



Parole in Texas

Answers to Common Questions

**Texas Department of Criminal
Justice Parole Division**

Texas Board of Pardons and Paroles

This publication has been developed to inform offenders, offenders' families, and other interested parties about the parole process in Texas. The parole process in Texas is a collaborative effort between the Texas Board of Pardons and Paroles and the Texas Department of Criminal Justice Parole Division.

The Board of Pardons and Paroles is responsible for considering eligible offenders for parole or discretionary mandatory supervision, imposing appropriate conditions of release, determining revocation or other appropriate sanctions for offenders who have violated their terms of release, and recommending clemency matters to the Governor.

The Parole Division is responsible for successfully reintegrating offenders through supervision, treatment programs, and the use of community resources.

Both the Board of Pardons and Paroles and the Parole Division are committed to enhancing public safety through prudent decision-making based on evidence-based practices.

We hope you will find this publication informative and beneficial.



Marsha Molurley

Presiding Officer
Texas Board of Pardons and Paroles



Rene Hinojosa

Director
Texas Department of Criminal Justice
Parole Division

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INTRODUCTION

Texas Board of Pardons and Paroles

The primary role of the Texas Board of Pardons and Paroles (Board) is the discretionary release of eligible offenders sentenced to the Texas Department of Criminal Justice (TDCJ) Correctional Institutions Division (CID) that includes:

- determining which prisoners are due to be released on parole or discretionary mandatory supervision;
- determining conditions of parole and mandatory supervision;
- determining revocation of parole and mandatory supervision; and
- recommending the resolution of clemency matters to the Governor.

The Board consists of seven Board Members appointed for six-year terms by the Governor with the advice and consent of the Senate. The Presiding Officer reports directly to the Governor and serves as the administrative head of the agency. Fifteen Parole Commissioners are hired by the Presiding Officer to assist the Board in deciding parole release and revocation by serving as voting members on parole panels. The Board uses research-based Parole Guidelines to assess each offender's likelihood of a successful parole against the risk to society. The Board has offices in Amarillo, Angleton, Austin, Gatesville, Huntsville, Palestine, and San Antonio.

The Board has a nationwide toll-free telephone number for current information regarding an offender's parole review status, which includes whether or not an offender is in the review process, the last parole decision and date, and an offender's next scheduled review. The call center answers parole review inquiries about incarcerated TDCJ offenders including parole status information for offenders, offender families, attorneys, TDCJ Victim Services, state legislative offices, trial officials, and law enforcement offices throughout Texas and the U.S. In addition, the Board's website streamlines the current business process by alleviating the need to address the most commonly asked parole status questions while allowing the Board to respond to more complex requests in a timely manner (almost real-time), be more responsive to public inquiries, provide better information access, and achieve a higher volume of work.

Board Toll-free number: 1-844-512-0461, 8:00 a.m. to 5:00 p.m. (CST), Monday - Friday; Offender Online Search: <https://inmate.tdcj.texas.gov/InmateSearch/start.action>

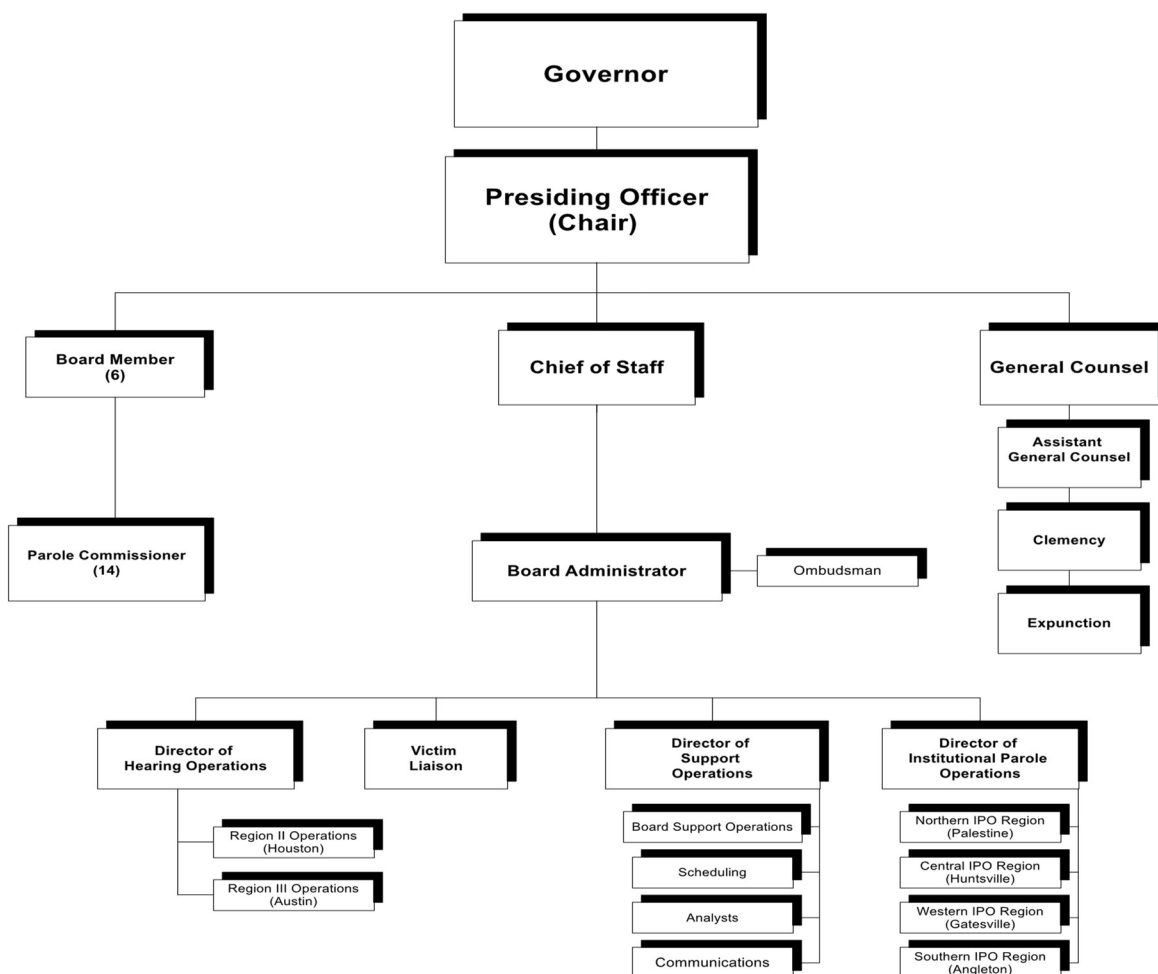
Support Operations manages the day-to-day operations that support agency functions and responsibilities. Other duties include requests for special review after a denial of parole release, tracking of waivers and transmittals, and responses to correspondence dealing with many related issues. In addition, Support Operations schedules hearings, prepares statistical information, and provides technical support for the agency.

Hearing Operations is responsible for conducting the revocation hearing and processing of offender cases when violations of supervision rules and conditions are alleged. Hearings are held in county jails or on TDCJ CID units statewide. Hearing reports are presented to parole panels for an appropriate decision.

Institutional Parole Operations is responsible for processing cases for offenders who have been sentenced to a term of incarceration in the TDCJ CID and are eligible for parole or discretionary mandatory supervision review. Upon parole eligibility, the offender is interviewed and a detailed case summary is submitted to parole panel members for an appropriate decision.

The **Victim Liaison Program**, established in 2017, is responsible for assisting victims and survivors through the parole review process, as well as providing training for District Attorney offices and other criminal justice professionals. Upon request, program staff will help prepare victims for meeting with the lead Board Member or Parole Commissioner, provide accompaniment for in-person and video meetings, and provide general support and referrals.

Those interested in these services can register with the TDCJ Victim Services Division (800-8484284) or call the Victim Liaison Program directly at 512-406-5833. Frequently Asked Questions and a 10-minute informational video can be viewed on the Board's website at: <https://www.tdcj.texas.gov/bpp/VictimLiaison/VictimLiaison.html>.



Board Contact Information

Persons wishing to comment on parole panel actions, procedures, case handling, or any other matter should submit their concerns in writing to:

Texas Board of Pardons and Paroles
P.O. Box 13401, Capitol Station
Austin, Texas 78711
(512) 406-5452
Email: bpp_pio@tdcj.texas.gov
Agency Website: <https://www.tdcj.texas.gov/bpp/>

TDCJ Parole Division

The Parole Division is responsible for pre-release planning and supervising offenders once they are released to the community. The mission of the Parole Division is to promote public safety and positive offender change through effective supervision, programs, and services. A person on parole is still in the legal custody of the state and remains under supervision for the remainder of their sentence.

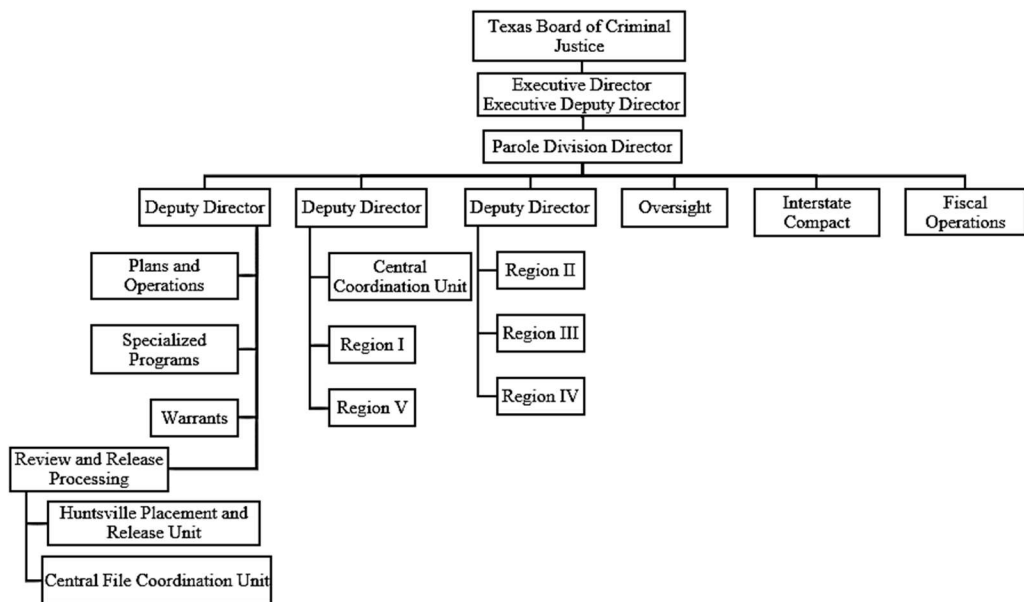
The Review and Release Processing Section coordinates the movement and maintenance of offender files and performs the administrative activities necessary to release offenders to parole or mandatory supervision.

The Specialized Programs Section develops, administers, and coordinates therapeutic, rehabilitative, and resource intervention programs, including training, that enhance the Parole Division's ability to reintegrate offenders and protect the public.

The Warrants Section manages functions related to processing parole violations, including issuing, publishing, and confirming warrants, as well as Interstate Services and Extradition. Additionally, the section administers the Super Intensive Supervision Program (SISP) and the Electronic Monitoring (EM) program.

The Central Coordination Unit coordinates field operations and carries out various support functions, such as detainer monitoring, Interstate Compact supervision, Substance Abuse Felony Punishment Facility (SAFPF) scheduling, and Intermediate Sanction Facility (ISF) transfers.

Field Operations includes staff in numerous district parole offices around the state that provide direct supervision of offenders on parole and mandatory supervision. Parole officers investigate release plans prior to an offender's release, assess and classify offenders after release, develop supervision plans based on the needs of the offender, and make appropriate referrals. In addition, parole officers ensure that conditions of release are met and initiate intervention procedures when necessary.



Parole Division Contact Information

Persons wishing to comment on Parole Division policies, procedures, case handling, or any other matters regarding parole or mandatory supervision should submit their concerns in writing to:

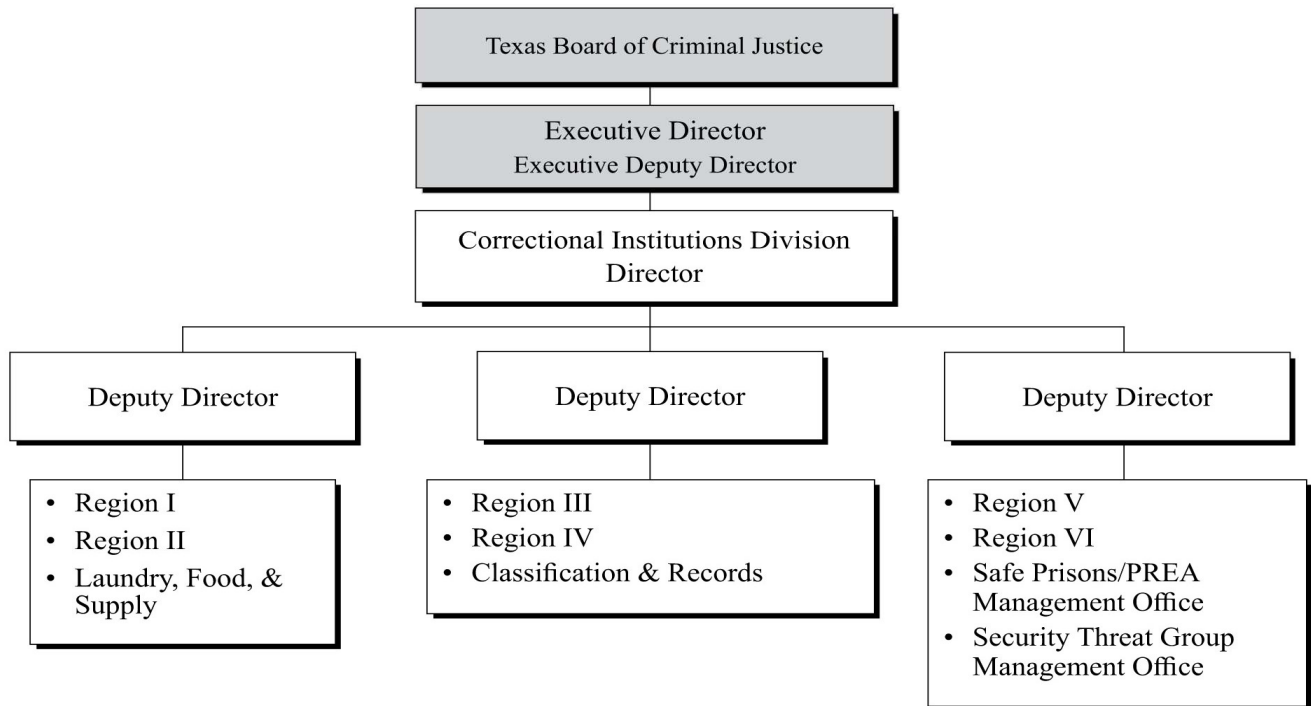
Texas Board of Criminal Justice
 Office of the Independent Ombudsman
 P.O. Box 99
 Huntsville, Texas 77342
 Phone: (936) 437-5620
 Toll Free Hotline: (833) 598-2700
 Email address: io@tdcj.texas.gov
 Bilingual staff available - Se habla Español

Offender support letters may be sent to the Texas Department of Criminal Justice to be placed in the offender's permanent file for review by the parole panel at the appropriate time. Include the offender's full name and their TDCJ number, SID number, and/or date of birth. Address letters to:

TDCJ Parole Division
 Attention: Correspondence
 P.O. Box 13401, Capitol Station
 Austin, Texas 78711

TDCJ Correctional Institutions Division

TDCJ CID is responsible for the confinement of adult felony and state jail felony offenders who are sentenced to incarceration in a secure facility.



Persons wishing to comment on TDCJ CID policies, procedures, case handling, or any other matter should submit their concerns in writing to:

TDCJ CID
Attention: Ombudsman
P. O. Box 99
Huntsville, Texas 77342-0099
Phone: (936) 437- 2169
Bilingual staff available - Se habla Español
Email address: ombudsman@tdcj.texas.gov

PAROLE ELIGIBILITY and TYPES OF RELEASE

Parole Eligibility

The CID Classification and Records Department calculates parole eligibility dates for all offenders, except those on death row or in other specific cases. The percentage of a sentence that must be served to reach eligibility varies according to the nature of the offense and as specified by statute. The parole eligibility date may change based on good conduct time.

A listing of parole eligibility requirements, including non-mandatory supervision offenses and offenses formerly known as 3g, as identified by the Texas Legislature, is available in the *Offender Orientation Handbook* located on the Publications and Statistics page of the TDCJ website under Correctional Institutions Division: www.tdcj.texas.gov/publications.

NOTE: Offenders are provided the latest copy of the *Offender Orientation Handbook* during their intake into TDCJ CID, and have access to revised copies when revisions are made.

Types of Release

Parole: The release of an offender, by decision of a parole panel, to serve the remainder of their sentence under supervision in the community. An offender may only be paroled if they receive approval from a parole panel and if they have served enough of their sentence to be eligible by law for parole. Parole is a privilege, not a right.

Some requirements for an offender to be released on parole include serving sufficient time as required by Section 508.145, Government Code; not posing a risk to public safety; and meeting work, program participation, and behavior standards.

Mandatory Supervision Release: Certain offenders may accrue enough combined calendar time and good conduct time to qualify by law for mandatory supervision release prior to the completion of their entire sentence. Mandatory supervision offenders, like parolees, are subject to conditions of release as determined by a parole panel and are obligated to complete the remaining portion of their sentences under Parole Division supervision in the community.

Direct (Flat) Discharge: An offender who is not granted parole and who is not eligible for mandatory supervision release must remain in the prison system until they have served their entire court-ordered sentence and are discharged from state custody. No post-release supervision requirements may be imposed on a discharged offender.

The Difference between Parole and Mandatory Release

Parole is discretionary and always involves a decision on the part of a parole panel. Although an initial parole eligibility date may be reached months or even years before an offender's mandatory

supervision date, a parole panel is in no way obligated to approve parole at the time of the initial or any subsequent parole reviews.

Under the law in effect until August 31, 1996, release to mandatory supervision was automatic, with no parole panel decision involved. Any offender serving time for offenses committed prior to August 31, 1996, and classified as eligible for mandatory supervision based on the nature of their offenses, must be released on their minimum expiration date (also known as the projected release date) when calendar time served and accrued good conduct time add up to equal their entire sentence.

In 1995, the 74th Legislature gave the Board authority to review scheduled mandatory supervision releases for any offender with an offense committed on or after September 1, 1996. Specifically, a parole panel may deny mandatory supervision releases on a case-by-case basis when the panel determines that an offender's good conduct time does not accurately reflect the potential for rehabilitation and that the offender's release would endanger the public. For more information about mandatory release and parole eligibility dates, see the Eligibility Chart included in the Appendix of this manual.

