

THE COMMONWEALTH OF MASSACHUSETTS
PARDON PETITION

November 26, 2014
DATE YEAR

TO HIS EXCELLENCY, THE GOVERNOR:

I, Mark Wahlberg

(NAME OF PETITIONER)

ADDRESS [REDACTED]

(Street Address, City, State, Zip code)

DATE OF BIRTH [REDACTED]

HAVING BEEN CONVICTED OF THE CRIME(S) OF Criminal Contempt (Violation of a Prior Civil Injunction), Assault & Battery, Assault & Battery by a Dangerous Weapon (two counts), and Possession of a Class D Controlled Substance, all such offenses arising out of a single episode that occurred on the evening of April 8, 1988, prior to my 17th birthday,

FOR WHICH I WAS SENTENCED ON October 13 and October 14, 1988

IN THE Suffolk Superior Court and Dorchester District Court

TO SERVE A TERM OF 2 years in the house of corrections, 21 months suspended,

(IF NECESSARY, USE ADDITIONAL PAPER)

DO HEREBY PETITION FOR A PARDON OF SAID CRIME(S), EITHER ABSOLUTE OR UPON SUCH CONDITIONS AND LIMITATIONS AS MAY BE DEEMED PROPER.

- RETURN TO: -

GOVERNOR'S EXECUTIVE COUNCIL
ROOM 184
STATE HOUSE
BOSTON, MA 02133

NOTICE:

This form must be completed by all pardon petitioners.

Applications must be typewritten or clearly printed in ink. All questions must be answered. If the question does not apply, please indicate by answering N/A (not applicable). If the space provided is not sufficient for complete answers, or if you wish to furnish additional information, please use additional paper and number your answers to correspond with the questions.

THIS SPACE IS FOR AGENCY USE ONLY	Date Petition Received _____
	Date of Hearing _____
	Vote _____
	Report to Governor Pardon _____

I. PERSONAL DATA

Name Mark Wahlberg

Other Name (s) (if any) _____
care of:

Present Address [REDACTED]

(Street Number, Street Name)

[REDACTED]

(City, State, Zip)

Permanent Address (if different from above) _____

(Street Number, Street Name)

(City, State, Zip)

Date of Birth [REDACTED] Place of Birth Boston, MA

Social Security Number / / Sex: Male Female

Parent's Names [REDACTED] Wahlberg ([REDACTED])

(Mother)

(Mother's Maiden Name)

[REDACTED] Wahlberg

(Father)

Home Telephone # () [REDACTED] [business phone; home phone withheld for privacy concerns]

V. PARDON INFORMATION

1. Please describe EACH arrest and conviction for which a pardon is sought and give the following information: Location of offense, arresting department, circumstances of arrest, name and location of court and disposition of the case by the court. (If necessary, use additional paper.)

See attached sheets

2. If a crime, for which you are seeking a pardon, involved a violation of bail, probation or parole conditions, please indicate which offense listed above involved the violation and describe the circumstances of such violations. (If necessary, use additional paper.)

N/A

3. Have you ever been arrested by federal authorities or any other state or local authority, other than Massachusetts?

 X
(YES) (NO)

If the answer to the above question is "YES," please list every such arrest and give the following information for each arrest: date of arrest, specific charge(s), location of offense, arresting department, the name and location of the court and the disposition. (If necessary, use additional paper.)

Date of arrest: September 1, 1996; specific charge: boating under the influence; location of offense:

Lake Havasu, California; arresting department: San Bernardino County Sheriff's Department; court:

Superior Court in Needles, CA; disposition: dismissed.

4. Has your probation or parole supervision been terminated prior to this date?

 X
(YES) (NO)

5. To the best of your knowledge, are you eligible for relief under the sealing statute, Massachusetts General Laws, Chapter 276, section 100A? (Refer to Governors' Guidelines for summary of statute.)

(YES) (NO)

6. Please explain why you are seeking a pardon. Be specific in addressing your compelling need. (If necessary, use additional paper.)

See additional sheets

7. Have you met the requirements outlined in the Governor's Pardon Guidelines?

(YES) (NO)

If not, please state the reasons for which you are requesting that the Governor waive these time requirements. (If necessary, use additional paper.)

