, including Donald Trump, to change the election outcome. Despite her federal preemptive pardon, Kutti still faces state-level criminal charges under Georgia's racketeering (RICO) law.¹⁸

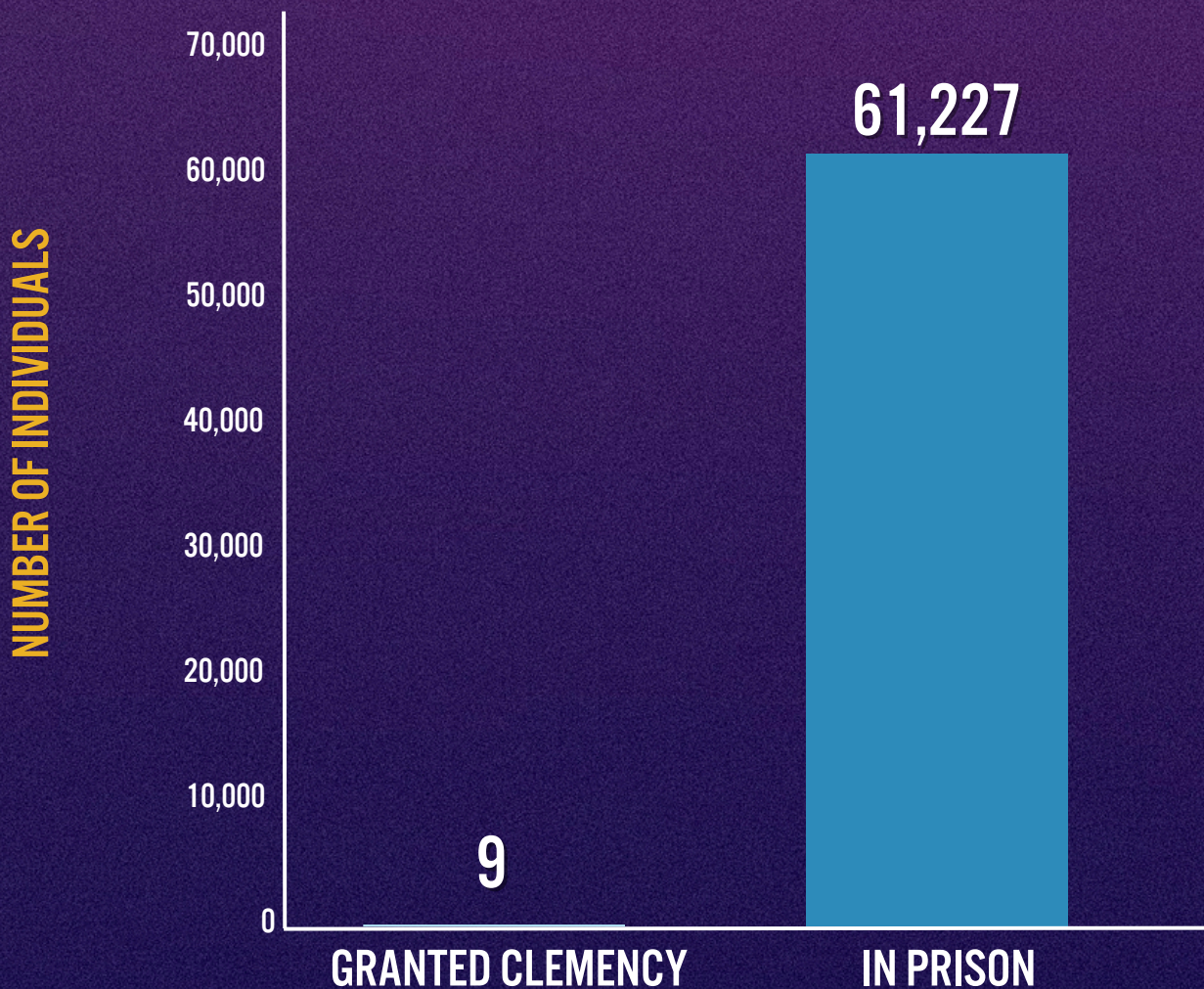


Photo Credit: Daniel Zuchnik/Getty Images

While Black Americans are overrepresented in the carceral system, they are severely underrepresented among Trump pardons. Like Kutti, Black people impacted by the criminal legal system only receive pardon treatment equal to that of white people when they have wealth, proximity to power, media visibility, and political expediency. Recognizing disparate impact due to racist laws and enforcement practices is vital for a just clemency program. Pardons should not function as a selective privilege for the well-connected instead of a remedy for systemic racial injustice.