Parole and mandatory supervision are similar in that the Parole Division supervises both categories of offenders. Either type of offender must report to a parole officer, must abide by the same rules in the community, and is subject to arrest and re-incarceration if they violate the conditions of release.

Medically Recommended Intensive Supervision

In 1991, the Texas Legislature authorized the early parole review and release of certain categories of offenders who are intellectually disabled, elderly, terminally ill, require long-term care, or are physically handicapped. With approval from the parole panel, such offenders may be released to the Medically Recommended Intensive Supervision (MRIS) program.

All MRIS applicants are carefully screened by the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and, prior to MRIS approval, the parole panel must determine that the offender is no longer a threat to public safety and poses no risk of committing future offenses due to their medical or psychiatric condition. An offender who is not serving a sentence of death may be released on MRIS on a date designated by a parole panel, with the following exceptions:

- An offender with an instant offense described in Article 42A.054, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed.
- An offender with a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, may only be considered if in a persistent vegetative state or being with an organic brain syndrome with significant to total mobility impairment.

- An offender who is not a U.S. citizen, as defined by federal law, may be released to immigration authorities pending deportation if the parole panel determines that upon release the offender would be deported to another country, does not constitute a threat to public safety in the other country or this country, and is unlikely to reenter this country illegally.

For all potential MRIS offenders, TCOOMMI ensures the parole plan provides intensive case management, appropriate supervision by a specialized parole officer, and a suitable placement in the community. Services for this special population are provided through TCOOMMI contracts with the Department of Human Services and TCOOMMI and TDCJ Local Mental Health Authorities.

Good Conduct Time

Good conduct time or “good time” is time credited to an offender for good behavior and for participating in work and self-improvement programs while incarcerated. For many – but not all – offenders, good time credits may be added to calendar time served in calculating their eligibility for parole or mandatory supervision. Good time does not otherwise affect an offender’s sentence. Good time is a privilege and not a right. In accordance with TDCJ’s institutional rules, prison officials may award or take away good time based on an offender’s behavior.

More information about custody designations and time-earning status is available in the TDCJ CID *Offender Orientation Handbook*.

Neither the Parole Division nor the Board is involved in awarding good time. An Offender does not earn good time while on parole or mandatory supervision. Questions regarding an offender’s good time should be addressed to:

TDCJ CID
Classification and Records
P.O. Box 99
Huntsville, TX 77342

REVIEW AND DECISION-MAKING PROCESS

Soon after an offender's arrival, the TDCJ Classification and Records Department provides the offender a time calculation sheet showing the offender's initial parole eligibility date (this date may be subsequently revised depending upon the amount of good time earned or lost). In addition, the Board's Institutional Parole Offices have institutional parole officers (IPOs) on each unit to answer parole-related questions.

Can any offender be paroled?

No. An offender who is sentenced to death or to life without parole is not eligible for parole. Also, state jail convictions are not applicable for parole eligibility (see the Eligibility Chart included in the Appendix of this manual for a detailed listing of offenses and parole eligibility).

Consecutive Sentences

If an offender is serving consecutive or "stacked" sentences and any of these offenses were committed before September 1, 1987, parole eligibility is based on the total number of years of the various sentences. For example, two 15-year sentences running consecutively would be considered one 30-year sentence for eligibility purposes. Once parole eligibility is met, the offender needs only be voted an approval for release once to be released on supervision.

An offender who is serving consecutive sentences in which all of the offenses were committed on or after September 1, 1987, must complete each sentence in the series before the next sentence begins. The sentence can be completed only by serving the sentence day for day until the maximum expiration date or by receiving a favorable vote from a parole panel for the sentence to "cease to operate" on a specified date. Time earning for parole review purposes on the next sentence in the series will begin on the date calculated by the CID Classification and Records Department. The phrase "cease to operate" only means the next sentence in the sequence begins and does not mean the sentence is totally discharged. All sentences in the series are totaled to calculate the overall maximum discharge date of all the offenses. If mandatory supervision is applicable, it applies only to the last sentence in the series.

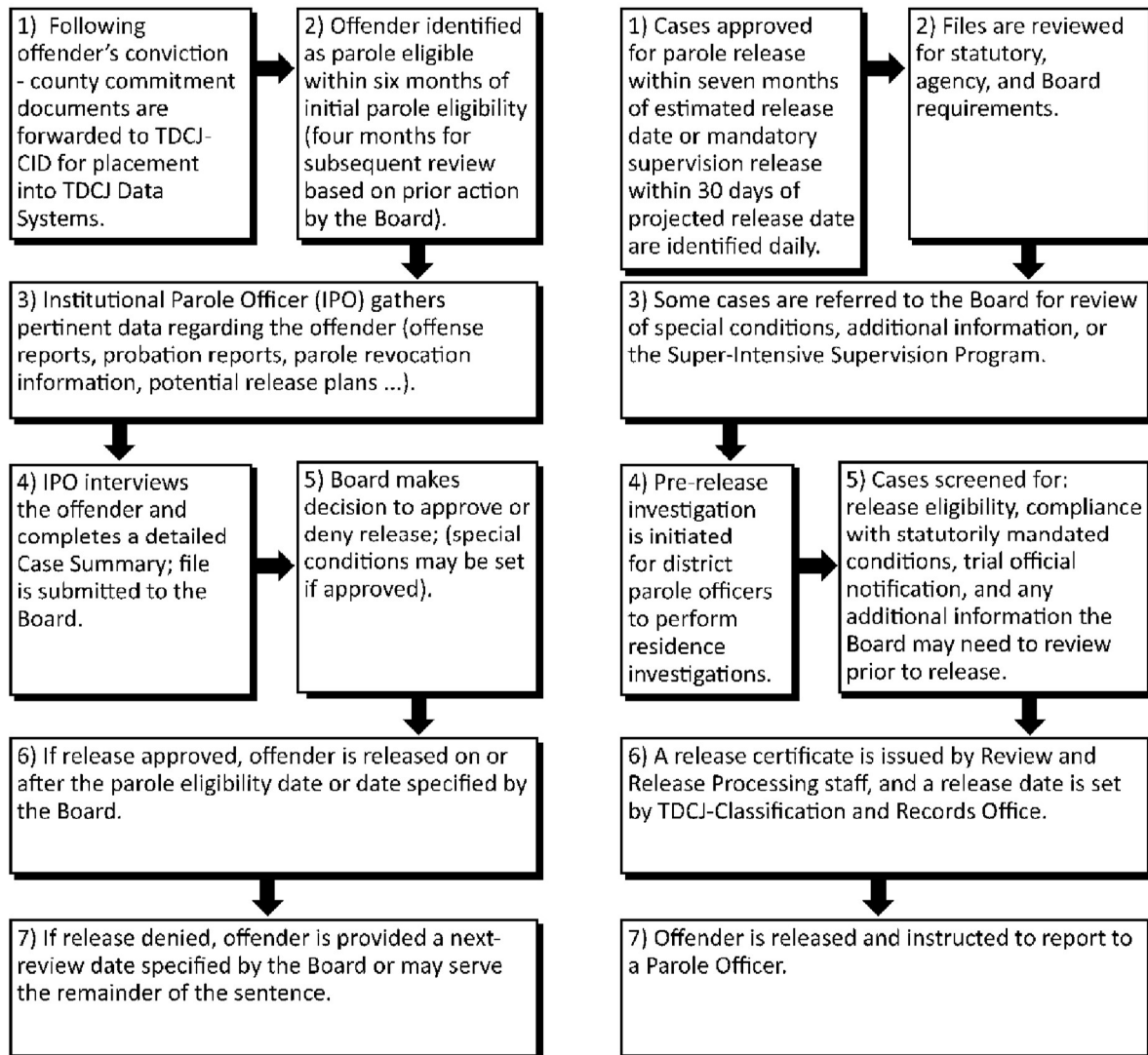
Full Board Parole Decisions | SB 45 and HB 1914

According to Section 508.046, Government Code, a two-thirds majority vote of the Board is necessary for parole decisions involving: an offender convicted of or serving a sentence for a capital felony, 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 Section 22.021 [Aggravated Sexual Assault] of the Penal Code, or an offender required under Section 508.145(c), Government Code, to serve 35 calendar years before becoming eligible for release on parole.

Such an offender is eligible for up to a five-year set-off, unless they are serving a life sentence for a capital felony or a sentence for aggravated sexual assault. An offender serving a life sentence

for a capital felony or a sentence for aggravated sexual assault is eligible for up to a 10-year set-off.

Review and Release Processing



Parole Review

The review process begins several months before an offender's parole eligibility review date. After all appropriate documentation is received, the case is assigned to an IPO who interviews the offender and prepares a case summary. The case summary includes the facts of the offender's offense, prior criminal behavior, substance abuse history, educational and vocational achievements, employment history and job skills, military service, institutional adjustment such as job assignments, program participation, gang affiliation and disciplinary history, and physical and mental health conditions.

As the offender's parole eligibility review date approaches, a parole panel reviews the offender's case. The offender may or may not be interviewed by a panel member before the final panel vote. The panel is composed of at least one Board Member and any combination of Board Members and Parole Commissioners, and two of the three panelists must vote in favor of parole before it can be granted. It is important to note certain offenders may be paroled only upon a two-thirds majority vote of the entire seven-member Board (see page 11 Full Board Parole Decisions | SB 45 and HB 1914).

Decision-Making

When voting an individual parole case, the parole panel considers many factors which may include:

- Seriousness of the offense(s);
- Letters of support and/or protest;
- Sentence length/amount of time served;
- Criminal history/other arrest, probation, parole;
- Number of prison incarcerations;
- Juvenile history;
- Institutional adjustment (participation in specialized programs); and
- Offender age.

Parole Guidelines

Parole Guidelines consist of two major components that interact to provide an offender's probability of parole success. The first is a *Risk Assessment Instrument* that weighs both static and dynamic factors associated with the offender's record. Static factors include age at first admission to a juvenile or adult correctional facility, history of supervisory release revocations for felony offenses, prior incarcerations, employment history, and the commitment offense. Dynamic factors include the offender's current age, whether the offender is a confirmed member of a security threat group (gang), educational, vocational, and certified on-the-job training programs completed during the present incarceration, institutional disciplinary conduct, and current institutional custody level. The offender's risk level is assigned based on the total of static and dynamic factor points.

The second major component is the *Offense Severity Class*. The Board has assigned an Offense Severity Ranking to every one of the felony offenses in the statute. Offense Severity Classes range from Low, for non-violent crimes such as credit card abuse, to Highest, for capital murder. If an

offender is incarcerated for more than one offense, the most serious active offense is assigned an Offense Severity Class as identified by the established list.

After both of the above factors have been considered, the two components of the guidelines are then merged into a matrix that creates the offender's Parole Guidelines Score based upon the intersection of the risk level and offense severity rating. Separate risk scales have been developed for male and female offenders. Parole Guidelines Scores range from 1, for an offender with the poorest probability of success, up to 7, for an offender with the greatest probability of success.

The guidelines are not automatic and the Parole Guidelines Score does not determine whether an offender will be granted parole. Board Members and Parole Commissioners retain the discretion to vote outside the guidelines when the circumstances of an individual case merit their doing so.

Release Planning

The offender is responsible for providing an appropriate release plan and should call upon friends and relatives to help arrange a place to live, a job, a means of transportation, and moral support. If the source of an offender's trouble is related to the environment where they intend to return, they are advised to live elsewhere. If there are no resources in the community to help the offender, the Parole Division Review and Release Processing Section can assist in making a halfway house placement upon release approval. In this case, the offender should contact an IPO for assistance. An offender whose crime was alcohol- or drug-related should look for a location where counseling is available for these issues. Additionally, an eligible offender can expedite their job searches by securing a certified birth certificate and a replacement Social Security card through the TDCJ Reentry and Integration Division prior to release.

A parole or mandatory release plan includes the name, address, and phone number(s) of the person an offender plans to live with when they are released to supervision. The offender should provide as many release plans as available when interviewed by the IPO. The offender should also inform the IPO about any changes in the plan that occur after the interview and before release. A district parole officer must verify the plan before the offender may be released.

Does an offender need the services of an attorney or a "parole consultant" to be released to parole?

No, it is not required; however, an offender has the right to employ an attorney if they wish. State law stipulates that anyone receiving a fee for representation of an offender must be a licensed attorney.

What can family members do to help an offender gain parole?

An offender's behavior and accomplishments in prison are factors that are considered in all parole decisions. The offender's family members should encourage them to maintain a clear conduct

disciplinary record and to participate in the educational, vocational, and character development programs offered at their unit of assignment. Also, in many instances, the offender must rely on family or friends when arranging a suitable parole plan.

Are parole panel members required to interview offenders in person?

It is at the discretion of the individual parole panel member to determine which offender they will interview, with one exception: Board Directive 141.355. In the majority of cases, the lead voter is required to interview an offender if they have served 20 consecutive years or more and have not been interviewed by a voting panel member during the last two parole reviews. However, if the offender is serving a life sentence for a capital felony or is serving a sentence for aggravated sexual assault, they must serve 30 consecutive years or more before an interview is required. These stipulations do not apply to an offender in disciplinary status, diagnosed by medical staff as intellectually disabled, housed in security detention and considered by TDCJ CID staff as violent or dangerous, or an offender incarcerated in a Federal Correctional Institution.

Parole Review Periods

Every offender receives an annual review, except those convicted of an offense under Section 508.149(a), Government Code, or those convicted of second or third degree Injury to a Child, Elderly Individual, or Disabled Individual. Offenders convicted of a violent offense as listed in Section 508.149(a), Government Code, below are not eligible for mandatory supervision. The majority of these offenses, along with second and third degree Injury to a Child, Elderly Individual, or Disabled Individual, are eligible for up to a five-year set-off. Two of these offenses, as specified below, are eligible for up to a ten-year set-off. If a parole panel votes a serve-all (SA), the offender will not be reviewed for parole again prior to discharging their sentence. However, if eligible, the offender may still be reviewed for discretionary mandatory supervision.

- Aggravated Assault, first or second degree
- Aggravated Kidnapping, first or second degree
- Aggravated Robbery, first degree
- Aggravated Sexual Assault, first degree (up to ten-year set-off)
- Any Offense with an Affirmative Finding of a Deadly Weapon
- Arson, first degree
- Assault, second degree
- Burglary, first degree

- Capital Murder (up to ten-year set-off)
- Compelling Prostitution
- Continuous Sex Abuse of a Young Child or Children
- Indecency with a Child
- Injury to a Child, Elderly, or Disabled Individual, first degree
- Murder, first or second degree
- Robbery, second degree
- Sexual Assault
- Sexual Performance by a Child
- Trafficking of Persons
- A Felony Increased Under Health and Safety Code (Drug-Free Zones or Use of Child in Commission of Offense)

Parole Panel Voting Options

The Board voting panels do not vote just “yes” or “no” on parole cases. The panels have a number of voting options for parole approval. The Board may withdraw an approval vote at any time if new information is received.

Approval Votes

- **FI-1:** Release the offender when eligible.
- **FI-2 (Month/Year):** Release on a specified future date.
- **FI-3R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than three months from specified date. Such TDCJ program may include either CHANGES/Lifeskills, Voyager, Segovia Pre-Release Center (Segovia PRC), or any other approved tier program.
- **FI-4R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than four months from specified date. Such TDCJ program shall be the Sex Offender Education Program (SOEP).

- **FI-5:** Transfer to an In-Prison Therapeutic Community Program (IPTC). Release to aftercare component only after completion of IPTC program.
- **FI-6:** Transfer to a DWI Program and release to a continuum of care program.
- **FI-6R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and no earlier than six months from specified date. Such TDCJ program may include the Pre-Release Therapeutic Community (PRTC), Pre-Release Substance Abuse Program (PRSAP), or In-Prison Therapeutic Community Program (IPTC), or any other approved tier program.
- **FI-7R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than seven months from the specified date. Such TDCJ program shall be the Serious and Violent Offender Reentry Initiative (SVORI).
- **FI-9R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than nine months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-9).
- **FI-18R (Month/Year):** Transfer to a TDCJ rehabilitation treatment program. Release to parole only after program completion and no earlier than 18 months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-18).
- **CU-FI (Month/Year-Cause Number):** Designate the date on which the offender serving consecutive sentences would have been eligible for release on parole if the offender had been sentenced to serve a single sentence. This date shall be within a three-year incarceration period following the panel decision.
- **RMS:** Release to mandatory supervision.

Denial Votes

- **NR (Month/Year):** Deny parole and set time for next parole consideration. State law requires annual reviews except for offenders serving a sentence for an offense listed in Section 508.149(a), Government Code, or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code. For these offenders, the next review date (month/year) may be set up to five years from the panel decision date, but in no event shall it be less than one calendar year from the panel decision date.
- **SA:** Deny parole with no regular subsequent review, requiring offender to serve balance of sentence, unless eligible for mandatory supervision consideration prior to projected release date.

- **CU-NR (Month/Year-Cause Number):** Deny favorable action and set the next review date at one year from the panel decision date. If the offender is serving a sentence for an offense listed in Section 508.149(a), Government Code, or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code, the next review date (month/year) may be set at any date in the five-year incarceration period following the panel decision date, but in no event shall it be less than one calendar year from the panel decision date.
- **CU-SA (Month/Year-Cause Number):** If the offender is serving a sentence for an offense listed in Section 508.149(a), Government Code, or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code; deny release and order serve-all, but in no event shall this be utilized if the offender's maximum expiration date is over five years from the date of panel decision. If the offender is not serving an offense under Section 508.149(a), Government Code, deny release and order serve-all, but in no event shall this be used if the offender's maximum expiration date is over one year from the date of the panel decision.
- **DMS (Month/Year):** Deny release to mandatory supervision and set the next mandatory supervision review date one year from the panel decision date.

Full Board Voting Options

Cases requiring a full Board parole decision have a more limited set of voting options:

Approval Votes

- **FI-1:** Release the offender when eligible.
- **FI-4R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than four months from specified date. Such TDCJ program shall be the Sex Offender Education Program (SOEP).
- **FI-9R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than nine months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-9).
- **FI-18R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and no earlier than eighteen months from the specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-18). In no event shall the specified date be set more than three years from the current panel decision date.

- **CU/FI (Month/Year-Cause Number):** A favorable parole action that designates the date an offender would have been released if the offender had been sentenced to serve a single sentence.
- **RMS:** Release to mandatory supervision.