8. If applicable, please explain how your petition falls within the Executive Guidelines for particularly meritorious clemency petitions?

See attached sheets

VI. FIREARMS PERMIT

1. Federal and State law prohibits you from obtaining a firearms permit where the pardon specifically prohibits you from carrying, transporting, possessing, and/or receiving firearms. Are you requesting authorization to possess a firearm

see attached pages

(YES) (NO)

2. If the answer to the preceding question is "YES," have you included with your petition a letter from the Chief of Police of your city or town indicating that he or she would approve your application for a gun permit?

see attached pages

(YES) (NO)

VII. COMMUNITY ACHIEVEMENTS

Petitioner must demonstrate a substantial period of good citizenship since conviction. Please indicate examples of stable and constructive conduct and specific achievements. (If necessary, use additional paper.)

see attached pages

VIII. REFERENCES

Have you included with your pardon application at least three (3) letters of recommendation from persons other than you or your family attesting to your good character and reputation?

(YES) All letters are forthcoming soon (NO)

Please list the names and addresses of the individuals who are writing letters of recommendation on your behalf.

Father Jim Flavin (Name) [Redacted] (Address) Priest and longtime mentor (Relationship)

Bob Scannell (Name) [Redacted] (Address) Partner in philanthropic endeavors (Relationship)

I anticipate that several other important individuals in my life will be submitting letters (Name) (Address) (Relationship)

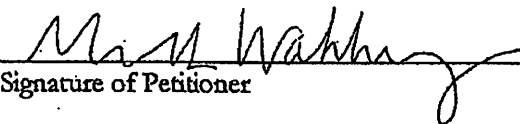
PLEASE NOTE

1. If you retain an attorney, a duplicate of the registration filed by your counsel, or other representative with the Secretary of State pursuant to Massachusetts General laws, Chapter 127, Section 167 must accompany this petition.
2. All information presented in sections I through VIII of this application must be completed and mailed with your petition to the:

**Governor's Executive
Council Room 184
State House Boston, MA 02133**

3. A letter from a person other than yourself or a family member should be included with your pardon application verifying your compelling and specific need and period of good citizenship.
4. It is also your obligation to provide written verification of your specific compelling need, such as a letter of verification from an employer and/or licensing authority, or a letter of rejection from an employer or licensing authority which indicates that you would not be hired and/or licensed unless you have been pardoned.

The information provided in this petition is true to the best of my knowledge.



Signature of Petitioner

11/26/2014

Date

The Commonwealth of Massachusetts
Executive Office of Public Safety

ADVISORY BOARD OF PARDONS

12 Mercer Road
Natick, Massachusetts 01760
Telephone # (508) 650-4500
Facsimile # (508) 650-4599

ACKNOWLEDGEMENT RELEASE FORM

I, Mark Wahlberg [REDACTED] [REDACTED]
(Print name of petitioner) (Date of birth) (Social security number)
currently residing at [REDACTED]
(Complete address of current residence)

acknowledge that the Advisory Board of Pardons will authenticate information, documents, and records provided as part of my petition for executive clemency and during this process. I acknowledge that I may be subject to prosecution for perjury if I knowingly provide false information to the Board with respect to my petition for executive clemency or during any aspect of the executive clemency process.

I understand that:

- ◆ I must sign a release of information form provided by the Advisory Board of Pardons for the keeper-of-records for each entity holding the information presented for consideration;
- ◆ A representative of the Advisory Board will contact all character references; and
- ◆ I am responsible for all costs associated with obtaining such authentication.

* * *

I further state that the information contained in my petition for executive clemency and any documents attached are true and accurate.