ONLY 9 CLEMENCY ACTIONS (5%) WERE FOR PEOPLE CONVICTED OF DRUG OFFENSES

The failed War on Drugs contributed to an astronomical increase in our nation's prison population. Policies that increased the reliance of imprisonment combined with mandatory minimums that extended the lengths of imprisonment help explain why our mass incarceration crisis is so rampant. While more than 60,000 people are incarcerated for drug offenses in federal prison, Trump has only granted clemency to nine people.¹⁹



INDIVIDUALS CONVICTED OF FEDERAL DRUG OFFENSES

Juan Orlando Hernández



Photo Credit: Marlon Gomez/CON/LatinContent/Getty Images

Juan Orlando Hernández, the former President of Honduras, was convicted in 2024 for leading a massive cocaine-trafficking conspiracy that moved hundreds of tons of cocaine into the United States while abusing his authority to protect cartel co-conspirators armed with machine guns and destructive weapons.²⁰

He received billions of dollars in bribes that allowed him to obtain and stay in power, corrupt Honduran military and police to safeguard shipments, and extradite political rivals.²¹ Trump granted Hernández an unconditional pardon, releasing him from a 45-year sentence for cocaine importations and weapons conspiracies.

Drug offenses account for 42.8% of convictions in the federal prison population, with tens of thousands of incarcerated individuals serving lengthy terms.

Hernández's case underscores an unconventional disparity: a foreign leader who helmed one of the largest and most dangerous drug-trafficking conspiracies in the world receives swift mercy while thousands of Americans convicted of low-level drug offenses remain incarcerated without review.

Prioritizing clemency for those convicted of drug offenses—disproportionately Black and brown individuals—would advance equity, acknowledge the failed War on Drugs, and restore opportunities denied due to systemic bias. Such an approach ensures clemency serves justice for the vulnerable, not just the most powerful.

10 OUT OF 17 WOMEN (59%) PARDONED BY DONALD TRUMP WITH CONVICTIONS HAD OBSTRUCTED OR DENIED WOMEN'S ACCESS TO HEALTHCARE

Over the past four decades, there has been a 600% increase in the number of incarcerated women in the United States.²² The federal prison population includes more than 10,000 women.²³ To date, Trump has granted clemency to only 17 convicted women unrelated to the January 6th insurrection. Ten of those women specifically were pardoned for convictions of violating federal laws that protect women's access to health care clinics.

Women Pardoned by Trump: Offense Type



Lauren Handy



Photo Credit: Eric Lee/The Washington Post

Trump pardoned Lauren Handy and other anti-abortion extremists during his first week in office. Handy was found guilty of violating the Freedom of Access to Clinic Entrances (FACE) Act for her role in leading a group that attacked women at a health clinic.²⁴

In 2020, she and others used physical force to injure, intimidate, and interfere with a healthcare provider and a pregnant patient in order to block access to reproductive health services. The investigation also revealed that Handy stole and kept five fetuses in her apartment.²⁵ She served approximately seven months of her 57-month sentence before being pardoned.

When excluding pardons related to the 2020 presidential election, the majority of the women granted clemency by Trump were convicted of violating women's reproductive healthcare rights.²⁶ This focal point reeks of irony. Women in prisons are frequently denied quality reproductive healthcare.

According to the Government Accountability Office, the Bureau of Prisons lacks adequate policies for pregnant and postpartum women, including for prenatal care, nutritious diets, and use of restraints.²⁷ Furthermore, rampant sexual abuse in federal prisons has contributed to the health crisis for incarcerated women.²⁸ Clemency should be considered for women who are pregnant, postpartum, or experience medical neglect or sexual abuse.

TRUMP GRANTED THE FIRST-EVER PARDON OF A CORPORATION TO A MULTI-MILLION-DOLLAR GLOBAL CRYPTO COMPANY

Pardons have always been granted to people. The framers of the U.S. Constitution specifically focused on how executive clemency authority would help Americans in the face of injustice. While legal theorists have debated whether companies could be granted clemency, prioritizing companies has never been a focus for prior presidents.