Denial Votes

- **NR (Month/Year):** Deny parole and set time for next parole consideration. (1) SB 45 Cases - Deny release and set the next review date for 36 to 60 months following the panel decision date; or (2) HB 1914 Cases - Deny release and set the next review date for 36, 60, 84, or 120 months following the panel decision date.
- **SA:** Deny parole with no regular subsequent review. (1) SB 45 Cases - The offender's minimum or maximum expiration date is less than 60 months away. The offender will continue to serve their sentence until that date; or (2) HB 1914 Cases - The offender's minimum or maximum expiration date is less than 120 months away. The offender will continue to serve their sentence until that date.
- **CU/NR (Month/Year-Cause Number):** Deny parole and set time for next parole consideration. (1) SB 45 Cases - Deny release and set the next review date for 36 or 60 months following the panel decision date; or (2) HB 1914 Cases - Deny release and set the next review date for 60, 84, or 120 months following the panel decision date.
- **CU/SA (Month/Year-Cause Number):** Deny parole with no regular subsequent review. (1) SB 45 Cases - The offender's minimum or maximum expiration date is less than 60 months away. The offender will continue to serve their sentence until that date; or (2) HB 1914 Cases - The offender's minimum or maximum expiration date is less than 120 months away. The offender will continue to serve their sentence until that date.
- **DMS (Month/Year):** Deny release to mandatory supervision and set the next mandatory supervision review date one year from the panel decision date.

Special Review

The Board may receive and consider information not previously available to a parole panel when an offender has been denied parole or mandatory supervision release. If the panel based its decision upon erroneous information or an administrative file processing error, the case file may be returned to the original panel to reconsider its vote. This is referred to as a "Special Review." All requests for Special Review shall be in writing and signed by the offender, their attorney, or a person acting on their behalf in cases where the offender is unable to sign due to a mental or physical impairment. Requests shall be filed with the Texas Board of Pardons and Paroles, Board Administrator, 8610 Shoal Creek Boulevard, Austin, Texas 78757.

Who is notified about an offender's parole review and/or release?

When an offender enters the parole review process and before their scheduled release, the Parole Division notifies the trial officials (district judge, sheriff, and prosecuting attorney) of the county of conviction, the police chiefs of the county of conviction, the county in which the offense was committed in cases with a change of venue, and the county where the offender will be released. Any victims or others who completed a victim impact statement at the time of trial or who requested notification by telephone or letter are also notified (see the Victim Services section of this handbook). These parties are notified in advance of the scheduled parole review to solicit their comments regarding the offender's release.

All correspondence regarding an offender, whether written in support of or in opposition to parole, will be added to their permanent file and will be available to the parole panel at the time of the parole review. It is important for comments to be submitted timely, but if protest letters received after a parole review appear to contain significant information previously unavailable to the parole panel, the case will be submitted to the parole panel for reconsideration in light of the objection. Each objection is carefully weighed on its own merits.

SUPERVISION

Mandatory Supervision is a legislatively mandated release of an offender to parole supervision when the combination of actual calendar time and good time equals the sentence. Good time is credited to an offender for participating in work and self-improvement programs. However, not all offenders are eligible. An offender convicted of an offense listed in Texas Government Code § 508.149(a) is not eligible. Also, the Board may deny mandatory release on a case-by-case basis for offenders whose offense date was on or after September 1, 1996.

Rules of Parole and Mandatory Supervision

An offender released on parole or mandatory supervision must abide by certain rules while in the community and is subject to revocation or other sanctions for violating the rules. Although this is not a complete list, an offender released on parole or mandatory supervision must:

- Report as instructed to their parole officer;
- Obey all municipal, county, state, and federal laws;
- Obtain the parole officer's written permission before changing residence;
- Obtain the parole officer's written permission before leaving the state;
- Not own, possess, sell, or control any firearm, prohibited weapon, or illegal weapon as defined in the Texas Penal Code; not unlawfully carry any weapon; and not use or attempt or threaten to use any tool, implement, or object or threaten to cause any bodily injury;
- Not enter into any agreement to act as an informer or special agent for any law enforcement agency without specific written approval of the Parole Division; and
- Abide by any special conditions imposed by a parole panel, whether imposed at release and listed on the release certificate or imposed at a later date.

An offender must agree to abide by all rules of parole and laws relating to the revocation of parole and mandatory supervision, including appearing at any required hearings or proceedings.

An offender must pay the Parole Division monthly supervision and administrative fees for each month they are required to report to their parole officer, payable as instructed by the parole officer.

An offender must also make payments toward any outstanding fines, court costs, or fees adjudged against them at the time of sentencing. Such payments are to be made to the appropriate court clerk, with the offender providing documentation of the payments to their parole officer.

What special conditions may a parole panel impose in addition to the rules stated previously?

A parole panel may add special release conditions for any offender. The most common special conditions include sex offender requirements, intensive supervision, electronic monitoring, drug monitoring (urinalysis), or mandatory participation in drug or alcohol treatment, educational programs, or psychological counseling. A parole panel may also impose other conditions deemed appropriate to the offender and in the interest of society, including payment of court-ordered restitution to victims. A SISP special condition requires violent or assaultive offenders to be placed on a SISP caseload upon release from prison.

When does release become effective?

A parole release becomes effective when the offender signs their release certificate. The certificate orders the release and tells the offender in clear and understandable language where and to whom to report. The certificate lists the conditions of release and gives the date the offender will discharge their sentence and be free from supervision. The certificate also includes a waiver of extradition. The parole certificate must be signed by the offender.

An offender released on mandatory supervision is given a release certificate that provides parole office information and release conditions. Mandatory supervision offenders are not required to sign their release certificates, but they nevertheless must obey the rules and conditions of supervision and are subject to revocation if they violate the rules or conditions.

What is parole to a community-based facility (residential reentry center/county jail work release program)?

A residential reentry center bed is designated for a parole or mandatory supervision offender immediately upon release from the CID or when referred by field personnel due to specific circumstances. Specifically, an offender who needs closer supervision and special services or who lacks family and community resources may be released to this type of facility to ease the transition from prison life to living in the community. A residential reentry center may provide intensive job search assistance and require the offender to participate in a savings program, which is described below in the rules section. A county jail work release bed is contractually arranged by a Texas county and Parole Division. The program was developed to return the parole or mandatory supervision offender to their county of residence.

What are the rules of a residential reentry center/county jail work release program?

Each community-based facility has its own rules, but a resident must also:

- Go directly to the assigned facility when released and remain there until permission to move is granted by authorized parole officials.
- Obey all facility rules and attend required facility meetings;
- Cooperate with facility officials in monitoring their whereabouts;
- Remain on the property at all times except for traveling to and from a job or as authorized by facility rules;
- Pay 25% of their gross salary toward upkeep in the facility and any specified obligations they incur while a resident; and
- Save 33.3% of their gross salary to be used to develop a residential plan to transition out of the facility.

Can community supervision (probation) violators be paroled?

If an offender is imprisoned for violating the terms of their community supervision, they are no longer on community supervision and are eligible for parole consideration or mandatory release according to the same laws and policies that apply to all offenders.

What is gate money?

An offender released from a prison unit receives \$100 of “gate money” to help them with transportation and other expenses. The CID provides an offender released on parole or mandatory supervision \$50 and a bus ticket to the community where they will live. They receive an additional \$50 when they report to their parole officer. An offender who is not required to report to a parole officer immediately after release or who is released to a detainer or an out-of-state plan will receive the full \$100 at the time of their release.

How often does an offender report to their parole officer?

The number of required visits with a parole officer depends on the offender’s level of supervision as determined by the Texas Risk Assessment System (TRAS) tool. Except for an offender on a specialized caseload, the basic reporting guidelines are as follows:

High

- One office contact each month;

- One home or field contact each month; and
- One unscheduled home or field contact each quarter.

Moderate

- One office contact each month; and
- One home or field contact each quarter.

Low Moderate

- One office contact every other month; and
- One home contact every six months.

Low

- One office contact each quarter; and
- Annual home verification.

Annual Report Status

An offender who meets and maintains the criteria for annual report status may be allowed to report in person for an office visit once a year if they:

- Have satisfactorily completed one year on TRAS Low;
- Have no current or prior convictions or deferred adjudication for a non-qualifying offense;
- Are current on supervision and Crime Victim's Compensation Fund fees;
- Ensure any court-ordered restitution and post-secondary education reimbursement are paid in full;
- Ensure all applicable court costs, fines, and related fees are paid in full; and
- Have had no warrant issued during the previous seven years of the current parole supervision period. This does not apply to any warrant issued when an investigation or administrative review did not sustain a violation.

Early Release from Supervision

An offender may be allowed to serve the remainder of their sentence without supervision and without being required to report if they:

- Have completed at least one half of the remaining sentence time under supervision after release from prison;
- Have been on supervision for two years, plus one year on TRAS Low;
- Have no current or prior felony convictions or deferred adjudication for a non-qualifying offense;
- Are current on supervision and Crime Victim's Compensation Fund fees;
- Have paid court-ordered restitution and post-secondary education reimbursement in full;
- Have had no warrant issued during the previous seven years of the current parole supervision period. This does not apply to any warrant issued and an investigation or administrative review did not sustain a violation;
- Have not committed any violation of rules or conditions of release as indicated on their Parole Certificate, during the previous two-year period; and
- Have had no current or prior felony convictions or deferred adjudication, including juvenile convictions for an offense that includes the use of a child in the commission of a crime, nor any offenses that were pled down to a lesser degree but may have included an intent to commit sexual assault, bodily harm, and so on.

Can an offender be supervised in another state?

Yes. As a member of the Interstate Compact for Adult Offender Supervision, Texas has an agreement with other states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands to send and receive offenders for supervision. The Interstate Compact website is www.interstatecompact.org. An offender sent to another state must comply with the conditions of their release in both Texas and the receiving state. A parole panel may require an offender to return to Texas, continue serving their sentence here, and comply with the conditions of their release.

When a Texas offender under supervision in another state receives a new felony conviction, is a violent offender who commits a significant violation, is convicted of a violent crime, or absconds, the receiving state must request Texas to retake the offender by issuing a warrant into the National Crime Information Center (NCIC) system.

Texas must retake an offender who commits three significant violations in a receiving state; however, the sending state must order the offender who commits three significant violations to return to Texas. If the offender does not return as ordered, the sending state will issue a NCIC warrant for Texas to retake the offender. The definition of a “significant violation” is determined by the receiving state but typically is a violation that would result in a request for revocation of supervision.

Retaking is the process used to remove a transferred offender from a receiving state. Normally, when a person who fled a state to avoid prosecution and is captured in another state, but refuses to waive extradition, the original state prepares a request to have the fugitive returned. Extradition requests are made from one state’s governor to the other. If the request is approved by both governors, an extradition hearing is held, and a court in the state with the fugitive will decide to grant or deny extradition. This process is not required for an offender who transfers under the Interstate Compact because the offender automatically waives extradition when they sign their application for Interstate Compact transfer.

The Interstate Compact transfer process can be lengthy since a parole plan must be investigated and accepted by the receiving state. A receiving state has 45 days to reply to a transfer request once it is received; however, the amount of time needed to finalize an interstate transfer can vary widely. An offender who requests an out-of-state placement should be aware that they may encounter unanticipated delays. An offender who wants to transfer and be supervised by another state after release should contact the unit IPO. The IPO can begin the Interstate Compact transfer process after the offender submits an “Offender’s Application for Interstate Compact Transfer.” A transfer request for a paroling offender may not be submitted to the receiving state any earlier than 120 days before the offender’s planned release date. An offender should contact their parole officer to begin the transfer request. No offender has a right to Interstate transfer.

What is Parole in Absentia?

Some offenders serve their Texas sentences while in the custody of federal facilities, prisons in other states, or city and county jails. The parole panel may conduct a Parole in Absentia (PIA) review for a parole-eligible offender incarcerated in a non-TDCJ facility. The Institutional Parole Offices assist with tracking PIA reviews and preparing the appropriate paperwork.

What happens if an offender violates their terms of release?

For minor administrative rule violations, the Parole Division may, at its discretion, decide to hold a conference with an offender or impose low-level sanctions, such as a letter of reprimand. However, an offender who is alleged to have committed a new offense, has absconded from supervision, or has violated any rules, terms, or conditions of release, may have a warrant issued for their arrest. This type of warrant, referred to as a “blue warrant,” is executed by law enforcement authorities.

An offender is entitled to a preliminary hearing if the offender is alleged to have committed a new offense; is accused of a new offense and later “no-billed” or the charge is dismissed; has a new conviction for a traffic offense punishable by a fine only; allegedly engaged in criminal behavior but has no formal charges pending; is arrested on a new criminal charge; does not sign any portion of the Rights of the Offender in the Revocation Process form; or is mentally incapable of understanding his rights. The purpose of a preliminary hearing is to determine whether probable cause or reasonable grounds exist to believe that the offender has committed an act that would constitute a violation of a condition of release. During the preliminary hearing, the hearing officer will determine whether enough evidence exists to proceed to a revocation hearing.

An offender is entitled to a revocation hearing if they are alleged to have committed a technical violation(s) only; following a trial or a plea of guilty or nolo contendere for a felony or misdemeanor; or if they are mentally incapable of understanding the revocation process. At a revocation hearing, testimony is heard, and the hearing officer will determine whether enough evidence exists to recommend revocation. Even if the offender has received a new felony conviction, a revocation hearing will be conducted to consider mitigating circumstances, unless the offender waives their right to the hearing. If the evidence shows a violation, the hearing officer may recommend that the parole panel revoke the offender’s parole or mandatory supervision. If supervision is not revoked, the parole panel may allow the offender to continue supervision under the same or modified conditions or they may order a transfer to an ISF.

SPECIALIZED PROGRAMS

The Specialized Programs section administers a wide range of rehabilitative, therapeutic, and resource programs. These programs were created to help the Parole Division accomplish its mission of enhancing public safety by successfully reintegrating offenders. The programs are designed for offenders at various points in the criminal justice process and for those with special needs. The Parole Division contracts with private vendors for various therapeutic services. The programs are designed to assist pre- and post-release offenders to adapt to more productive experiences, environments, and opportunities for self-improvement.

District Reentry Centers

The District Reentry Center (DRC) is a comprehensive approach to reentry with services promoting personal growth, accountability, and responsibility. DRCs target high-risk offenders who were unable to successfully complete prior supervision periods. An offender who is reporting as a new arrival, has not already been assigned to a specialized caseload, or was referred by the field as a graduated sanction, may be placed on a DRC caseload. Offenders may be referred to appropriate DRC programming based on their assessed needs. Parole Division staff, volunteers, contracted vendors, and community agencies all work together in the DRC to address needs in five core areas: anger management, cognitive restructuring, pre-employment, substance abuse, and victim impact panel. Compliance is monitored through a rapid response system, which increases offender accountability. Unit supervisors designate rapid response staff responsible for face-to-face contact with an offender within 24 hours of a reported problem.

The Serious and Violent Offender Reentry Initiative (SVORI) program is a component of the DRC. SVORI is a joint initiative between the CID, Rehabilitation Programs Division, and the Parole Division. The program is comprised of two phases and is aimed at combating recidivism, promoting public safety, and reintegrating security detention offenders into society. SVORI provides transitional services that begin in the CID at the Estelle Unit (Phase I) and continue when the offender is released to supervision and placed on the DRC caseload (Phase II). To be eligible for the program, the offender is released to a county serviced by a DRC (Bexar, Dallas, El Paso, Harris, Hidalgo, Jefferson, Lubbock, McLennan, Nueces, Tarrant, and Travis) or to a county that borders one of these counties.

Employment Assistance

Employment assistance is available to each offender through the Texas Workforce Commission (TWC) development centers statewide. The services provided by the TWC vary and are the same as those services provided to the general public in Texas including job search assistance, resume and application assistance, and vocational training when available.

Adult Education Assistance

The primary program for providing educational assistance to offenders is Project COPE (Community Opportunity Programs in Education), a consortium of the Parole Division, Texas Juvenile Justice Department, Windham School District, community supervision and corrections departments, and community adult education providers. The goal of Project COPE is to deliver education services to offenders with education skills below the sixth-grade level and an educational achievement score of 6.9 or lower and provide basic educational and vocational training to help them obtain a general equivalency diploma. Parole officers refer offenders to education classes where available by using Texas Connector, an online, interactive mapping tool developed and maintained by the University of Texas at Austin that links needs and nonprofits to strengthen Texas communities.

Cognitive Intervention

Cognitive Thinking for Success: Beyond Parole is a 12-week cognitive intervention program designed to help offenders develop the motivation and ability to change criminal behavior and lessen the probability they will recidivate. The goals of this program are to teach offenders to change and manage antisocial feelings and thinking; increase offender's self-control, self-management, and problem-solving skills; demonstrate processes for replacing antisocial habits, such as lying, stealing, and aggression, with pro-social skills; and enable offenders to recognize risky situations and use a concrete, well-rehearsed plan for dealing with these types of situations. DRC parole officers must complete all required training before delivering this program.

SEX OFFENDERS on SUPERVISION

Which offenders may be placed on the sex offender caseload?

- An offender with a current sex offense conviction, adjudication, or deferred adjudication, or a prior adult sex offense conviction or adjudication.
- An offender with a current non-sexual offense where criminal sexual behavior was exhibited, or a discharged juvenile sex offense adjudication.

How is the supervision of sex offenders more specialized than with other offender populations?

A parole officer who supervises sex offenders must attend specialized training schools to enhance their expertise in supervising this offender population. The caseload ratio is 30:1 with a range of contacts based on the offender's risk level. The parole officer works closely with therapists and polygraph examiners, creating a team concept of supervision. The team works together to identify an offender's risk to the community and needs for successful reintegration. The team discusses the offender's offense cycle in order to recognize if they are engaging in risky behavior such as alcohol use, contact with children, anger control problems, and so on. The parole officer assesses

the offender's home and work environment to enhance compliance with parole supervision rules and special conditions. Behavior and situations that may not be problematic with other offender populations could potentially be a significant risk to a sex offender; for example, being in areas where children commonly gather, or experiencing depression or isolation. Issues like these are addressed to help the offender increase the likelihood of being successful, as well as to protect public safety.

Are sex offenders required to attend counseling?

Some offenders are required by statute to attend sex offender treatment while others are required by a Board imposed special condition. The majority of sex offenders attend counseling on a weekly basis.

How often does a parole officer meet with a sex offender each month?

The offender's risk as determined by risk assessment tools, determines the minimum number of contacts. Contacts range from two to five face-to-face contacts a month. Contacts are required in the office, home, and field. Home and field visits are unscheduled for the parole officer to ascertain an accurate picture of the offender's lifestyle and compliance with parole supervision rules and special conditions. In addition, at least one collateral contact is required for each offender each month. The parole officer has contact with the offender's employer, therapist, and other significant persons in their life.

What if a sex offender cannot afford counseling?

An offender who is indigent may receive assistance from the Parole Division for counseling costs. Sex offender treatment contracts are at selected sites statewide.

What type of treatment is most effective for a sex offender and how long is a treatment program?