Signed under the pains and penalties of perjury this 1 day of December, 2014

[Signature] [retained counsel]
Signature of Petitioner

RELEASE OF INFORMATION

I, Mark Wahlberg (Print name of petitioner) [redacted] (Date of birth) [redacted] (Social security number)
Currently residing at [redacted] (Complete address of current residence)

Please check all that apply:

- Hereby authorize the National Personnel Records Center, or any other custodian of my military service record, to release to the Massachusetts Parole Board, acting in its capacity as the Advisory Board of Pardons, a copy of my Form DD214 and any other documents related to my character and discharge from my military service record.
- Hereby authorize any representative of the Massachusetts Parole Board and Advisory Board of Pardons bearing a copy of this release to obtain any information in your files pertaining to my employment, educational records including, but not limited to academic, achievement, personal history, disciplinary and credit records and I direct you to release copies of such information upon request to the bearer.
- Hereby authorize physicians, clinics, hospitals and other medical personnel to furnish copies of my medical records or other information concerning my medical history as requested by the Massachusetts Parole Board acting as the Advisory Board of Pardons.

I understand these documents will be sent directly to the Advisory Board of Pardons to be considered with my petition for executive clemency.

[Signature] [retained counsel] December 1, 2014
Signature of Petitioner Date

*The Commonwealth of Massachusetts
Executive Office of Public Safety*

ADVISORY BOARD OF PARDONS

12 Mercer Road
Natick, Massachusetts 01760
Telephone # (508) 650-4500
Facsimile # (508) 650-4599

AUTHORIZATION

I, Mark Wahlgren [REDACTED] [REDACTED]
(Print name of petitioner) (Date of birth) (Social security number)

Hereby authorize the Commissioner of Probation to open my sealed record for the sole purpose of enabling the Advisory Board of Pardons to process my petition for executive clemency. I understand that my petition for executive clemency will be a public record for a period of ten (10) years from the date of the original petition filed with the Advisory Board of Pardons.

Signature: Andrew Katz [retained counsel] Date: December 1, 2014

MARK WAHLBERG PARDON APPLICATION

IV. Employment

See the professional biography attached to the end of the application.

V. Pardon Information

1. I am seeking a pardon for the convictions that relate to my actions on the night of April 8, 1988 in Dorchester. I was 16 years old at the time of my actions, though I was prosecuted and convicted in adult court. Over the past 20+ years, I have spoken openly and publicly about my actions, though the facts have sometimes been misreported in the press and on the Internet. I am deeply sorry for the actions that I took on the night of April 8, 1988, as well as for any lasting damage that I may have caused the victims. Since that time, I have dedicated myself to becoming a better person and citizen so that I can be a role model to my children and others.

The essential facts of my convictions are as follows: At around 9 p.m., I attempted to steal two cases of alcohol from a man named [REDACTED], who was standing outside of a convenience store at 998 Dorchester Avenue, which was not far from my family's home. I hit [REDACTED] on the head with a wooden stick that I was carrying. I then ran down the block in order to avoid law enforcement. While attempting to avoid the police, I punched a man named [REDACTED] in the face. I was detained by police a few minutes after that. While I was detained, the police discovered that I had a small amount of marijuana in my back pocket. During the incident, I was under the influence of alcohol and narcotics. From later accounts of the incident, it is my understanding that I may have caused serious injuries to [REDACTED] and/or [REDACTED].

Although I was a juvenile when I committed the offenses described above, I was ultimately tried and convicted as an adult.

I was initially charged as a juvenile in Dorchester District Court on April 11, 1988. The charges were Assault & Battery, Assault & Battery by a Dangerous Weapon, and Possession of a Class D Controlled Substance. I was appointed an attorney named Francis Quinn. On August 10, 1988, without a formal transfer hearing, the charges were transferred to adult court. On October 14, 1988, I entered a plea of not guilty. That same day, the trial court judge entered a verdict of guilty based on a finding that I had admitted facts sufficient to sustain the charges against me. Although I had the right to appeal the trial judge's verdict and be tried by a jury, I did not do so. The trial judge sentenced me to 2 years' imprisonment at the Plymouth House of Corrections, with 3 months to be served and the balance suspended. I believe that I ultimately was released from prison after 45 days served.