**Net Worth
of Pardoned Corporation**



**Median Pre-Incarceration Salary
of Individuals**

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BitMEX



Photo Credit: BitMEX

For the first time in American history, a presidential pardon was issued to a corporation. Trump pardoned HDR Global Trading Limited, which operates the BitMEX cryptocurrency exchange. BitMEX willfully violated the Bank Secrecy Act by operating without adequate anti-money laundering protections.²⁹ The platform allowed for anonymous trading which facilitates money laundering and sanctions evasion in violation of U.S. law. BitMEX was fined \$100 million, but Trump pardoned the company a few hours before the payment deadline.

By prioritizing clemency for a multi-million dollar global crypto company to nullify payment of a fine, actual people who are incarcerated are neglected and taxpayers are deprived of sanctions that could be put to good public service use. The current prison population is disproportionately comprised of people who lived in poverty prior to being arrested, and their families face additional financial hardship during their incarceration.³⁰

These individuals are often convicted of crimes that are directly linked to their economic status. The median annual income for incarcerated people before their conviction is approximately \$19,185.³¹ An economic justice approach can be used to inform clemency decisions, resulting in the most economically marginalized being provided opportunities to thrive that were previously denied.

APPROXIMATELY \$1.4 BILLION IN RESTITUTION AND FINES WERE LOST AS A RESULT OF TRUMP'S CLEMENCY GRANTS

In the United States, punishments for crime can be in the form of monetary penalties. Restitution requires criminal actors to compensate their victims. Fines are awarded to the government to cover the costs of prosecutions. Trump has used his clemency authority to absolve \$1.4 billion, allowing people to profit from their crimes and costing the federal government money that could have been put toward public goods, restorative justice programs, and more.³²