Several treatment methods are used with sex offenders. The most widely used form of therapy is cognitive restructuring, which employs group confrontation methods to expose an offender's thinking errors and deviant behavior patterns. This type of therapy is the most effective form of treatment for a sex offender. Group confrontation tends to break through denial issues more quickly than individual counseling. The offender remains in treatment until released by the therapist, parole officer, and in some cases, the Board. Treatment is generally on a weekly basis and can last two to five years. Some offenders may need lifetime treatment.

How does sexual deviancy treatment differ from other forms of treatment?

More limits and boundaries are set with this type of treatment than with other traditional therapy methods. For example, the therapist may play a role in monitoring the offender's employment regarding access to vulnerable individuals or in setting limitations on where and with whom the

offender may live. In addition, a “duty to warn” permits a therapist to waive confidentiality, within very strict limits, in order to permit notification to significant others, including family, employers, potential victims, and parole officers, of treatment progress, goals, and problems.

Is a sex offender’s treatment progress confidential?

By law, an offender must give written permission for treatment records to be released except for information covered by the “duty to warn” provision. In addition, the law allows sex offender treatment progress to be shared between the therapist and criminal justice agencies without the offender’s written consent.

Can a sex offender under the jurisdiction of the Parole Division ever visit or live with children?

Yes. However, consent for such living arrangements would be at the discretion of the Board, which is responsible for imposing the special conditions of supervision. The Board generally relies on the supervising parole officer and the sex offender therapist to assist in deciding whether the offender should be allowed to be around children.

How are offenders who are mentally impaired, intellectually disabled, terminally ill, or physically handicapped supervised?

The Special Needs Offender Program (SNOP) caseload supervises offenders who are mentally impaired, intellectually disabled, terminally ill, or physically handicapped. One of the goals of the SNOP is to provide continuity of care for offenders with special needs. An offender with these special needs is assessed while in the TDCJ CID and is referred to appropriate community resources prior to release. A SNOP officer identifies, coordinates, and develops support systems that provide the offender with educational, vocational, financial, residential, and counseling support services in the community. The SNOP Officer also facilitates resources for offenders who were not previously identified by the TCOOMMI. Offenders placed on the SNOP caseload are supervised under one of the following categories:

Mentally Impaired

The Mentally Impaired (MI) category of the SNOP caseload is designed to provide an offender with mental illness community-based treatment alternatives when released to parole or mandatory supervision. The SNOP caseload provides appropriate supervision of the offender with a documented mental health history of hospitalization or medication involving a severe and persistent mental disorder such as schizophrenia, bipolar disorder, major depression, psychotic disorder, delusional disorder, post-traumatic stress disorder, or anxiety disorder.

Intellectual Developmental Disorder

The Intellectual Developmental Disorder (IDD) category of the SNOP caseload seeks to maximize the potential of an offender with intellectual disabilities released from the TDCJ CID to parole or

mandatory supervision. The offender must meet one of the following criteria to be eligible for the SNOP caseload:

- Have an IQ of 70 or below, based on valid psychological testing, and must have demonstrated adaptive behavior deficits before the age of eighteen; or
- Participated in the TDCJ CID Developmental Disabilities Program while incarcerated.

Terminally Ill/Physically Handicapped

The Terminally Ill/Physically Handicapped (TI/PH) category of the SNOP caseload is designed to provide appropriate supervision to an offender with a documented terminal illness or a severely disabling physical handicap. The SNOP officer uses a network of community providers and support systems including nursing homes, hospitals, intermediate care facilities, hospice agencies, advocacy groups, and the TCOOMMI-human service specialists.

Medically Recommended Intensive Supervision

An offender released on MRIS is mentally ill, intellectually disabled, elderly, terminally ill, under long-term care, or physically handicapped. The program was established in 1991 and allows for the early parole review of certain categories of offenders. For all potential MRIS offenders, the TCOOMMI ensures the parole plan provides intensive case management, appropriate supervision by a specialized parole officer, and suitable placement in the community. Services for this special population are provided through the TCOOMMI contracts with the Texas Department of Health and Human Services and TCOOMMI/TDCJ contracts with Local Mental Health Authorities and the Department of Aging and Disability Services.

SNOP caseload parole officers

SNOP parole officers receive training related to intellectual disabilities, mental illness, terminal illness, physical impairments, and community resources. These parole officers use a community network of services, make appropriate referrals, and ensure there is intensive follow-up for the treatment needs of their caseload.

Services available for the SNOP caseload offenders

The Parole Division and the TCOOMMI fund programs in Bexar, Travis, Harris, and Tarrant counties, four of the largest counties in the state. These programs provide comprehensive case management and treatment services for an offender with special needs. Additionally, the TCOOMMI funds programs in the remaining counties in the state for probation and parole offenders. The TCOOMMI website is located at: www.tdcj.texas.gov/divisions/rid.

Programs available for offenders with substance abuse issues

An offender with a substance abuse issue may obtain treatment while on parole or mandatory supervision through a wide range of programs, from outpatient counseling to long-term participation in residential or outpatient treatment programs. A goal of these programs is to ensure an automatic continuum of care for an offender who participated in intensive drug treatment programs while incarcerated, such as the In-Prison Therapeutic Community (IPTC) and the SAFPF program. Another goal is to ensure a parole officer makes appropriate treatment referrals for an offender identified in need of substance abuse services. The Parole Division's innovative Substance Abuse Counseling Program (SACP) consists of education, counseling, and treatment services designed to reduce the recidivism rate of an offender who submits a positive urinalysis test, admits to drug use while on supervision, or requests help with drug or alcohol abuse.

In-Prison Therapeutic Community

In a Therapeutic Community (TC), offenders with similar needs and problems such as substance abuse, work together toward a common goal: positive behavior change. Members of the group provide mutual support and acceptance of responsibility and accountability. An integral part of this treatment method is cognitive intervention, which teaches an offender how drug use affects them and those around them.

IPTCs are operated in some TDCJ prison units and are available only for offenders. In an IPTC, the offender is placed in a unit where they receive long-term intensive chemical dependency treatment and rehabilitation for six to nine months. Successful participants are subsequently released to the community, where they participate in a continuum of care program while under supervision by the Parole Division. After successfully completing an IPTC program, the offender is placed in the continuum of care at a residential transitional treatment center (TTC) or the Phase I-B outpatient aftercare program for 90 days, followed by up to nine months of supportive outpatient care. The IPTC is designed to be a six- to nine-month program in the prison setting, with an aftercare component. The length of the program is based on the offender's progress and needs.

Transitional Treatment Center

A TTC is a state-contracted and licensed facility where an offender who has completed the IPTC or SAFPF program is placed for up to 90 days to participate in Phase I of the continuum of care. An offender is placed in a facility based on their legal county of residence (LCOR). If a facility is not available in the offender's LCOR, they are typically placed in a facility as close as possible to it. Once the offender has successfully completed Phase I residential, they are transitioned to Phase II of the continuum of care program, supportive outpatient treatment. A TC offender released to supervision is assigned to the TC caseload and supervised by a specialized training parole officer.

Phase I-B

Phase I-B is an alternative to residential placement for an offender who meets specific criteria. Phase I-B allows an offender to release to an approved home plan with a supportive sponsor who must acknowledge verifiable offender transportation to treatment programming. The home plan must also be within a reasonable distance of a Phase I-B vendor, and the offender must agree to the terms and conditions of treatment. An offender participating in this aftercare program receives the same amount of treatment as an offender released to Phase I residential; however, they reside in their home instead of a residential facility. During their 90 days of treatment, the offender in this program will complete six hours of chemical dependency counseling and education weekly. The offender will also have monthly urinalysis testing while in this program and must attend weekly peer and recovery-oriented support groups. Once the offender successfully completes Phase I-B, they are transitioned to Phase II of the continuum of care program, supportive outpatient treatment.

Substance Abuse Felony Punishment Facility

Like the IPTC program, a SAFPF is designed to allow residents with substance abuse problems to work together in a TC. These facilities offer chemical dependency treatment delivered in a secure setting.

However, a SAFPF participant may be a person on community supervision (probation) and SAFPF is a condition of their supervision as well as certain types of parole offenders. Specifically, an offender who violated conditions of release and has been designated by the parole panel for treatment may be placed in a SAFPF as an alternative to revocation.

The offender sentenced to a SAFPF must remain incarcerated in a county jail until bed space is arranged at the SAFPF. A SAFPF placement may also be given to a parole or mandatory supervision offender who received a probated sentence for a new offense committed while under supervision. The offender with a crime-related substance abuse problem may receive indeterminate sentences of six to nine months and receive substance abuse treatment in a SAFPF. The offender who completes the program will continue with the aftercare continuum of care component when released to the community.

The Board must modify the conditions of parole or mandatory supervision in order to assign an offender to a SAFPF. The offender is often in pre-revocation status due to technical violations or adjudicated misdemeanors and:

- Has been screened as chemically dependent;
- Has not committed a sex offense;
- Has no felony charges pending;

- Has not had their parole or mandatory supervision formally revoked by a parole panel;
- Has a discharge date that exceeds 18 months from the date of the parole panel's decision; and
- Is medically capable of participating in treatment.

The SAFPF program is designed to be a six-to-nine-month program in a secure facility setting with an aftercare component. Again, the length of the program is based on the offender's progress and needs.

Substance Abuse Counseling Program

There are many parole and mandatory supervision offenders who have not been in IPTC or SAFPF programs, but have needs related to substance abuse problems. For these offenders, the Parole Division's SACP includes education, relapse prevention planning, counseling, and treatment.

The SACP is comprised of three intervention levels to ensure the most appropriate rehabilitative strategy will be available for an offender with a substance abuse history or who is actively using illegal drugs or alcohol or both. Level I is a four-hour substance abuse education and relapse prevention planning class provided to all newly released offenders with the appropriate special condition imposed. Level II is up to 90 days of outpatient counseling and treatment services. Level III is up to 90 days of inpatient substance abuse treatment at an ISF. A SACP ISF offender who successfully completes the ISF program receives up to 90 days of Level II outpatient counseling and treatment services after release to provide structure, support, and aftercare to promote drug and alcohol abstinence.

The SACP Level II and Level III programs may provide up to six months of counseling and treatment services to the offender with Parole Division approval.

What is the parole officer's role in substance abuse program aftercare?

A Parole Division specialized TC parole officer is actively involved in each offender's post-IPTC or SAFPF transition from incarceration to society. The specialized parole officer is trained to work with program participants in a multi-phase continuum of care plan, which begins at release from an IPTC or a SAFPF. The specialized parole officer may also facilitate access to further treatment and a variety of support services.

A parole officer who supervises non-TC offenders monitors the offender's risk and use of illegal drugs and alcohol, participation in SACP Level II services, and required attendance in community-based recovery-oriented support groups.

Drug Testing

Tests will be administered to a randomly selected sample of all offenders under supervision. In addition, an offender may receive “targeted” testing if evidence indicates possible current use of illicit substances or abuse of drugs or if the offender:

- Graduates from an IPTC or a SAFPF;
- Has a special condition imposed by the Board that requires urinalysis testing;
- Has a record of conviction for an offense involving substance or drug abuse;
- Is at SACP Level II and must receive monthly urinalysis testing;
- Has a criminal history that reveals substances or drug abuse associated with the commission of any offense; and
- Has a history of addiction or dependency on drugs.

Every offender receives an initial drug and alcohol test when released. The frequency of subsequent testing is determined by the results of the initial test, whether a parole officer suspects drug use, and agency policy. Additional testing may occur due to computer-generated random selection of any offender under supervision.

Substance abuse treatment programs must conform to the Code of Federal Regulations pertaining to confidentiality of alcohol and drug abuse records (42 CFR Part 2, 1987). Accordingly, they must protect the confidentiality of offender records and must specify conditions and procedures for the release of information. The offender’s signed consent is required for any release of their treatment records or information.

- Drug test results may be used as evidence of a violation in an administrative hearing conducted by the Board.
- If the offender signs a consent for disclosure form and specifically consents to release, drug test results may be released to a substance abuse treatment provider being used by an offender or to specified individuals or organizations.
- Drug test results may be released if a court order is issued due to civil or criminal charges.

What happens if an offender relapses?

The Parole Division uses graduated interventions for offenders, some of which require parole panel actions. The following are options available for an offender who relapses:

- Modify treatment methods;
- Increase the supervision level;
- Use SACP Level II;
- Place the offender in a community-based treatment facility;
- Place the offender in a more intensive treatment modality;
- Place the offender in an ISF;
- Place the offender in a SAFPF;
- Request a pre-revocation warrant; and
- Revoke supervision.

How is the family involved in the TC continuum of care for an offender with substance abuse problems?

To be eligible for Phase I-B placement, an offender must have family participation and their family or sponsors must attend three sessions in person or by phone. Family members and significant others will be contacted and invited to join the offender's treatment team, which includes the specialized parole officer, and primary counselor. The specialized parole officer will maintain contact with interested family members, aiming to build support for the offender's recovery.

The specialized parole officer or primary counselor will contact families once the offender signs the proper consent forms. If the family chooses to be part of the team, they may participate upon the offender's release.

WARRANTS SECTION

The Parole Division Warrants Section is responsible for processing parole violations, including issuing, publishing, confirming, and executing warrants. The Warrants Section is also responsible for the extradition of Interstate Compact offenders back to Texas, as well as processing offenders who have returned to a prison unit and have completed the revocation process. In addition, the Warrants Section administers the SISP and the EM Program.

Is an offender who was arrested on a parole violation warrant legally eligible to post bond?

According to Texas Government Code § 508.254, the Parole Division must include a notice on parole warrants indicating if an offender in custody is eligible for release on bond. An offender who was convicted of certain offenses is supervised on an intensive or super-intensive supervision caseload, has absconded supervision, or poses a threat to public safety is not eligible for bond. Bond eligibility is determined at the time the warrant is issued.

Super-Intensive Supervision Program

The SISP was created by the 75th Legislature to provide the level of supervision and monitoring for potentially dangerous offenders that will best protect public safety. The SISP is the highest level of supervision provided by the Parole Division. An offender on the SISP is monitored with Global Positioning System (GPS) technology and is required to comply with 24-hour-a-day schedules that must be pre-approved in writing by their parole officer.

Who decides which offenders are supervised on the SISP caseloads?

Before being released on parole or mandatory supervision, a SISP referral must be made for any offender currently serving a sentence in the CID for a present adult conviction or for any offender who is a Texas Juvenile Justice Department transfer to Parole Division supervision for:

- Any offense that involved an act of violence or that contains an affirmative finding of a deadly weapon;
- Any offender identified as a member of a Security Threat Group and has three felony convictions;
- Any offense that was committed within a drug free zone or involved the use of a child in the commission of the offense;
- Any offender referred at the discretion of the Parole Division director or the Board of Pardons and Paroles Presiding Officer; and
- Any offender considered high-profile or Special Bulletin.

A Special Bulletin offender typically has a history of assaultive behavior or has committed sexual offenses. If an offender has already been released on supervision but otherwise meets the above criteria, the offender may be referred to the parole panel for consideration for placement on the SISP. The parole panel makes the final decision on SISP placement.

Sex offenders supervised on the SISP

A sex offender on the SISP is required to participate in sex offender treatment programs and comply with all other aspects of sex offender supervision as well as the components of the SISP. A sex offender with a special condition for monitoring (SISP or EM, outlined below) is monitored with GPS technology.

How is the SISP different than the supervision of other caseloads?

An offender on the SISP is supervised by a specialized training parole officer with caseload ratios of 14 SISP offenders to one parole officer. The parole officer is required to complete six face-to-face contacts a month and review the offender's GPS location information each business day. Technical violations committed by an offender supervised on the SISP are not subject to the Parole Division's policy regarding the enforcement of graduated sanctions.

A SISP parole officer responds to all violations that are generated during normal business hours and can request parole violation warrants 24 hours a day, seven days a week. An alert generated after-hours - weekends, holidays, and hours between 5:00 pm and 8:00 am - is processed by the Command Center.

How long is an offender required to remain on the SISP?

An offender remains on the SISP until they discharge their term of supervision or until the designated parole panel votes to remove the SISP special condition, allowing the offender to be placed on a different type of caseload. A SISP offender is referred to the designated parole panel annually for consideration for removing the SISP special condition.

Electronic Monitoring

The EM Program uses a technology that enhances the ability of a parole officer to supervise offenders, as well as provide additional surveillance. The technology is used to monitor an offender's pre-approved curfew and can be used as a sanction for an offender who requires a higher level of supervision than normal supervision provides.

The 88th Legislature created a new felony offense regarding tampering with the operation of electronic monitoring equipment. Parole offenders who deliberately tamper with their electronic monitoring equipment may be charged with a state jail felony (EM offenders) or a third-degree felony (SISP offenders). Additionally, any person who aids or facilitates the tampering of equipment may be charged with the same.

HEARING PROCESS

When the Parole Division discovers a potential violation of parole or new criminal charge(s) it is investigated by a parole officer employed by TDCJ. It is at their discretion whether to impose graduated local sanctions such as a verbal warning, a conference with a supervisor, increase the reporting requirement, refer the offender to substance abuse counseling, or issue a pre-revocation warrant or summons for the offender. The warrant, sometimes called a “Blue Warrant” serves as a mechanism to place the offender in custody pending an administrative pre-revocation hearing. A summons allows the offender to remain under supervision, working, attending programs, and remaining with his family pending the convening of a hearing. Prior to the hearing, the Parole Division may withdraw its warrant and continue supervision of the offender with or without additional graduated local sanctions.

Hearing Operations

Hearing Operations facilitates the parole revocation hearing process, which includes:

- Scheduling hearings;
- Reviewing attorney determination requests and appointment of attorneys;
- Conducting hearings;
- Reviewing hearing reports and waivers for those who have waived their hearing(s);
- Making recommendations to the parole panels;
- Conducting hearings for cases being supervised by Texas for another state; and
- Providing a process for reconsideration of a revocation decision.

Types of Hearings

A **preliminary hearing** is conducted to determine whether probable cause exists to proceed to a revocation hearing. This is the same level of proof needed when a Police Officer pulls someone over for a traffic stop or a Magistrate sets a bond. Only offenders with pending criminal charges or unfiled charges are entitled to a preliminary hearing.

A **revocation hearing** is conducted to determine whether a preponderance of credible evidence exists to believe that one or more conditions of release have been violated. A preponderance means that there is more evidence than not that a violation occurred. A revocation hearing may be conducted for law violations when probable cause is found in a preliminary hearing, a conviction has occurred, or if there are only technical violations alleged. There must be an

affirmative finding that a violation(s) occurred in the revocation hearing for a Board panel to take action. The panel has several options: the offender may be continued on supervision with or without graduated sanctions; the offender may be incarcerated in an ISF or transferred to a SAFPF for a period of time while remaining on supervision; or the offender's parole or mandatory supervision may be revoked and the offender returned to prison.