Separately, I was prosecuted in Suffolk Superior Court on two counts of criminal contempt, in violation of M.G.L. ch. 12, sec. 11J. This prosecution started immediately in adult court, rather than being processed through juvenile court, under the Supreme

Judicial Court's ruling in *Doe v. Commonwealth*, 396 Mass. 421 (1985). The charges were based on the fact that I violated a civil injunction that I agreed to have entered against me when I was 15 years old. The trial judge found me guilty of these two criminal contempt counts, and I received a sentence that ran completely concurrent with the sentence I received in Dorchester District Court.

6. For the past 20+ years, I have been in the public spotlight, first as a musical artist known as "Marky Mark," then as a film and television actor, and finally as a film and television producer. In addition, I am an entrepreneur, including as a founder and an owner of Alma Nova, an Italian-Mediterranean restaurant in Hingham, and Wahlburgers, a gourmet hamburger restaurant featured on an A&E television series that began in Hingham, has opened in Canada, and is expanding nationwide. Finally, I have dedicated a substantial amount of time, energy, and money to philanthropic efforts, including the Mark Wahlberg Youth Foundation, which is based in Newton, Massachusetts.

It could have turned out dramatically different for me. Despite having two loving parents, by the time I was a teenager I had dropped out of school and gained a juvenile rap sheet. From ages 13 to 16, my decisions got progressively worse, culminating in the events of April 8, 1988. Had I stayed on that path, I would likely have ended up like so many of my childhood friends from Dorchester: dead or in prison for a prolonged period of time. Fortunately, through faith, hard work, and guidance from some incredible mentors, I turned my life around.

Rather than ignore or deny my troubled past, I have used the public spotlight to speak openly about the mistakes I made as a teenager so that others do not make those same mistakes. I have also donated money — and, more importantly, my time and energy — working on philanthropic causes that help young people succeed in the face of adversity. In 2001, I started the Mark Wahlberg Youth Foundation, which has raised approximately \$9.6 million. \$7 million already has been distributed to various youth causes, including approximately \$2.5 million to Boston-area causes. I have remained extremely active in the Boys & Girls Club — in particular the Dorchester facility, where I serve as a board member and try to interact with club members as often as I can — and routinely help the organization raise money and public awareness. And I was formerly the Taco Bell Foundation for Teens "Graduate to Go" Ambassador, helping to convince unprivileged youth to graduate high school and pursue their college education. There are numerous other organizations to which I have donated my time and money, including financing a Boston-area's parish renovation of its gymnasium. Some of this has been covered by the news media, though much of it has not. I have also tried to give back to the Boston community and economy by locating film and television shoots in the area whenever possible. More privately, I make it a point to attend church nearly every day.

I have not engaged in philanthropic efforts in order to make people forget about my past. To the contrary, I want people to remember my past so that I can serve as an example of how lives can be turned around and how people can be redeemed. I also find continued inspiration in the young people that I meet. In fact, the teens that I met through the Taco Bell Foundation helped to inspire me to go back to school and finally gain my high school

diploma at age 42 from Snowden International in Boston (formerly known as Copley High School), which I consider one of the greatest achievements of my life and one of the greatest lessons I could give my own children about the importance of education.

So, why am I seeking a pardon? Why isn't it enough that I have personally risen above my past, found success in Hollywood, have served as a local and national philanthropist, and am the father of four beautiful children with my incredible wife [REDACTED]?

The easiest answer is that my past convictions still legally impact me to this day. For example, my prior record can potentially be the basis to deny me a concessionaire's license in California and elsewhere. If I were to receive a pardon, however, I generally could not be denied a concessionaire's license on the basis of my prior record, an important consideration given my personal involvement in various restaurant ventures. In addition, I have become close with many members of the local law enforcement community in Boston and Los Angeles, including as a member of the board of directors of the L.A. County Sheriff's Youth Foundation, which is dedicated to helping at-risk youth. But, given my prior record, Massachusetts and California law prohibit me from actually obtaining positions in law enforcement. If I were fortunate enough to receive a pardon, I would have the ability to become more active in law enforcement activities, including those that assist at-risk individuals.

The more complex answer is that receiving a pardon would be a formal recognition that I am not the same person that I was on the night of April 8, 1988. It would be formal recognition that someone like me can receive *official* public redemption if he devotes himself to personal improvement and a life of good works. My hope is that, if I receive a pardon, troubled youths will see this as an inspiration and motivation that they too can turn their lives around and be formally accepted back into society. It would also be an important capstone to the lessons that I try to teach my own children on a daily basis.

