

event shall the specified date be set more than three years from the current panel decision date.

NR (M/Y): Deny favorable parole action and set for review in three or five years.

SA: Deny parole with no regular subsequent reviews. Offender must serve balance of sentence.

HB 1433 CASES – DISCRETIONARY MANDATORY SUPERVISION VOTING OPTIONS

This legislation requires the Board to review some offenders prior to release to Mandatory Supervision. To deny Mandatory Supervision, a parole panel must determine that accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation **AND** that the offender's release would endanger the public. The two voting options are:

DMS: Deny release to Mandatory Supervision and set for review on a future specific month and year (set off) one year from the date of the panel decision.

RMS: Release to Mandatory Supervision. Offender will be scheduled for release on the minimum expiration (or projected release) date.

For more information on the parole process, please visit the Board's website at www.tdcj.state.tx.us/bpp.



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TEXAS BOARD OF PARDONS AND PAROLES

VOTING OPTIONS

PAROLE REVIEW PROCESS

The Texas Department of Criminal Justice (TDCJ) Parole Division identifies offenders six months prior to their initial parole eligibility date and pulls their files to begin the parole review process. In subsequent reviews, cases are identified four months prior to the offender's next review date.

A notice is sent to trial officials/victims/victims' family to advise them of the review and allow comment. An Institutional Parole Officer interviews the offender and prepares a parole case summary for Board review.

The offender's file is sent to the assigned Board office for consideration by a parole panel.

Parole panel members *must* grant an interview to a victim upon request.

Interviewing the offender is at the discretion of the lead parole panel member.

Other than victims as defined in statute, granting interviews to individuals in support or protest of an offender's release is also at the lead parole panel member's discretion.

- A panel consists of three members, typically one Board member and two parole commissioners;
- The first voting member reviews and votes the case;
- The case then goes to the second voting member, who reviews and votes the case;
- If the first two votes are similar, the vote is final;
- If the first two votes differ, the third member reviews the case and breaks the tie.

The offender is notified of the parole panel decision via correspondence.

FACTORS CONSIDERED IN VOTING A CASE

- Seriousness of the offense(s);
- Sentence length/amount of time served;
- Offender's age;

- Juvenile history;
- Criminal history (prior probation/parole);
- Number of prison incarcerations;
- Other arrests;
- Institutional adjustment (Participation in proposed or specialized prison programs);
- Letters of support and/or protest.

A RANGE OF VOTING OPTIONS:

- Release when eligible (called **Further Investigation 1 [FI-1]**) or on a specified month/year (**FI-2**);
- Transfer to a TDCJ rehabilitation program, then release to parole only after program completion and no earlier than three months (**FI-3R**), or four months (**FI-4R**), or six months (**FI-6R**), or nine months (**FI-9R**); or 18 months (**FI-18R**) from a specified date;
- Transfer to an In-Prison Therapeutic Community (IPTC) Program, then release to aftercare component only after completion of IPTC program (**FI-5**);
- Transfer to a DWI Program, then release to an alcohol abuse continuum of care treatment program (**FI-6**);
- Transfer to the Serious and Violent Offender Reentry Initiative (SVORI) program, then release to parole only after program completion and no earlier than seven months (**FI-7R**) from a specified date;
- Do not release, but set the next parole review month/year (**Next Review [NR]**);
- Require the offender to serve all of the sentence (**Serve All [SA]**).

SB 45 CASES REQUIRING FULL BOARD VOTE

Cases involving capital felons, certain sexual crimes and offenders required to serve 35 calendar years before becoming eligible for parole have a more limited set of voting options set forth in Senate Bill 45 of the

74th Legislature and require a two-thirds majority vote of the full Board for parole approval.

Texas Board of Pardons and Paroles Board Policy BPP-POL. 145.200: This policy applies to the following person who are eligible for up to a five year setoff: persons convicted of an offense under Section 20A.03 (Continuous Trafficking of Persons), Section 21.02 (Continuous Sexual Abuse of Young Child or Children), Section 21.11(a)(1) (Indecency with a Child) or persons required under Texas Government Code Section 508.145(c) to serve 35 calendar years before becoming eligible for release on parole.

Board Policy BPP-POL. 145.200 defines Next Review (N/R) as denied favorable parole action and set for review in 36 months (3 years) or 60 months (5 years).

Texas Board of Pardons and Paroles Board Policy BPP-POL. 145.207: This policy applies to the following persons who are eligible for up to a ten year setoff: capital felons with a life sentence, who are eligible for parole, or persons convicted of an offense under Section 22.021 [Aggravated Sexual Assault] of the Penal Code.

Board Policy BPP-POL. 145.207 defines Next Review (N/R) as denied favorable parole action and set for review in 36 months (3 years), 60 months (5 years), 84 months (7 years) or 120 months (10 years).

FI-1: Release when eligible. All conditions attached therewith apply.

FI-4R: Transfer to a TDCJ rehabilitation program Sex Offender Education Program (SOEP), then release to parole only after program completion and no earlier than four months from a specified date.

FI-9R (M/Y): Transfer to a TDCJ rehabilitation program Sex Offender Treatment Program (SOTP-9) then release to parole only after program completion and not earlier than nine months from specified date.

FI-18R (M/Y): Transfer to a TDCJ rehabilitation treatment program (SOTP-18), then release to parole only after program completion and not earlier than 18 months from the specified date. Place sex offenders into 18 months of treatment prior to release. In no