A mitigation hearing (the same as a revocation hearing) is conducted to determine whether an offender who has received a felony conviction with a term of incarceration in a penal institution should be revoked. This is a limited hearing designed to allow the offender to explain why they should not be revoked.

NOTE: An offender has the right to waive their hearing(s) if eligible to do so.

How the Administrative Hearing Process Works

An offender may have a hearing if the Parole Division issues either a warrant or a summons. There are generally two categories of offenders arrested on a warrant:

1. Those entitled to both preliminary and revocation hearings; and
2. Those entitled to a revocation or mitigation hearing only.

At the initial interview with the parole officer, the offender is required to choose whether they want to have their hearing(s) or waive their right to one or both hearings.

Parole Panel Decision-Making

A three-member parole panel consisting of Board Members and Parole Commissioners makes final decisions by majority vote after a revocation hearing is conducted or the offender waives his right to a revocation hearing. There are seven panel locations throughout the state. The panel that considers the case is generally determined by the geographic location where the offender is in custody. Analysts review hearings and waivers and perform other duties to support Board activities.

Rights of the Offender

Once the offender is detained, the offender is interviewed by a parole officer. The offender is advised of their rights in the revocation hearing process to:

- Be personally served with written notice of alleged parole violations;
- A preliminary hearing unless the offender is accused only of administrative violations or has been convicted of a new criminal offense. The purpose of this hearing is to determine if there is probable cause to believe a condition of release was violated;

NOTE: The offender has the right to waive their preliminary hearing if eligible to do so.

- A revocation hearing, if the offender is alleged to have committed administrative violations or has been found guilty in a criminal case;

NOTE: The offender has the right to waive their revocation hearing if eligible to do so.

- Full disclosure of all the evidence against the offender before the hearing;
- Hire an attorney, and, under certain circumstances, the conditional right to a state-appointed attorney;
- Tell the Hearing Officer in person what happened and present evidence, affidavits, letters, and documents to support their position, including the right to subpoena witnesses through the parole officer;
- Confront and cross-examine adverse witnesses (unless the Hearing Officer finds good cause to deny confrontation); and
- Be heard on the allegations by someone designated by the Board.

If parole or mandatory supervision is revoked after the revocation hearing, the offender receives a written report prepared by the Hearing Officer which describes the evidence relied upon in finding a violation. In certain cases, the offender may petition the Board to reopen the revocation hearing.

Actions Taken During the Parole Revocation Process

The parole panel may make any of the following decisions in the revocation process:

- Proceed to a revocation hearing;
- Continue on supervision, with or without modifying conditions of release;
- Allow to discharge if the offender is past the discharge date;
- Transfer to an ISF;
- Transfer to a SAFPF; or
- Revoke the parole or mandatory supervision release.

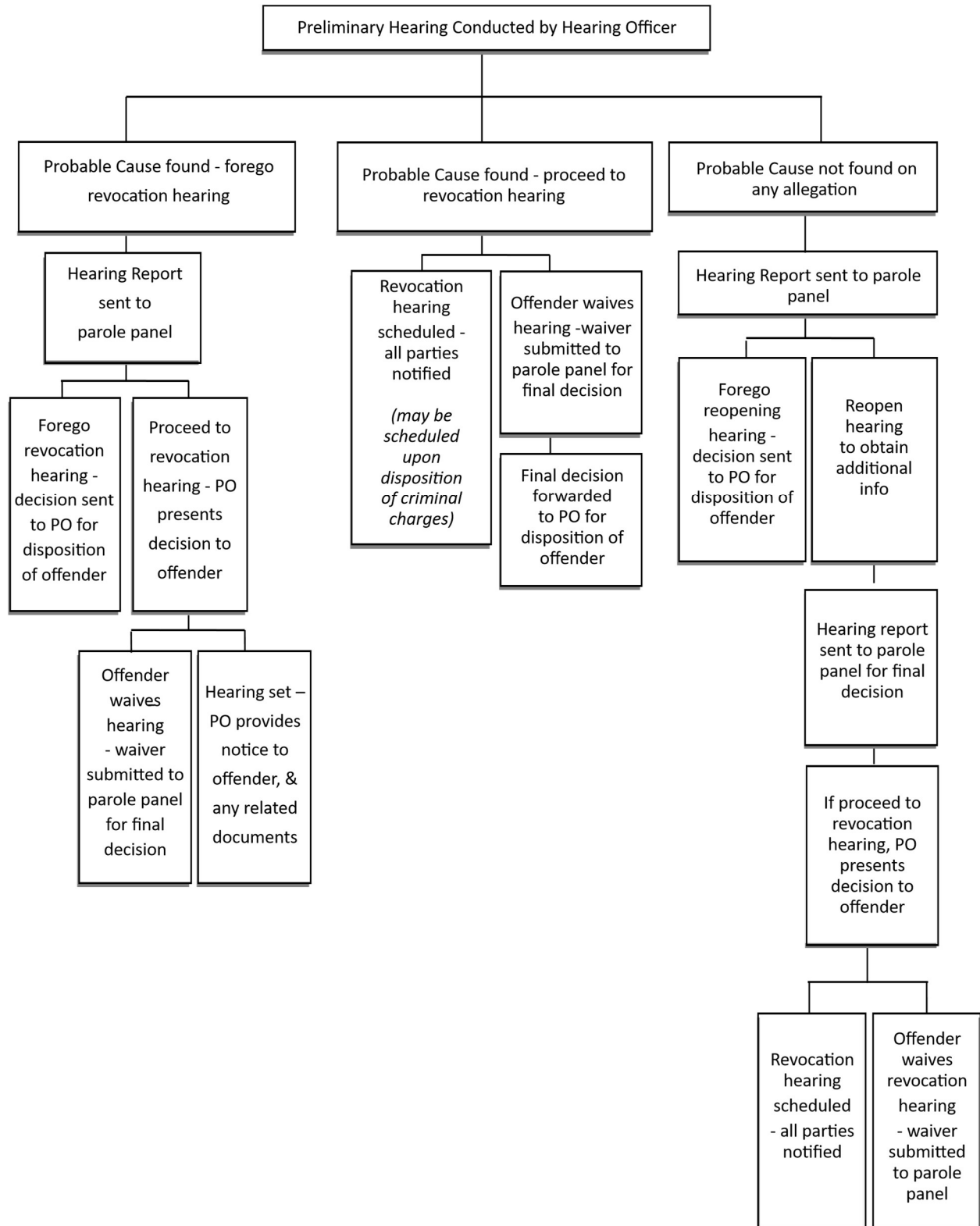
Under what circumstances can a hearing be reopened?

When an offender receives notice that the parole panel's decision is revocation, they have 60 days from the date of the decision to request the hearing be reopened. Such a request may be granted if there is newly discovered information or there was a substantial error in the revocation process.

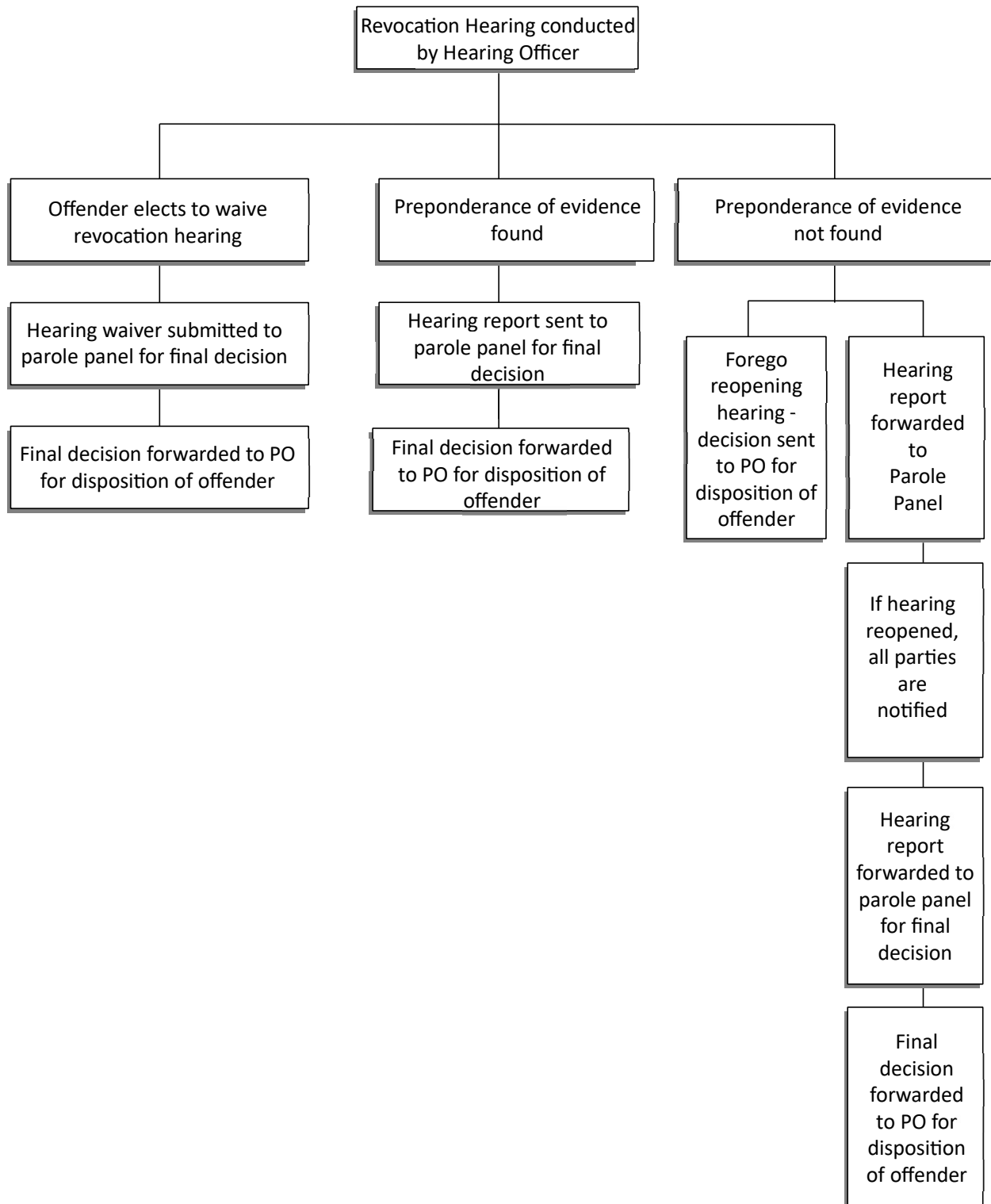
Upon receipt of a request for reopening, a parole panel will either:

- Grant the motion and order the hearing reopened for a stated, specific, and limited purpose;
- Deny the motion; or
- Reverse the previous revocation decision.

Preliminary Hearing Procedures



Revocation Hearing Procedures



CLEMENCY

The Governor has the authority to grant clemency upon the written recommendation of a majority of the Board. Clemency includes full pardons after conviction or successful completion of a term of deferred adjudication community supervision, conditional pardons, pardons based on innocence, commutations of sentence, and reprieves. In capital cases, clemency includes a commutation of sentence to life in prison and a reprieve of execution. The Governor may also grant a one-time reprieve of execution, not to exceed 30 days, without a Board recommendation.

What is a Full Pardon?

A full pardon is a form of clemency available to a person, who has been convicted of a felony, misdemeanor, or traffic offense, or who has successfully completed a term of deferred adjudication community supervision.

What is the effect of a Full Pardon?

A full pardon restores certain citizenship rights forfeited upon criminal conviction, such as the right to serve on a jury, to hold public office, and to serve as executor or administrator of an estate. In Texas, when a person discharges a felony sentence, the right to vote is automatically restored. A full pardon will remove barriers to some, but not all, types of employment and professional licensing. Licenses are granted at the discretion of the state licensing boards for each profession, and requirements for restoring licensing eligibility in a particular field should be obtained from that licensing board. A pardon will not restore eligibility to become a licensed peace officer in Texas. A full pardon will not be considered for an offender while in prison except when exceptional circumstances exist. A person receiving a full pardon after a conviction is entitled to an expunction of all arrest records relating to the conviction. This requires the applicant to request an expunction from the appropriate state court.

Is Clemency available for a trafficking victim?

Yes. A person convicted of or who has received deferred adjudication community supervision for an offense committed solely as a victim of trafficking of persons under Section 20A.02, Penal Code, may apply for clemency by completing a full pardon application.

What is a Conditional Pardon?

A person with a conditional pardon remains subject to conditions of release. A conditional pardon does not restore civil rights or rights of citizenship, and the Governor can revoke the pardon if a person does not comply with the conditions of release. A conditional pardon will only be considered after minimum statutory parole eligibility has been attained.

What is a Pardon for Innocence?

A pardon based on innocence exonerates a person of the crime and erases the conviction when there is evidence of actual innocence, or a court has determined the person is innocent. In order to consider a pardon for innocence, the Board requires a written recommendation of at least two of the current trial officials of the sentencing court, with one trial official submitting documentary evidence of actual innocence, or a certified order or judgment accompanied by a certified copy of the findings of fact and conclusions of law from the district court indicating actual innocence.

What is a Posthumous Pardon?

A full pardon may be considered for a person who is deceased. The application must be submitted by a person acting on behalf of the deceased.

What is a Commutation of Sentence?

A commutation of sentence reduces a sentence to a lesser time period. A commutation may be granted for time served. Commutations of sentence will be granted only upon the written recommendation of a majority of the applicant's trial officials in the county of conviction, stating that the penalty now appears to be excessive and recommending a definite term, based on new information not before the judge or jury at trial, or a statutory change in the penalty.

What is an Emergency Medical Reprieve, Reprieve for Family Emergency, or Emergency Reprieve to attend Civil Court Proceedings?

A reprieve is a delay or temporary suspension of punishment. Offenders who are terminally ill (six months or less to live), totally disabled, or who have been denied MRIS may seek an emergency medical reprieve. Offenders also may seek a reprieve to attend civil court proceedings. As with other forms of clemency, the Governor may grant a reprieve upon written recommendation of a majority of the Board Members. A request for a reprieve for family emergency to attend funerals or to visit critically ill relatives may be made by applying to the Board's Clemency Section.

Applications for Reprieve of Execution and Commutation to Life in Prison in Capital Cases

In capital cases, the applications for commutation of sentence to life in prison and for a reprieve of execution must be received at least 21 days prior to the scheduled execution date. If the Board recommends clemency in a capital case, the Governor may grant commutation or a reprieve. The Governor may also grant a one-time 30-day reprieve of execution without a recommendation from the Board.

How do I request Clemency?

For information regarding the clemency process and to obtain applications, please visit the Board's website at: https://www.tdcj.texas.gov/bpp/exec_clem/exec_clem.html. As part of the

Governor's Violence Against Women initiative, an application specifically designed for victims of human trafficking has been made available. To obtain this application, please visit the Board's website at: https://www.tdcj.texas.gov/bpp/forms/human_trafficking.html. All other clemency inquiries may be directed to the Clemency Section by sending an email to bpp-clemency@tdcj.texas.gov; calling (512) 406-5852 from 8:00 A.M. to 5:00 P.M. Monday through Friday; sending written correspondence to 8610 Shoal Creek Blvd. Austin, Texas 78757; or, via fax to (512) 4670945. Once all appropriate documents required by the rules are received and all application forms are complete, the application will be submitted to the Board for review and consideration.

VICTIM SERVICES

The mission of the Victim Services Division (VSD) is to provide a central mechanism for victims to participate in the criminal justice system. The VSD provides statutorily-mandated services to crime victims, close relatives of a deceased victim, guardians of a victim, witnesses who testified at trial against the defendant, victim services professionals, criminal justice professionals, and concerned citizens. The primary contact information for the VSD is as follows:

Victim Services Division P. O. Box 13401
Austin, Texas 78711
Phone: (512) 406-5900
Fax: (512) 452-0825
Victim Hot Line: 1-800-848-4284
E-mail address: victim.svc@tdcj.texas.gov
Website: <https://ivss.tdcj.texas.gov/>

Who is a victim?

A “victim” as defined by Article 56A.001, Code of Criminal Procedure, means a person who is the victim of the offense of sexual assault, kidnapping, aggravated robbery, felony stalking, trafficking of persons, or injury to a child, elderly individual or disabled individual or who has suffered personal injury or death as a result of the criminal conduct of another. Pursuant to Section 508.117(g) (3), Government Code, a “victim” means a person who is a victim of sexual assault, kidnapping, aggravated robbery, or felony stalking, or has suffered bodily injury or death as the result of the criminal conduct of another. A close relative of a deceased victim or legal guardian of a victim may also be considered victims of crime. The VSD will provide services to any concerned citizen upon request, regardless of whether they are a victim in the narrow sense defined above. Some of the services available through the VSD are:

- Assistance with processing Victim Impact Statements, protest letters, and other information submitted for review by the Board;
- Assistance in determining offender status;
- Information and referral, including an online Victim Assistance Resource Directory that provides resources in each Texas county;
- Explanation of parole and mandatory supervision procedures;
- Victim notification, including automated and manually generated notifications by letter, email, or both, throughout the parole review process and in situations where there are escapes, recapture, and offender deaths during incarceration or while under supervision;

- Automated telephone system available to victims 24 hours a day providing limited offender information;
- Training of criminal justice staff on victim sensitivity issues (parole, community supervision and corrections, and CID);
- Public presentations;
- Accompanying victims to Victim Impact Panels, which includes panels for parole officers, offenders, and criminal justice professionals;
- Victim witness screening and preparation prior to viewing an execution;
- Victim Offender Mediation-Dialogue Program;

What is a Victim Impact Statement and where can one be obtained?

A Victim Impact Statement (VIS) is a form that provides information to victims about their rights; collects the victims' name and contact information to facilitate notification about an offender's status, if requested; and provides the victim with an opportunity to record the impact of a crime on a victim, the guardian of a victim or a close relative of a deceased victim. The VIS is how key decision-makers such as judges, prosecutors, the Board, and other participants in the criminal justice system learn about the emotional, psychological, physical, and financial impact of the crime on the victim and family members.

The attorney representing the state is required to give each victim of the offense a VIS form not later than the tenth day after the date that the indictment or information is returned against a defendant for an offense. The VIS forms are also available through the TDCJ website at: https://www.tdcj.texas.gov/publications/victim_impact_statement.html.

What rights do I have as a victim?