\$1.01 billion Fraud

\$200 million Drug Crimes

\$150 million Financial Crimes

\$10 million Tax Crimes

\$3 million January 6th

+ \$500,000 Other

***~ \$1.4 billion in Fines and Restitutions
Wiped Away Under Trump***

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Imaad Shah Zuberi

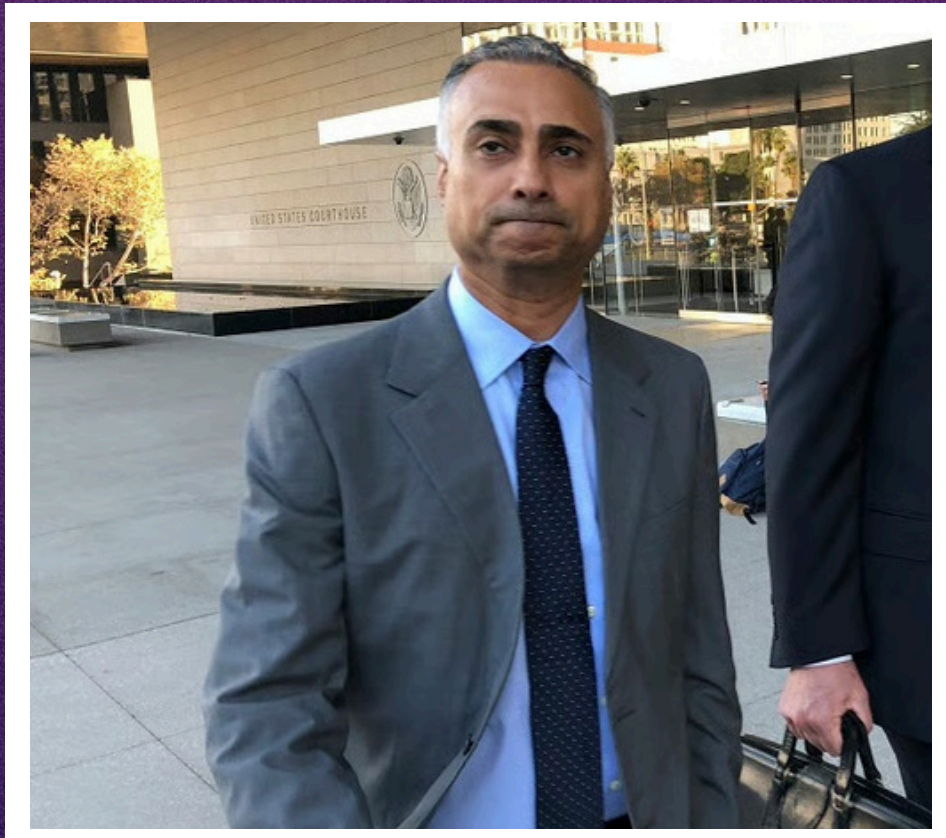


Photo Credit: Brian Melley/AP

Imaad Shah Zuberi, a California venture capitalist and political donor, was sentenced to 12 years for illegal campaign contributions, unregistered foreign lobbying, tax evasion, and obstruction of justice.³³

Zuberi's crimes involved a \$900,000 donation to Trump's inauguration committee and using his influence to advance the interests of foreign countries, including Bahrain and Sri Lanka.

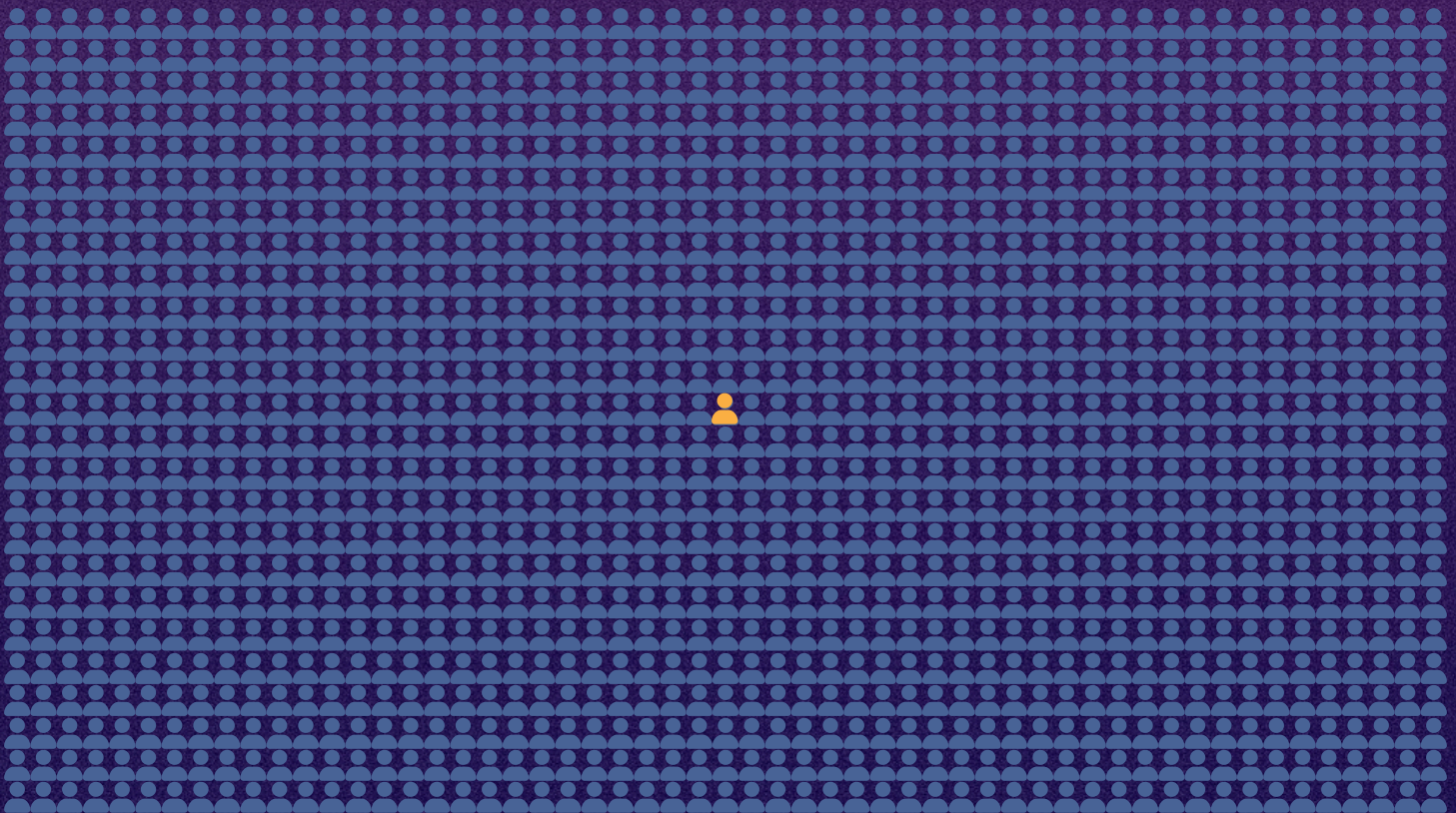
Additionally, he stole money from a company set up to deliver humanitarian aid to Iran. As part of his punishment, he was ordered to pay \$15,705,080 in restitution to victims and a criminal fine of \$1,750,000.³⁴ Trump commuted Zuberi's entire sentence to time served with no further fines, restitution, probation, or other conditions.

