

STATE OF WISCONSIN
OFFICE OF THE GOVERNOR



WAIVER REQUEST FOR EXECUTIVE CLEMENCY

If you do not meet the requirements for executive clemency, you may not submit the application for executive clemency until your request for a waiver is granted. This document can be made available in alternate formats to individuals with disabilities upon request.

TYPE OR PRINT CLEARLY

1. Name (First, Middle, Last): Harlan Chris Richards

2. Date of Birth January 17, 1954 3. Social Security Number _____

4. Type of executive clemency requested: Pardon Reprieve Commutation

5. Have you applied for an eligibility rule waiver before? Yes No If yes, when? _____
(You may not request a waiver unless 36 months have passed since your last waiver request.)

6. Reason why waiver is requested: You were not convicted of a felony
 You are currently incarcerated
 It has been less than 8 years since you completed your sentence (including all parole and probation)

7. Mailing address (All correspondence will be sent here. Notify the Board of any change of address.)

Street/P.O. Box/Route: 100 Corrections Dr.
City: Stanley State: WI Zip: 54768

8. Home address, if different from mailing address (Notify the Board of any change of address.)

Street/P.O. Box/Route: 920 Two Mile Ave.
City: Wisconsin Rapids State: WI Zip: 54494

9. Telephone number(s) Include Area Code) (You must notify the Board of any change of phone number.):

Home: none
Work: _____
Cell: _____

10. Crimes for which you will request executive clemency if waiver is granted (use extra sheet if needed)

Crime	Date of Conviction	Sentence and Sentence Length	Date of Sentence completion (including parole and probation)
(A) 1st degree murder	Nov. 3, 1984	life	N/A
(B)			
(C)			

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11. Describe (do not just list) the crime(s) identified in Question 9. Explain the circumstances surrounding the crime(s), and why you committed the crime(s). Attach additional sheets of paper if necessary.

I went with my cousin, Lyle Wildes to see Shirley Dunwald at her Sun Prairie apartment. Dick and Ron Endres came over and were upset because we were there (Ron was jealous of Lyle but was on parole so he couldn't do anything to Lyle). Dick was in a rage and attacked me without provocation and trapped me in a deadend hallway. He outweighed me by 85 pounds. I pulled a knife and stabbed him repeatedly until I could get away from him. Lyle and I fled from the apartment and I turned myself in to the police the next day.

I was defending myself from an unprovoked attack by a person I didn't know and only found out later that Ron had brought Dick along to beat me and Lyle up because he didn't want to get his parole revoked. I also didn't know that Ron and Lyle had a previous run-in at Shirley's apartment where Ron threatened Lyle not to come there any more. I also found out later that Dick had a 20 year history of engaging in unprovoked attacks on people he didn't know.

12. Explain the extraordinary circumstances that you believe warrant a waiver of the Governor's eligibility rules. For example, an extraordinary circumstance could be, but is not necessarily, the fact that the conviction prohibits you from obtaining specific employment. However, the desire to hunt or possess a firearm for hunting purposes does not constitute extraordinary circumstances.

I have spent over 35 years in prison and have been eligible for release on parole for 24 years. The parole commission refuses to parole me even though I have a perfect conduct record, completed all required programs, numerous voluntary programs, earned a bachelors degree in business administration, spent 9 years in minimum and community custody (including 19 months of work release and driving a state van unescorted over 30,000 miles taking other prisoners to job sites), have a letter of support from my trial court judge and a home waiting for me.

I am serving a life sentence for murder when no murder was committed. The court of appeals held that I was denied a fair trial by jury instructions which misstated the law on the lesser included offense of manslaughter but that I was not entitled to a new trial because I procedurally defaulted on the issue by not raising it on my direct appeal. The procedural default rule was created 10 years after my conviction and was applied retroactively. At a fair trial the most I could have been convicted of was manslaughter which carried a 10 year sentence.

I certify that the information in this application is true to the best of my knowledge.

Applicant signature: Harlan Richard

Date: April 14, 2020

Materials voluntarily submitted by, or on behalf of, the applicant during the executive clemency application process, may be used for purposes other than consideration for executive clemency and are subject to Wisconsin's open records laws. Wis. Stat. § 15.04(1)(m).