The rights of crime victims within the criminal justice system are described in Chapter 56A, Code of Criminal Procedure. Additional provisions in Chapter 508, Government Code, are relevant when an offender is confined, incarcerated, on community supervision (probation), in the parole review process, or on parole or mandatory supervision. Some of the additional provisions pertaining to the parole process include:

- The Board is required to make a reasonable effort to notify the victim, legal guardian of the victim, or close relative of a deceased victim (regardless of whether the victim's death was related to the offense committed) before a parole panel considers an offender who is serving a sentence for an offense in which a person was a victim, for release to supervision. The victim, legal guardian of the victim, or close relative of a deceased victim, as defined by Sections 508.117 and 508.153, Government Code, shall be allowed to

provide a written statement and to appear in person before a voting member of the Board. If more than one person is entitled to appear, the person chosen by all persons entitled to appear may appear in person.

- In the event that the close relative of a deceased victim is deceased or incapacitated due to physical or mental illness or infirmity, the nearest relative of the deceased victim by “consanguinity” (relationship by descent from a common ancestor; kinship) shall be allowed to provide a written statement and to appear in person before the Board. Representatives of the victim, victim’s guardian, and victim’s close relative can provide a written statement to voting members of the Board.
- A parole panel is required to impose a condition that requires a releasee serving a sentence for stalking to not: communicate directly or indirectly with the victim; go to or near the residence, place of employment, or business of the victim; or go to or near a school, day-care facility, or similar facility where a dependent child of the victim is in attendance.

A brochure listing these rights may be obtained from the TDCJ website at: https://www.tdcj.texas.gov/documents/Victim_Additional_Rights_English.pdf.

I’m afraid to file a Victim Impact Statement or furnish information to the Victim Services Division because I fear the offender who victimized me might find out. What protection do I have?

Pursuant to Section 508.313, Government Code, “all information obtained and maintained, including a victim protest letter or other correspondence, [or] a victim impact statement...is confidential and privileged...”

How can I be notified of a pending parole review or release? If I did not fill out a Victim Impact Statement at the time of the offense, can I send one to the Victim Services Division?

Notification may be requested by contacting the VSD at the address or telephone numbers listed above. A VIS form may be forwarded to the VSD at any time. Ensure the offender’s name and TDCJ CID or State Identification (SID) number are included. If the offender’s TDCJ CID or SID numbers are unavailable, contact the VSD for assistance.

You can also register online at: <https://ivss.tdcj.texas.gov/>.

If I am not the victim of the offense for which the offender is in prison, but have been threatened by the offender, will I be notified if I request notification?

Contact the VSD either via telephone or correspondence and request to be notified. The request must contain the requestor’s name, address, and telephone number as well as the offender’s name and TDCJ CID or SID number.

What if I move or change my telephone number? Can I request to be notified at an address other than my own?

Notify the VSD as soon as possible of any change of address or telephone number.

What information about an offender is available to the public?

- Offender information (name, TDCJ CID or SID number, and parole status).
- Demographic data (birth date, race, gender, unit of assignment, and last known address of offender under supervision).
- Offense information (offense, sentence length, county of offense).
- Release information (release date, county of release, parole officer's name, special conditions imposed with the exception of drug-related or substance abuse information or other information which is not considered confidential by law).

Can a parole panel forbid the offender who victimized me from having any contact with my family and me?

If a parole panel releases a defendant on parole or to mandatory supervision, the panel is required to impose a condition that the defendant not intentionally or knowingly communicate directly or indirectly with a victim of the offense or intentionally or knowingly go near a residence, school, place of employment, or business of a victim.

What is restitution?

Restitution is money an offender is ordered to pay to compensate for losses sustained by the victim of an offense. Restitution can be ordered only by the sentencing judge in the case and should not be confused with fines, court costs, or attorney fees. Offenders pay restitution to the Parole Division, which in turn forwards the funds to the Comptroller's Releasee Restitution Fund for distribution to the victim. This ensures the victim and offender have no contact with each other. Questions concerning restitution can be answered by calling 866-464-4137 or by going online to: https://www.tdcj.texas.gov/documents/Restitution_Brochure.pdf.

Can I meet with Board Members and Parole Commissioners before they vote on the offender's case?

Under Section 508.153, Government Code, the victim, legal guardian of the victim, or close relative of a deceased victim (as defined by Section 508.117, Government Code) has the right to provide a written statement or to appear in person before a voting member of the Board to present a statement of the person's view about the offense, the offender, and the effect of the offense on the victim when the Board is considering the offender for release on parole or

mandatory supervision for the current sentence being served for an offense. Voting members also have the discretion to contact individuals who are not “victims” as defined by Section 508.117, Government Code, and may attempt to contact those individuals by telephone before a final decision is made regarding the offender’s possible release. The VSD will record an individual’s request to meet with the Board and will forward the request to the Board at the appropriate time.

Can I meet with Victims Services personnel?

A Victim Services representative shall be available to discuss any concerns and answer questions Monday through Friday during normal business hours (8:00 A.M. to 5:00 P.M.). However, it is recommended that an appointment be made with a Victim Services representative. Additionally, the VSD has Regional Victim Services Coordinators who will meet with victims living throughout Texas.

Does the Victim Services Division provide training to parole officers on how to assist victims?

The VSD provides parole officers with advanced training at the Parole Officer Training Academy. The VSD also provides live trainings and webinars to criminal justice professionals, victim advocates, and others who assist victims. The training focuses on victim impact panels, victims’ rights, victimology, crisis intervention, and victim resources. In addition, the VSD maintains the Texas Victim Assistance Training Online, a web-based, state-wide, foundational victim assistance training, focused on victim-centered service delivery and professional development.

What is the Victim-Offender Mediation Dialogue program?

Crime victims have the right to request Victim-Offender Mediation Dialogue (VOMD) coordinated by the TDCJ VSD. The VOMD program provides an opportunity for victims or surviving family members of violent crimes to initiate an in-person meeting in a safe and secure environment with the TDCJ offender who is responsible for their victimization and who is in TDCJ custody or on parole or mandatory supervision. The assigned TDCJ mediator will meet with the victim and offender separately during an extensive preparation phase. The preparation process is crucial in clarifying personal issues, processing emotions, and lessening the chance of re-victimization.

What is the Texas Crime Victim Clearinghouse Program?

The Texas Crime Victim Clearinghouse (TxCVC) serves as a central source of information and referral services for victims and victim service providers. The TxCVC provides information brochures, publications, and a quarterly e-newsletter (The Victim’s Informer) all of which are available online. The TxCVC provides an online Victim Assistance Resource Directory that categorizes resources by Texas County. In addition, the TxCVC is mandated to revise the Victim Impact Statement in conjunction with the Board and others from the victim services community after every legislative session.

APPENDIX

Parole and Mandatory Supervision Eligibility Chart

55th LEGISLATURE		
Prior to 01/01/1966		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
All Offenses	Calendar Time = 1/3, including any bonus & blood donations. Maximum of 15 yrs.	Code of Criminal Procedure (CCP), Article 42.12 was amended 01/01/1966 to allow good time and 1/4 time for all persons confined in TDCJ.
59th LEGISLATURE		
01/01/1966 – 08/31/1967		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
All offenses	Calendar Time + Good Time = *1/4, including any bonus & blood donations. Maximum of 15 yrs.	*Effective 01/01/1966
60th LEGISLATURE		
09/01/1967 – 08/31/1977		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
All Offenses	Calendar Time + Good Time = *1/3, including any bonus & blood donations. Maximum of *20 yrs.	No Mandatory Supervision: offender discharges sentence when calendar time + good time = total sentence.
	*Due to court rulings during that time period, TDCJ calculates eligibility dates on all offenses prior to 08/28/1977 utilizing calendar time + good time = 1/3, regardless of the law in effect when the offense was committed.	Sentence is effectively reduced by the amount of good time earned. * Effective 01/01/1967
65th LEGISLATURE		
09/01/1977 – 08/31/1983		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - *Aggravated Sexual Abuse--21.05 - *Aggravated Rape--21.03 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 	Calendar Time = 1/3 Minimum of 2 yrs. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 3f * Effective 08/31/1983 Agg Rape and Aggravated Sexual Abuse combined into "Aggravated Sexual Assault" - All offenses eligible for Mandatory Supervision. Effective 08/29/1977. CCP, Article 42.12
69th LEGISLATURE		
09/01/1983 – 08/31/1987		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - *Aggravated Sexual Assault-22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 	Calendar Time = 1/3 Minimum of 2 yrs. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 3f * Effective 08/31/1983
All other offenses	Calendar Time + Good Time = 1/3, including any credits and bonus. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 15b (Parole calculations) - CCP, Art. 42.12 Sec. 15c (Mandatory Supervision calculations) - 09/01/1985 Parole laws effectively moved from CCP, 42.12 to CCP, 42.18

		- All offenses eligible for Mandatory Supervision.
70th LEGISLATURE		
09/01/1987 – 08/31/1989		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
*3g Offenses: - Aggravated Kidnapping-20.04 - Aggravated Robbery-29.03 - Aggravated Sexual Assault-22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder-19.03	Calendar Time = 1/4 Minimum of 2 yrs. Maximum of 15 yrs.	CCP, Art. 42.12 CCP, Art. 42.18 *Effective 09/01/1987
All other offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	CCP, Art. 42.18
*The offenses listed below are NOT eligible for Mandatory Supervision: - Aggravated Assault, 2nd or 3rd Degree-22.02 - Aggravated Kidnapping, 1st or 2nd Degree-20.04 - Aggravated Robbery, 1st Degree-29.03 - Aggravated Sexual Assault, 1st Degree-22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree-28.02 - Burglary of a Habitation, 1st Degree-30.02(d2)(d3) (armed with explosives or deadly weapon or causes injury while in commission of offense) - Capital Murder-19.03 - Deadly Assault on Law or Corrections Officer; Court Participant; Probation Personnel; Member or Employees of the BPP; Employees of TYC, 1st Degree-22.03 - Injury to a Child or Elderly, 1st Degree-22.04 - Murder, 1st Degree-19.02 - Robbery, 2nd Degree-29.02 - Sexual Assault, 2nd Degree-22.011	Ineligible for Mandatory Supervision.	CCP, Art. 42.18 * Effective 09/01/1987
*CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) CCP, Art. 42.18 * Effective 09/01/1987
71st and 72nd LEGISLATURE		
09/01/1989 – 08/31/1993		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) – *Life Sentence--19.03 1. Murder of a peace officer or fireman on official duty,	Calendar Time = 1/4 Minimum of 2 yrs. Maximum of 15 yrs. ** Calendar Time = 35 yrs.	CCP 42.18 * Effective 09/01/1989 ** Effective 09/01/1991

2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault or arson 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4. Murders while escaping or attempting to escape from a penal institution, 5. Murders an employee of a penal institution while incarcerated, 6. Murders more than one person during the same criminal transaction or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct.		
3g Offenses: - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03	Calendar Time = 1/4 Minimum of 2 yrs. Maximum of 15 yrs.	CCP, Art. 42.12 CCP, Art. 42.18
All other offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	CCP, Art. 42.18(8)(b)(4)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) CCP, Art. 42.18
The offenses listed below are not eligible for Mandatory Supervision: - Aggravated Assault, 2nd or 3rd Degree – 22.02 - Aggravated Kidnapping, 1st or 2nd Degree – 20.04 - Aggravated Robbery, 1st Degree – 29.03 - Aggravated Sexual Assault, 1st Degree – 22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree – 28.02 - Burglary of a Habitation, 1st Degree – 30.02 (d2) (d3) (armed with explosives or deadly weapon or causes injury while in commission of offense) - Capital Murder – 19.03 - Deadly Assault on Law or Corrections Officer; Court Participant; Probation Personnel; Member or Employees of	Ineligible for Mandatory Supervision.	CCP, Art. 42.18

the BPP; Employees of TYC, 1st Degree - 22.03 - Injury to a Child or Elderly, 1st Degree - 22.04 - Murder, 1st Degree – 19.02 - Robbery, 2nd Degree – 29.02 - Sexual Assault, 2nd Degree-22.011		
73rd LEGISLATURE		
09/01/1993 – 08/31/1995		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) - Life Sentence – 19.03 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, *obstruction or retaliation, 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4. Murders while escaping or attempting to escape from a penal institution, 5. Murders an employee of a penal institution while incarcerated, 6. *Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 7. *A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated, 8. *Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 9. *Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct, 10. *Murders an individual under six years of age.	* Calendar Time = 40 yrs.	CCP, Art. 42.18 * Effective 09/01/1993
3g Offenses: - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 - *Indecency w/Child (Sexual Contact) 2nd Degree-- 21.11(a)(1)	*Calendar Time = 1/24 Minimum of 2 yrs. *Maximum of 30 yrs.	CCP, Art. 42.12 * Effective 09/01/1993 **Effective 05/30/1995

<p>- *Murder, 19.02</p> <p>**A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p>		
<p>All other 1st, 2nd, and 3rd degree felony offenses [****a court may reduce the punishment of a 3rd degree felony by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title)].</p>	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	<p>CCP, Art. 42.18 (8)(b)(5)</p> <p>****Effective thru 8/31/1995</p>
<p>*Drug- Free Zones - 481.134</p>	<p>*Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	<p>CCP, Art. 42.18 (8)(b)(4)</p> <p>* Effective 09/01/1993</p>
<p>CU offenses</p>	<p>Time credit on all sentences, one after another, until eligibility is reached on last sentence.</p>	<p>CCP, Art. 42.08(a) CCP, Art. 42.18</p>
<p>**State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class B Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title). 	<p>Parole Eligibility is NOT applicable.</p>	<p>PC 12.35</p> <p>**Confinement is to a state jail for any term of not more than two years or less than 180 days.</p> <p>** Effective 09/01/1994</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, *1st or 2nd Degree – 22.02 - Aggravated Kidnapping, 1st or 2nd Degree – 20.04 - Aggravated Robbery, 1st Degree – 29.03 - Aggravated Sexual Assault, 1st Degree – 22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree – 28.02 - Burglary of a Habitation, 1st Degree – 30.02 --*(d2)(d3) (armed with explosives or deadly weapon or causes injury while in commission of offense) - ***with intent to commit FELONY other than felony Theft (d2) and (d3) are no longer applicable - Capital Murder – 19.03 - Injury to a Child or Elderly, *or Disabled Individual, 1st Degree – 22.04 - Murder, 1st Degree – 19.02 - Robbery, 2nd Degree – 29.02 	<p>Ineligible for Mandatory Supervision.</p>	<p>CCP, Art. 42.18</p> <p>*Effective 09/01/1993</p> <p>** Effective until 08/31/1994</p> <p>***Effective 09/01/1994</p>

- Sexual Assault, 2nd Degree – 22.011 * A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).		
74th LEGISLATURE		
09/01/1995 – 08/31/1997		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) – Life Sentence – 19.03 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4. Murders while escaping or attempting to escape from a penal institution, 5. Murders an employee of a penal institution while incarcerated, 6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 6. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated, 7. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 8. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct, 9. Murders an individual under six years of age.	Calendar Time = 40 yrs.	CCP, Art. 42.18
* Offender is serving a Life Sentence for one of the following listed offenses: - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault--22.021 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:-- 30.02 - Aggravated Sexual Assault--22.021 - Indecency w/Child---21.11	Calendar Time = 35 yrs.	CCP, Art. 42.18 PC 12.42 (d)(2) *Effective 09/01/1995

<ul style="list-style-type: none"> - Sexual Assault--22.011 <p>Aggravated Kidnapping (with intent to violate or abuse the victim sexually)---20.04(a)(4)</p>		
<p>AND has a previous conviction for: *TWO felony offenses, at least one of which is of the following offenses:</p> <ul style="list-style-type: none"> - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:-- 30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)---20.04(a)(4) - Indecency w/Child--21.11 - Sexual Assault--22.011 - Prohibited Sexual Conduct--25.02 - Aggravated Sexual Assault -22.021 - Possession or Promotion of Child Pornography--43.26 - Sexual Performance by a Child - 43.25 		* Effective 09/01/1995
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping – 20.04 - Aggravated Robbery – 29.03 - Aggravated Sexual Assault – 22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder - 19.03 - Indecency w/Child (Sexual Contact) - 2nd Degree – 21.11(a)(1) - Murder--19.02 - *Sexual Assault (of a Child) – 22.011(a)(2) <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug- Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p>	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 CCP, Art. 42.18</p> <p>* Effective 09/01/1995</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	CCP, Art. 42.18 (8)(b)(5)
Drug- Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	CCP, Art. 42.18 (8)(b)(4)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) CCP, Art. 42.18
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony - a court may reduce the punishment by imposing the confinement of a *Class A Misdemeanor category 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p> <p>* Effective 09/01/1995</p>

offense (may or may not have been prosecuted under the lesser category offense title.)		
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree – 22.02 - Aggravated Kidnapping, 1st or 2nd Degree – 20.04 - Aggravated Robbery, 1st Degree – 29.03 - Aggravated Sexual Assault, 1st Degree – 22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree – 28.02 - Burglary of a Habitation, 1st Degree – 30.02 with intent to commit felony other than Theft - Capital Murder – 19.03 - *** Indecency w/Child 2nd or 3rd Degree–21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree – 22.04 - Murder, 1st or ***2nd Degree– 19.02 - Robbery, 2nd Degree – 29.02 - Sexual Assault, 2nd Degree – 22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>**Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>CCP, Art. 42.18</p> <p>** Effective 09/01/1996</p> <p>*** Effective 05/23/1997</p>
* Discretionary Mandatory Supervision		<p>CCP, Art. 42.18 (8)(c-1)</p> <p>** An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – ** Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – ** Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation. <p>** Effective 09/01/1996</p>
75th LEGISLATURE		
09/01/1997 – 08/31/1999		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) - Life Sentence (19.03)</p> <ol style="list-style-type: none"> 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to 	Calendar Time = 40 yrs.	<p>*Gov't Code 508.046</p> <p>*CCP, Art. 42.18 repealed effective 09-1-1997. Parole and Mandatory Supervision law now codified in Govt. Code 508.</p>

<p>commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation,</p> <p>3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4. Murders while escaping or attempting to escape from a penal institution,</p> <p>5. Murders an employee of a penal institution while incarcerated,</p> <p>6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10. Murders an individual under six years of age</p>		
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault--22.021 - *Sexual Assault--22.011 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child--21.11 - Sexual Assault--22.011 	Calendar Time = 35 yrs.	<p>*Gov't Code 508.145(c) PC 12.42(c)(2)</p> <p>*CCP, Art. 42.18 repealed effective 09-1-1997. Parole and Mandatory Supervision law now codified in Govt. Code 508.</p>
<p>AND has a previous conviction for *one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 		*Effective 09/01/1997

<ul style="list-style-type: none"> - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Prohibited Sexual Conduct--25.02 - Sexual Assault—22.011 <p>*Offense in another state substantially similar to any of above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) - 2nd Degree--21.11(a)(1) Murder-19.02 - Sexual Assault (of a Child), 22.011(a)(2) <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p>	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 *Gov't Code 508.046</p> <p>*CCP, Art. 42.18 repealed effective 9-1- 1997. Parole and Mandatory Supervision law now codified in Govt. Code 508.</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	*Gov't code 508.145(f)
Drug Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	*Gov't code 508.145(e)
CU Offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) *Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
The offenses listed below are NOT eligible for Mandatory Supervision:	Ineligible for Mandatory Supervision.	*Gov't Code 508.149

<ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree - 22.02 - Aggravated Kidnapping, 1st or 2nd Degree - 20.04 - Aggravated Robbery, 1st Degree - 29.03 - Aggravated Sexual Assault, 1st Degree - 22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree - 28.02 - Burglary of a Habitation, 1st Degree 30.02 with intent to commit felony other than Theft - Capital Murder - 19.03 - Indecency w/Child 2nd or 3rd Degree - 21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree - 22.04 - Murder, 1st or 2nd Degree - 19.02 - Robbery, 2nd Degree - 29.02 - Sexual Assault, 2nd Degree - 22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>		<p>*CCP, Art. 42.18 repealed effective 09/01/97. Parole and mandatory supervision law now codified in Gov't Code 508.</p>
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
76th LEGISLATURE		
09/01/1999 – 08/31/2001		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence (19.03)</p> <ol style="list-style-type: none"> 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 	Calendar Time = 40 yrs.	Gov't Code 508.046

<p>4. Murders while escaping or attempting to escape from a penal institution,</p> <p>5. Murders an employee of a penal institution while incarcerated,</p> <p>6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10. Murders an individual under six years of age.</p>		
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Sexual Assault--22.011 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault - 22.021 - Indecency w/Child--21.11 - Sexual Assault--22.011 	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145(c) PC 12.42 (c)(2)</p>
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)- 20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the 		

<ul style="list-style-type: none"> - victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 Indecency w/Child--21.11 - Prohibited Sexual Conduct--25.02 - Sexual Assault—22.011 <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) 2nd Degree-21.11(a) (1) - Murder 19.02 - Sexual Assault, *all subsections- 22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>**A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>* Effective 09/01/1999</p> <p>** Effective 06/14/2001</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree--22.02 - Aggravated Kidnapping, 1st or 2nd Degree--20.04 	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>** Effective 06/14/2001</p>

<ul style="list-style-type: none"> - Aggravated Robbery, 1st Degree--29.03 - Aggravated Sexual Assault, 1st Degree--22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree--28.02 - Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than Theft - Capital Murder--19.03 - Indecency w/Child 2nd or 3rd Degree--21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 - Murder, 1st or 2nd Degree--19.02 - Robbery, 2nd Degree--29.02 - Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>**A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>		
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public AND - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation
77th LEGISLATURE		
09/01/2001 – 08/31/2003		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) - Life Sentence-19.03</p> <ol style="list-style-type: none"> 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 	Calendar Time = 40 yrs.	Gov't Code 508.046

<ol style="list-style-type: none"> 4. Murders while escaping or attempting to escape from a penal institution, 5. Murders an employee of a penal institution while incarcerated, 6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated, 8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct, 10. Murders an individual under six years of age. 		
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Sexual Assault--22.011 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Sexual Assault--22.011 	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42 (c)(2)
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses--30.02 		

<ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a) (1) - Murder--19.02 - Sexual Assault, all subsections--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = 1/2</p> <p>Minimum of 2 yrs.</p> <p>Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12</p> <p>Gov't Code 508.046</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time.</p> <p>Maximum of 15 yrs.</p>	Gov't code 508.145(f)
Drug Free Zones 481.134	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	Gov't code 508.145(e)
CU offenses	<p>Time credit on all sentences, one after another, until eligibility is reached on last sentence.</p>	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree--22.02 - Aggravated Kidnapping, 1st or 2nd Degree--20.04 	Ineligible for Mandatory Supervision.	Gov't Code 508.149

<ul style="list-style-type: none"> - Aggravated Robbery, 1st Degree - 29.03 - Aggravated Sexual Assault, 1st Degree--22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree--28.02 - Burglary of a Habitation, 1st Degree - 30.02 with intent to commit felony other than theft - Capital Murder--19.03 - Indecency w/Child 2nd or 3rd Degree--21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 - Murder, 1st or 2nd Degree--19.02 - Robbery, 2nd Degree--29.02 - Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>		
Discretionary Mandatory Supervision		Gov't Code 508.149(b) An offender may be denied mandatory supervision by a parole panel for the following reasons: <ul style="list-style-type: none"> - Offender will endanger the public AND - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation
78th LEGISLATURE		
09/01/2003 – 08/31/2005		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) – Life Sentence--19.03 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or *terroristic threat 22.07(a) (1,3,4,5, or 6), 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,	Calendar Time = 40 yrs.	Gov't Code 508.046 *Effective 09/01/2003

<p>4. Murders while escaping or attempting to escape from a penal institution,</p> <p>5. Murders an employee of a penal institution while incarcerated,</p> <p>6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10. Murders an individual under six years of age.</p>		
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Sexual Assault--22.011 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) <ul style="list-style-type: none"> - Aggravated Sexual Assault-22.021 - Indecency w/Child--21.11 - Sexual Assault--22.011 	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42(c)(2)
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - *Obscenity (images of child under the age of 18)--43.23(h) - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 		* Effective 09/01/2003

<ul style="list-style-type: none"> - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) <ul style="list-style-type: none"> - Aggravated Sexual Assault-22.021 - Indecency w/Child--21.11 - Prohibited Sexual Conduct-25.02 - Sexual Assault--22.011 <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) - 2nd Degree--21.11(a) (1) - Murder--19.02 - Sexual Assault, all subsections-22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	Gov't code 508.145(f)
Drug Free Zones 481.134	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	Gov't code 508.145(e)
CU offenses	<p>Time credit on all sentences, one after another, until eligibility is reached on last sentence.</p>	<p>CCP, Art. 42.08 (a) Gov't Code 508.150</p>
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	<p>Parole Eligibility is NOT applicable.</p>	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree--22.02 	<p>Ineligible for Mandatory Supervision.</p>	Gov't Code 508.149

<ul style="list-style-type: none"> - Aggravated Kidnapping, 1st or 2nd Degree--20.04 - Aggravated Robbery, 1st Degree--29.03 - Aggravated Sexual Assault, 1st Degree--22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree--28.02 - Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than theft - Capital Murder--19.03 - Indecency w/Child 2nd or 3rd Degree--21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 - Murder, 1st or 2nd Degree--19.02 - Robbery, 2nd Degree--29.02 - Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>		
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public AND - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation
79th LEGISLATURE		
09/01/2005 – 08/31/2007		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – *Death or Life without Parole-19.03</p> <ol style="list-style-type: none"> 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat 22.07(a)(1,3,4,5, or 6), 3. Murders for remuneration, or promise of remuneration or employs 	<p>*Not eligible for Parole or MS release (40 yrs. flat repealed effective 09/01/2005)</p> <p>*Punishable by Death or Life without Parole only.</p> <p>*Prohibits anyone younger than 18 yrs. of age to be punished by Death.</p>	<p>Govt. Code 508.145</p> <p>* Effective 09/01/2005</p>

<p>another to commit the murder for remuneration or the promise of remuneration,</p> <p>4. Murders while escaping or attempting to escape from a penal institution,</p> <p>5. Murders an employee of a penal institution while incarcerated,</p> <p>6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10. Murders an individual under six years of age,</p> <p>11. *Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>		
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault--22.021 - Sexual Assault--22.011 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) <ul style="list-style-type: none"> - Aggravated Sexual Assault-22.021 - Indecency w/Child--21.11 - Sexual Assault--22.011 	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42(c)(2)
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Obscenity (images of child under the age of 18)--43.23(h) - Possession or Promotion of Child Pornography--43.26 		

<ul style="list-style-type: none"> - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child--21.11 - Prohibited Sexual Conduct-25.02 - Sexual Assault—22.011 <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) - 2nd Degree--21.11(a) (1) - Murder--19.02 - Sexual Assault, all subsections-22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	Gov't code 508.145(f)
Drug Free Zones 481.134	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	Gov't code 508.145(e)
CU offenses	<p>Time credit on all sentences, one after another, until eligibility is reached on last sentence.</p>	<p>CCP, Art. 42.08 (a) Gov't Code 508.150</p>
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been 	<p>Parole Eligibility is NOT applicable.</p>	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

prosecuted under the lesser category offense title.)		
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree--22.02 - Aggravated Kidnapping, 1st or 2nd Degree--20.04 - Aggravated Robbery, 1st Degree--29.03 - Aggravated Sexual Assault, 1st Degree--22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree--28.02 - Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than theft - Capital Murder--19.03 - Indecency w/Child 2nd or 3rd Degree--21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 - Murder, 1st or 2nd Degree--19.02 - Robbery, 2nd Degree--29.02 - Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	Gov't Code 508.149
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
80th LEGISLATURE		
09/01/2007 – 08/31/2009		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole 19.03</p> <ol style="list-style-type: none"> 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual 	<p>Not eligible for Parole or MS release</p> <p>Punishable by Death or Life without Parole only.</p> <p>Prohibits anyone younger than 18 yrs. of age to be punished by Death.</p>	Gov't Code 508.145

<p>assault, arson, obstruction or retaliation, or terroristic threat 22.07(a)(1,3,4,5, or 6),</p> <p>3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4. Murders while escaping or attempting to escape from a penal institution,</p> <p>5. Murders an employee of a penal institution while incarcerated,</p> <p>6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10. Murders an individual under six years of age,</p> <p>11. Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>		
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - *Aggravated Sexual Assault - 22.021 - Indecency w/Child – 21.11(a)(1) - Sexual Assault – 22.011 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: --30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - -20.04(a)(4) - Aggravated Sexual Assault -22.021 - Indecency w/Child – 21.11 - Sexual Assault – 22.011 	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) does not apply</p>	<p>Gov't Code 508.145(c) PC 12.42(c)(2)</p> <p>*Effective 9-1-2007</p>
<p>AND has a previous conviction one of the following offenses:</p>		

<ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Obscenity (images of child under the age of 18)--43.23(h) - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child-43.25 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child—21.11 - Sexual Assault—22.011 - Prohibited Sexual Conduct— 25.02 <p>Offense in another state similar to any above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - *Aggravated Sexual Assault-22.021 - Any offense with affirmative finding of Deadly Weapon - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) - 2nd Degree--21.11(a) (1) - *Injury to a Child, Elderly, or Disabled Individual, 1st Degree-22.04 (a)(1) (applies only to Child victim 14 or younger) - Murder--19.02 - Sexual Assault--22.011 - *Sexual Performance by a Child- 43.25, all subsections <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 yrs. *22.021(f) does not apply</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>*Effective 09/01/2007</p>
<p>All other 1st, 2nd, and 3rd degree felony offenses</p>	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	<p>Gov't code 508.145(f)</p>

Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree-22.02 - Aggravated Kidnapping, 1st or 2nd Degree-20.04 - Aggravated Robbery, 1st Degree-29.03 - Aggravated Sexual Assault, 1st Degree-22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree-28.02 - Burglary of a Habitation, 1st Degree-30.02 with intent to commit felony other than theft - Capital Murder--19.03 - Indecency w/Child-21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree-22.04 - Murder, 1st or 2nd Degree-19.02 - Robbery, 2nd Degree-29.02 - Sexual Assault,-22.011 - *Sexual Performance by a Child-43.25 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2007</p>
Discretionary Mandatory Supervision.		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public AND

		- Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
* The offenses listed below are NOT eligible for Parole or Mandatory Supervision: - Aggravated Sexual Assault- 22.021(f) - Continuous Sexual Abuse of a Young Child or Children - 21.02	Ineligible for Parole. Ineligible for Mandatory Supervision.	Gov't Code 508.145(a) Gov't Code 508.149 * Effective 09/01/2007
81st LEGISLATURE		
09/01/2009 – 08/31/2011		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) –Death or Life without Parole--19.03 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat - 22.07(a)(1,3,4,5, or 6), 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4. Murders while escaping or attempting to escape from a penal institution, 5. Murders an employee of a penal institution while incarcerated, 6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated, 8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct, 10. Murders an individual under six years of age, 11. Murders in retaliation for/on account of service/status as a judge or justice of courts.	**Not eligible for Parole or Mandatory Supervision release. **Punishable by Death or Life without Parole only. *Calendar Time = 40 years served without consideration of good time. (Life sentence). Prohibits anyone younger than 18 yrs. of age to be punished by Death.	Gov't Code 508.145 *Effective 09/01/2009 **unless transferred to the court under Section 54.02, Family Code. (Life sentence)
Offender is serving a Life Sentence for one of the following listed offenses:	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42(c)(2)

<ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault – 22.021 - Indecency w/Child – 21.11(a)(1) - Sexual Assault – 22.011 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: --30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - -20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child – 21.11 - Sexual Assault – 22.011 	<p>*22.021(f) does not apply</p>	
<p>AND has a previous conviction for one of the following offenses: -</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)-20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Obscenity (images of child under the age of 18)--43.23(h) - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Sexual Assault--22.011 - Prohibited Sexual Conduct--25.02 <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping - 20.04 - Aggravated Robbery - 29.03 - Aggravated Sexual Assault - 22.021 - Any offense with affirmative finding of Deadly Weapon **Criminal Solicitation, 1st Degree--15.03 - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) 2nd Degree - 21.11(a)(1) - Injury to a Child or Elderly or Disabled Individual, 1st Degree - 22.04 (a)(1) (applies only to Child victim 14 or younger) 	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 years. *22.021(f) does not apply</p> <p>**For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder--19.02 - Sexual Assault--22.011 - Aggravated Sexual Assault--22.021 	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>**Effective 09/01/2009</p>

<ul style="list-style-type: none"> - Murder, - 19.02 - Sexual Assault-22.011 - Sexual Performance by a Child -43.25, all subsections <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug Free Zones 486.184	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree - 22.02 - Aggravated Kidnapping, 1st or 2nd Degree - 20.04 - Aggravated Robbery, 1st Degree - 29.03 - Aggravated Sexual Assault, 1st Degree - 22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree - 28.02 - Burglary of a Habitation, 1st Degree - 30.02 with intent to commit felony other than theft - Capital Murder - 19.03 - *Criminal Solicitation, 1st Degree - 15.03 - Indecency w/Child - 21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree -22.04 - Murder, 1st or 2nd Degree - 19.02 - Robbery, 2nd Degree - 29.02 	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2009</p>

<ul style="list-style-type: none"> - Sexual Assault - 22.011 - Sexual Performance by a Child - 43.25 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>		
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
<p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Sexual Assault - 22.021(f) - Continuous Sexual Abuse of a Young Child or Children - 21.02 	Ineligible for Parole. Ineligible for Mandatory Supervision.	<p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p>

82nd LEGISLATURE

09/01/2011 – 08/31/2013

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole--19.03</p> <ol style="list-style-type: none"> 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat 22.07(a) (1,3,4,5, or 6), 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4. Murders while escaping or attempting to escape from a penal institution, 5. Murders an employee of a penal institution while incarcerated, 6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life sentence)</p> <p>Prohibits anyone younger than 18 yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p> <p>*Effective 09/01/2011</p> <p>**unless transferred to the court under Section 54.02, Family Code. (Life sentence)</p>

<p>7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9. Murders more than one person during the same criminal transaction or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10. Murders an individual under *ten years of age,</p> <p>11. Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>		
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - **Aggravated Sexual Assault - 22.021 - Indecency w/Child - 21.11(a)(1) - Sexual Assault - 22.011 - *Trafficking of Persons - 20A.02(a)(7) or (a)(8), (involves a child) - Burglary of Habitation with Intent to Commit any of the following: - 30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) <ul style="list-style-type: none"> - Aggravated Sexual Assault - 22.021 - Indecency w/Child – 21.11 - Sexual Assault – 22.011 - *Trafficking of Persons-20A.02 (a)(7) or (a)(8), (involves a child) 	<p>Calendar Time = 35 yrs.</p> <p>**22.021(f) does not apply</p>	<p>Gov't Code 508.145(c) PC 12.42(c)(2)</p> <p>*Effective 09/01/2011</p>
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child-21.11 - Obscenity (images of child under the age of 18)-43.23(h) - Possession or Promotion of Child Pornography-43.26 - Prohibited Sexual Conduct-25.02 - Sexual Assault-22.011 - *Trafficking of Persons-20A.02 (a)(7) or (a)(8), (involves a child) - Sexual Performance by a Child-43.25 - Burglary of Habitation with Intent to Commit any of the following: 		<p>*Effective 09/01/2011</p>

<ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child-21.11 - Sexual Assault-22.011 - Prohibited Sexual Conduct-25.02 - *Trafficking of Persons-20A.02 (a)(7) or (a)(8), (involves a child) <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping-20.04 - Aggravated Robbery-29.03 - **Aggravated Sexual Assault-22.021 - Any offense with affirmative finding of Deadly Weapon - Criminal Solicitation, 1st Degree-15.03 - Capital Murder-19.03 - Indecency w/Child (Sexual Contact) 2nd Degree - 21.11(a)(1) - Injury to a Child or Elderly or Disabled Individual, 1st Degree-22.04(a)(1) (applies only to Child victim 14 or younger) - Murder - 19.02 - Sexual Assault-22.011 - Sexual Performance by a Child-43.25, all subsections <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 years. **22.021(f) does not apply</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder--19.02 - Sexual Assault--22.011 - Aggravated Sexual Assault-22.021 <p>*Continuous Trafficking of Persons-20A.03</p> <ul style="list-style-type: none"> - NOT 3g - Calendar Time = 1/2 - Minimum 2 years - Maximum 30 years <p>*Compelling Prostitution--43.05 and Trafficking of Persons--20A.02 are listed as "3g" offenses in CCP 42.12, but were omitted from 3g parole eligibility flat time requirements under Gov't Code 508.145.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>*Effective 09/01/2011</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

offense (may or may not have been prosecuted under the lesser category offense title.)		
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree - 22.02 - Aggravated Kidnapping, 1st or 2nd Degree - 20.04 - Aggravated Robbery, 1st Degree - 29.03 - Aggravated Sexual Assault, 1st Degree - 22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree - 28.02 - Burglary of a Habitation, 1st Degree - 30.02 with intent to commit felony other than theft - Capital Murder - 19.03 - Indecency w/Child - 21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree - 22.04 - Criminal Solicitation, 1st Degree - 15.03 - *Compelling Prostitution - 43.05 - *Trafficking of Persons - 20A.02 - *Continuous Trafficking of Persons - 20A.03 - Murder, 1st or 2nd Degree - 19.02 - Robbery, 2nd Degree - 29.02 - Sexual Assault, 2nd Degree - 22.011 - Sexual Performance by a Child - 43.25 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2011</p>
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public AND - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.