The severe punishment reflects the scale of Zuberi's financial crimes, the harm done to victims, and the threat foreign lobbyists pose to democratic institutions and national security. Clemency was not designed to supersede accountability or deny victims what they are due.

However, the Trump Administration has allowed people who commit crimes to maintain profits from their wrongdoing at the expense of compensating those directly harmed and the general public to the tune of about \$1.4 billion.

ONLY 17 PEOPLE (.08%) WERE GRANTED CLEMENCY THROUGH THE DEPARTMENT OF JUSTICE APPLICATION PROCESS

The Office of the Pardon Attorney within the Department of Justice (DOJ) administers the federal clemency process, advising the president on whether to grant or deny petitions. Its mission is to provide a fair and orderly process to second chances for people convicted of deferral crimes.³⁵ Despite the more than 18,000 clemency petitions pending, Trump has overwhelmingly granted clemency to people who circumvented the official DOJ review process.³⁶



Clemency Applications Granted



Clemency Applications Submitted

George Santos



Photo Credit: Peter Foley/EPA

Former U.S. Congressman George Santos pleaded guilty to multiple federal fraud and identity-theft charges. He defrauded campaign donors and constituents by soliciting funds under false pretenses, then spent the money on personal purchases to buy designer clothing, withdraw cash, pay personal debts, and funnel money to his associates.³⁷

In addition, Santos devised and executed a fraudulent scheme to steal personal identity and financial information from donors, including vulnerable elderly adults suffering from cognitive impairment or decline, to charge their credit cards without authorization.³⁸

The House Ethics Committee released a report finding that he failed to fully disclose information in his filings with the Federal Election Commission, leading to him being the first Member of Congress expelled in nearly two decades.³⁹ President Trump commuted his sentence and waived \$370,000 in restitution to victims of his fraudulent crimes.⁴⁰

Under Donald Trump, there is a well-established pattern of granting clemency to those who are wealthy and well-connected. This trend erodes public trust in the legal system and the principle of fairness. There are more than 18,000 people in the DOJ clemency backlog who deserve attention. The clemency process must be an accessible, transparent, and timely process, ensuring it fulfills its role as a remedy for injustice.

CONCLUSION

Within the first year of his term, Trump has exercised his executive clemency authority more frequently than any prior president. However, pardons and commutations have overwhelmingly been granted to white people who support his political views. This approach ignores the crisis of mass incarceration and leaves thousands of people, families, and communities suffering.

The United States needs a clemency process that is rooted in justice for people disproportionately harmed. The use of mass pardons could help those who are serving lengthy sentences that would be significantly shorter today under current laws and those who were convicted of drug offenses as a consequence of the failed War on Drugs. This would lead to clemency outcomes that result in more Black people who are incarcerated having a pathway to thrive in our society and meaningfully contribute to it. Additionally, pardons for women should consider the grave injustices they experience in the prison system. Denial of quality medical care and systemic sexual abuse are unfair and unconstitutional punishments that extend beyond their sentence and violate basic human rights. Lastly, a person's wealth or connections should not determine whether they receive clemency. The nation's prisons are mostly filled with people who come from poverty and low-income backgrounds but nonetheless still deserve equal opportunity.

Granting clemency at higher rates than past presidents is a real opportunity to help people who have been failed by the legal system. Currently, there are more than 18,000 people in the Office of the Pardon Attorney backlog. It is critical to exercise clemency to reunite families, confront the crisis of mass incarceration, and set our nation on a path toward justice.

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