8. See answer to question #6 above.

VI. FIREARMS PERMIT

I am seeking a full and unconditional pardon because, under California law, a full and unconditional pardon is the only form of pardon that will enable me to, for example, obtain a position as a parole or probation officer. I have not attached any letters from my local licensing authorities because I am not seeking a full and unconditional pardon for the purpose of receiving a firearm permit.

VII. COMMUNITY ACHIEVEMENTS

See answer to question #6 above. In summary, my community achievements include:

- The Mark Wahlberg Youth Foundation, Founder and President
- Supporter of numerous organizations and causes through the Mark Wahlberg Youth Foundation, including the Boston-based Rodman Ride for Kids

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- The Felix Organization, Founding Member
 - Dorchester Boys & Girls Club, Board Member
 - Boys & Girls Club of America, Alumni Hall of Fame Member
 - Taco Bell Foundation for Teens, Former "Graduate to Go" Ambassador
 - The Good Shepherd Center for Homeless Women and Children, Significant Donor
 - Dignity-U-Wear (provides new clothing to homeless children), National Spokesperson
 - The Ghetto Film School (Bronx, NY), Advisory Board Member
 - Wounded Warriors Project, Spokesperson
 - Los Angeles County Sheriff's Youth Foundation, Member of the Board of Directors and 2012 Community Champion Award Recipient
 - Congressional Medal of Honor Society, 2014 Bob Hope Award for Excellence

MARK WAHLBERG
PROFESSIONAL BIOGRAPHY

Mark Wahlberg earned both Academy Award® and Golden Globe nominations for his work in the family boxing film *The Fighter* and Martin Scorsese's acclaimed drama *The Departed*. Mr. Wahlberg has played diverse characters for filmmakers such as David O. Russell, Tim Burton and Paul Thomas Anderson. His breakout role in *Boogie Nights* established Wahlberg as one of Hollywood's most sought-after actors.

Mr. Wahlberg's film career began with *Renaissance Man*, directed by Penny Marshall, and *The Basketball Diaries*, with Leonardo DiCaprio, followed by a star turn opposite Reese Witherspoon in the thriller *Fear*. He later headlined *Three Kings* and *The Perfect Storm*, with George Clooney, and *The Italian Job*, with Charlize Theron. Mr. Wahlberg then starred in the football biopic *Invincible*, with Greg Kinnear, and *Shooter*, based on Stephen Hunter's best-selling novel "Point of Impact." Mr. Wahlberg reunited with *The Yards* director James Gray and co-star Joaquin Phoenix for *We Own the Night*, which he also produced. Most recently, Mr. Wahlberg collaborated with *Pain & Gain* director Michael Bay for *Transformers: Age of Extinction*. Mr. Wahlberg's additional credits include *2 Guns*, with Denzel Washington, Peter Berg's *Lone Survivor*, *The Lovely Bones*, *The Other Guys*, *Contraband* and *Ted*.

As a film and television producer, Mr. Wahlberg produced *The Gambler*, *Lone Survivor*, *Broken City*, *Contraband*, *The Fighter* (for which Wahlberg was nominated for an Oscar® for Best Picture) and *We Own the Night*. For television, Mr. Wahlberg executive produced HBO's "Entourage" through its eight-season run and an upcoming feature film. In addition to "Entourage," Mr. Wahlberg executive produced HBO's "Boardwalk Empire," "How to Make It in America" and "In Treatment," as well as A&E's "Wahlburgers." For his work in television, Mr. Wahlberg has received a BAFTA, a Peabody, five Emmy nominations, six Golden Globe nominations, and a Golden Globe Award for "Boardwalk Empire."

Among Mr. Wahlberg's documentary work is the 2004 film *Juvis*, for which Mr. Wahlberg was an executive producer and narrator. Telling the story of twelve juveniles tried and convicted as adults and sentence to prison in Los Angeles, *Juvis* was awarded Best Documentary at the 2004 Beverly Hills Film Festival.