<p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Sexual Assault - 22.021(f) - Continuous Sexual Abuse of a Young Child or Children - 21.02 - **Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree – 22.04 	<p>Ineligible for Parole. Ineligible for Mandatory Supervision.</p> <p>**Eligible for up to a five year set off following a decision of parole denial by the BPP voting panel per HB 431</p>	<p>Gov't Code 508.145(a) Gov't Code 508.149</p> <p>**Effective 06/14/2013</p>
83rd LEGISLATURE		
09/01/2013 – 08/31/2015		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole-19.03</p> <ol style="list-style-type: none"> 1. Murder of a peace officer or fireman on official duty, 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat - 22.07 (a) (1,3,4,5, or 6), 3. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4. Murders while escaping or attempting to escape from a penal institution, 5. Murders an employee of a penal institution while incarcerated, 6. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 7. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated, 8. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct, 10. Murders an individual under ten years of age, 11. Murders in retaliation for/on account of service/status as a judge or justice of courts. 	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life Sentence).</p> <p>Prohibits anyone younger than 18 yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p> <p>**unless transferred to the court under Section 54.02, Family Code (Life Sentence).</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145(c) PC 12.42(c)(2)</p>

<ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11(a)(1) - Sexual Assault--22.011 - Trafficking of Persons--20A.02 (a)(7) or(a)(8), (involves a child) Burglary of Habitation with Intent to commit any of the following:--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Sexual Assault--22.011 <p>Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child)</p>	<p>*22.021(f) does not apply</p>	
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child - 21.11 Obscenity (images of child under the age of 18)--43.23(h) - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) - Burglary of Habitation with Intent to commit any of the following:--30.02 <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Trafficking of Persons -20A.02(a)(7) or (a)(8), (involves a child) <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - **Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Criminal Solicitation, 1st Degree--15.03 	<p>Calendar Time =1/2 Minimum of 2 yrs. Maximum of 30 years. **22.021(f) does not apply</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>*Effective 09/01/2013</p>

<ul style="list-style-type: none"> - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a)(1) - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04(a)(1) (applies only to Child victim 14 or younger) - Murder--19.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - *Compelling Prostitution--43.05 - *Trafficking of Persons--20A.02 - *Burglary of Habitation with Intent to Commit any of the following:--30.02 <ul style="list-style-type: none"> - Continuous Sexual Abuse of a - Young Child or Children--21.02 - Indecency w/Child--21.11 - Sexual Assault--22.011 - Aggravated Sexual Assault--22.021 - Prohibited Sexual Conduct-25.02 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder--19.02 - Sexual Assault--22.011 - Aggravated Sexual Assault--22.021; - Continuous Trafficking of Persons 20A.03 - *Engaging in Organized Criminal Activity--71.02 - *Directing Activities of Criminal Street Gangs--71.023 <ul style="list-style-type: none"> - NOT 3g - Calendar Time = 1/2 - Minimum 2 years - Maximum 30 years 	
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree--22.02 - Aggravated Kidnapping, 1st or 2nd Degree--20.04 	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2013</p>

<ul style="list-style-type: none"> - Aggravated Robbery, 1st Degree--29.03 - Aggravated Sexual Assault, 1st Degree--22.021 - Any offense with affirmative finding of Deadly Weapon - Arson, 1st Degree--28.02 - Burglary of Habitation, 1st Degree--30.02 with intent to commit felony other than Theft - Capital Murder--9.03 - Compelling Prostitution--43.05 - Continuous Trafficking of Persons--20A.03 - Criminal Solicitation, 1st Degree--15.03 - Indecency w/Child--21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 - Murder, 1st or 2nd Degree--19.02 - Robbery, 2nd Degree--29.02 - Sexual Assault, 2nd Degree--22.011 - Sexual Performance by a Child--43.25 - Trafficking of Persons--20A.02 - *Engaging in Organized Criminal Activity, 1st Degree--71.02 - *Directing Activities of Criminal Street Gangs, 1st Degree--71.023 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>		
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct Time is not an accurate reflection of the offender's potential for rehabilitation.
<p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Sexual Assault--22.021(f) - Continuous Sexual Abuse of a Young Child or Children--21.02 - Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree--22.04 	<p>Ineligible for Parole. Ineligible for Mandatory Supervision.</p> <p>Eligible for up to a five year set off following a decision of parole denial by the BPP voting panel per HB 431.</p>	<p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p> <p>Effective 06/14/2013</p>

84 th LEGISLATURE		
09/01/2015 – 08/31/2017		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
1. Attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat - 22.07(a) (1,3,4,5, or 6), 2. Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 3. Murders while escaping or attempting to escape from a penal institution, 4. Murders an employee of a penal institution while incarcerated, 5. Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 6. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated, 7. Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 8. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct, 9. Murders an individual under ten years of age, 10. Murders in retaliation for/on account of service/status as a judge or justice of courts.	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life sentence).</p> <p>Prohibits anyone younger than 18 yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p> <p>**unless transferred to the court under Section 54.02, Family Code (Life sentence).</p>
Offender is serving a Life Sentence for one of the following listed offenses: - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)- 20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11(a)(1) - Sexual Assault--22.011 - Trafficking of Persons--20A.02 (a)(7) or(a)(8), (involves a child) - Burglary of Habitation with Intent to Commit any of the following:--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child--21.11	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) does not apply</p>	<p>Gov't Code 508.145(c) PC 12.42(c)(2)</p>

<ul style="list-style-type: none"> - Sexual Assault--22.011 - Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) 		
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Obscenity (images of child under the age of 18)--43.23(h) - Possession or Promotion of Child Pornography--43.26 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) - Burglary of Habitation with Intent to Commit any of the following:--30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) - Aggravated Sexual Assault--22.021 - Indecency w/Child--21.11 - Prohibited Sexual Conduct--25.02 - Sexual Assault--22.011 - Trafficking of Persons--20A.02(a)(7) or (a)(8), (involves a child) <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping--20.04 - Aggravated Robbery--29.03 - Aggravated Sexual Assault--22.021 - Any offense with affirmative finding of Deadly Weapon - Criminal Solicitation, 1st Degree--15.03 - Capital Murder--19.03 - Indecency w/Child (Sexual Contact) - 2nd Degree--21.11(a)(1) - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04(a)(1) (applies only to Child victim 14 or younger) - Murder--19.02 - Sexual Assault--22.011 - Sexual Performance by a Child--43.25 - Compelling Prostitution--43.05 - Trafficking of Persons--20A.02 - Burglary of Habitation with Intent to Commit any of the following:--30.02 	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 years. *22.021(f) does not apply</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder--19.02 - Sexual Assault--22.011 - Aggravated Sexual Assault--22.021; - Continuous Trafficking of Persons--20A.03 - Engaging in Organized Criminal - Activity--71.02 - Directing Activities of Criminal Street - Gangs--71.023 - NOT 3g - Calendar Time = 1/2 - Minimum 2 years - Maximum 30 years 	<p>CCP, Art. 42.12 Gov't Code 508.046</p>

<ul style="list-style-type: none"> - Continuous Sexual Abuse of a Young Child or Children--21.02 - Indecency w/Child--21.11 - Sexual Assault--22.011 - Aggravated Sexual Assault--22.021 - Prohibited Sexual Conduct--25.02 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less. Time credit on all sentences, one after another, until eligibility is reached on last sentence.	Gov't code 508.145(e)
CU offenses		CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Aggravated Assault, 1st or 2nd Degree--22.02 - Aggravated Kidnapping, 1st or 2nd Degree--20.04 - Aggravated Robbery, 1st Degree--29.03 - Aggravated Sexual Assault, 1st Degree--22.021 - Any offense with Affirmative Finding of Deadly Weapon - Arson, 1st Degree--28.02 - Burglary of Habitation, 1st Degree--30.02 with intent to commit felony other than Theft - Capital Murder--19.03 - Compelling Prostitution--43.05 	Ineligible for Mandatory Supervision.	Gov't Code 508.149

<ul style="list-style-type: none"> - Continuous Trafficking of Persons--20A.03 - Criminal Solicitation, 1st Degree--15.03 - Indecency w/Child--21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 - Murder, 1st or 2nd Degree--19.02 - Robbery, 2nd Degree--29.02 - Sexual Assault, 2nd Degree--22.011 - Sexual Performance by a Child--43.25 - Trafficking of Persons--20A.02 - Engaging in Organized Criminal Activity, 1st Degree--71.02 - Directing Activities of Criminal Street Gangs, 1st Degree--71.023 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug -Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>		
Discretionary Mandatory Supervision		Gov't Code 508.149(b) An offender may be denied mandatory supervision by a parole panel for the following reasons: - Offender will endanger the public AND - Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
The offenses listed below are NOT eligible for Parole or Mandatory Supervision: <ul style="list-style-type: none"> - Aggravated Sexual Assault--22.021(f) - Continuous Sexual Abuse of a Young Child or Children--21.02 - Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree--22.04 - *Aggravated Sexual Assault--22.021 - *Capital Murder--19.03 (LIFE) includes all statutory precursor offenses to both 	Ineligible for Parole. Ineligible for Mandatory Supervision. Eligible for up to a five year set off following a decision of parole denial by the BPP voting panel per HB431. *Eligible for up to a ten year set off following a decision of parole denial by the BPP voting panel per HB 1914.	Gov't Code 508.145(a) Gov't Code 508.149 Effective 06/14/2013 *Effective 09/01/2015 Effective 1/1/2017 offenses in CCP42.12 section 3G are moving to CCP42A.054
85th LEGISLATURE		
09/01/2017 – 08/31/2019		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) Death or Life without Parole--19.03 1. Murder of a peace officer or fireman on official duty; 2. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary,	**Not eligible for Parole or Mandatory Supervision release. **Punishable by Death or Life without Parole only. Calendar Time = 40 years served without consideration of good time (Life	Gov't Code 508.145, Gov't Code 508.149 PC 12.31 **unless transferred to the court under Family Code, Section 54.02 (Life sentence).

<p>robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat - 22.07(a)(1), (3), (4), (5), or (6);</p> <p>3. Murders for remuneration or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration;</p> <p>4. Murders while escaping or attempting to escape from a penal Institution;</p> <p>5. While incarcerated, murders an employee of a penal institution or murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals;</p> <p>6. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated or murders while serving a sentence of Life or 99 years for Aggravated</p> <p>7. Kidnapping (20.04), Aggravated Sexual Assault (22.021), or Aggravated Robbery (29.03);</p> <p>8. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct;</p> <p>9. Murders an individual under ten years of age; or</p> <p>10. Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>sentence) if under 18 years of age when serving a life sentence for a capital felony. PC 12.31(a)(1), Gov't Code 508.145(b).</p> <p>Offenses of continuous sexual abuse of young child or children (21.02) and super aggravated sexual assault of a child (22.021(f)) also are not eligible for Parole or Mandatory Supervision release. Gov't Code 508.145(a)</p>	
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)- 20.04(a)(4) - *Aggravated Sexual Assault-22.021 - Indecency w/Child-21.11(a)(1) - Sexual Assault-22.011 - Trafficking of Persons - 20A.02 (a)(7) or (a)(8) (involves a child) - Burglary of Habitation with Intent to Commit any of the following:-30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child-21.11 - Sexual Assault-22.011 <p>Trafficking of Persons-20A.02 (a)(7) or (a)(8), (involves a child)</p>	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) is not eligible for parole</p>	<p>Gov't Code 508.145(c), PC 12.42(c)(2)</p>

<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child - 21.11 - Obscenity (images of child under the age of 18)-43.23(h) - Possession or Promotion of Child Pornography - 43.26 - Prohibited Sexual Conduct - 25.02 - Sexual Assault - 22.011 - Sexual Performance by a Child-43.25 - Trafficking of Persons - 20A.02 (a)(7) or (a)(8), (involves a child) - Burglary of Habitation with Intent to Commit any of the following - 30.02: <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) - Aggravated Sexual Assault -22.021 - Indecency w/Child - 21.11 - Sexual Assault - 22.011 - Prohibited Sexual Conduct -25.02 - Trafficking of Persons - 20A.02 (a)(7) or (a)(8) (involves a child) <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>CCP 42A.054(a)* Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping-20.04 - Aggravated Robbery-29.03 - **Aggravated Sexual Assault-22.021 - Any offense with affirmative finding of Deadly Weapon Criminal Solicitation, 1st Degree- 15.03 - Injury to a Child or Elderly or Disabled Individual, 1st Degree- 22.04(a)(1) (applies only to child victim 14 or younger) - Murder-19.02 - Sexual Assault—22.011 - Indecency with a child (sexual contact), 2nd degree-21.11(a)(1) - Sexual Performance by a Child-43.25 - Compelling Prostitution-43.05 - Trafficking of Persons—20A.02 - 1st Degree Burglary of Habitation (30.02) with Intent to Commit any of the following: <ul style="list-style-type: none"> - Continuous Sexual Abuse of a Young Child or Children-21.02 - Indecency w/Child-21.11 - Sexual Assault-22.011 	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 years. **22.021(f) is not eligible for parole</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder-19.02 - Sexual Assault-22.011 - Aggravated Sexual Assault-22.021 <p><u>NOT</u> on list in 42A.054(a):</p> <ul style="list-style-type: none"> - Engaging in Organized Criminal Activity-----71.02 - Directing Activities of Criminal Street Gangs—71.023 	<p>Effective 01/01/2017 offenses in CCP art. 42.12 Section 3g(a) were re-codified at CCP 42A.054(a).</p> <p>Gov't Code 508.046 (extraordinary vote required for certain offenses)</p>

<ul style="list-style-type: none"> - Aggravated Sexual Assault-22.021 - Prohibited Sexual Conduct-25.02 <p>A Felony Increased under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't Code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't Code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Any offense with Affirmative finding of Deadly Weapon - Murder, 1st or 2nd Degree-19.02 - Capital Murder-19.03 - Aggravated Kidnapping, 1st or 2nd Degree-20.04 - Aggravated Assault, 1st or 2nd Degree- 22.02 - Robbery, 2nd Degree-29.02 - Aggravated Robbery, 1st Degree-29.03 - Arson, 1st Degree-28.02 - Burglary of Habitation, 1st Degree-30.02 with intent to commit felony other than Theft - Aggravated Sexual Assault, 1st Degree-22.021 - Compelling Prostitution-43.05 - Trafficking of Persons-20A.02 - Continuous Trafficking of Persons-20A.03 - Criminal Solicitation, 1st Degree-15.03 	<p>Ineligible for Mandatory Supervision</p> <p>Also, any offense committed on or after 09/01/1996 with a prior conviction of any of the listed offenses, including predecessor offenses, are ineligible for Mandatory Supervision</p>	Gov't Code 508.149

<ul style="list-style-type: none"> - Continuous sexual abuse of a child-21.02 - Indecency w/Child-21.11 - Sexual Assault, 2nd Degree-22.011 - Sexual Performance by a Child-43.25 - Injury to a Child or Elderly or Disabled Individual, 1st Degree-22.04 - Engaging in Organized Criminal Activity, 1st Degree-71.02 - Directing Activities of Criminal Street Gangs, 1st Degree-71.023 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
<p>Discretionary Mandatory Supervision for offense dates on or after 09/01/1996</p> <p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> - Super Aggravated Sexual Assault of a child—22.021(f) - Continuous Sexual Abuse of a Young Child or Children—21.02 - Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree—22.04 - *Aggravated Sexual Assault—22.021 - *Capital Murder—19.03 (LIFE) includes all statutory precursor offenses to both. 	<p>Ineligible for Parole.</p> <p>Ineligible for Mandatory Supervision.</p> <p>Eligible for up to a five- year set-off following a decision of parole denial by the BPP voting panel.</p> <p>*Eligible for up to a ten-year set-off following a decision of parole denial by the BPP voting panel.</p>	<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public AND - Offender accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation. <p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p> <p>Also see, PC 12.42(c)(4) (repeat offender)</p> <p>Effective 06/14/2013</p> <p>Gov't Code 508.141</p> <p>*Effective 09/01/2015</p> <p>Gov't Code 508.141</p>
86th LEGISLATURE		
09/01/2019 – 08/31/2021		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<ol style="list-style-type: none"> Capital Murder (Capital Felony) Death or Life without Parole—19.03 Murder of a peace officer or fireman on official duty; Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat — 22.07(a)(1), (3), (4), (5), or (6); 	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life sentence) if under 18 years of age when serving a life sentence for a capital felony.</p>	<p>Gov't Code 508.145, Gov't Code 508.149, PC 12.31</p> <p>**unless transferred to the court under Family Code, Section 54.02 (Life sentence).</p> <p>***Effective on or after Sept. 1, 2019 (SB 719-Lauren's Law):</p>

<p>5. Murders for remuneration or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration;</p> <p>6. Murders while escaping or attempting to escape from a penal Institution;</p> <p>7. While incarcerated, murders an employee of a penal institution or murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals;</p> <p>8. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated or murders while serving a sentence of Life or 99 years for Aggravated Kidnapping (20.04), Aggravated Sexual Assault (22.021), or Aggravated Robbery (29.03);</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct;</p> <p>10. Murders an individual under ten years of age;</p> <p>11. ***murders an individual 10 years of age or older but younger than 15 years of age; or</p> <p>12. Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>PC 12.31(a)(1),</p> <p>Gov't Code 508.145(b).</p> <p>Offenses of continuous sexual abuse of young child or children (21.02) and super aggravated sexual assault of a child (22.021(f)) also are not eligible for Parole or Mandatory Supervision release.</p> <p>Gov't Code 508.145(a)</p>	
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - *Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11(a)(1) - Sexual Assault—22.011 - Trafficking of Persons—20A.02 (a)(7) or (a)(8) (involves a child) - Burglary of Habitation with Intent to Commit any of the following--30.02: - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault-22.021 - Indecency w/Child—21.11 - Sexual Assault—22.011 - Trafficking of Persons—20A.02 (a)(7) or (a)(8) (involves a child) 	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) is not eligible for parole</p>	<p>Gov't Code 508.145(c), PC 12.42(c)(2)</p>

<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11 - Obscenity (images of child under the age of 18)—43.23(h) - Possession or Promotion of Child Pornography—43.26 - Prohibited Sexual Conduct—25.02 - Sexual Assault—22.011 - Sexual Performance by a Child—43.25 - Trafficking of Persons— 20A.02 (a)(7) or (a)(8) (involves a child) - Burglary of Habitation with Intent to Commit any of the following:—30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11 - Prohibited Sexual Conduct—25.02 - Sexual Assault—22.011 - Trafficking of Persons—20A.02 (a)(7) or (a)(8) (involves a child) <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>CCP 42A.054(a)* Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping—20.04 - Aggravated Robbery—29.03 - **Aggravated Sexual Assault—22.021 - Any offense with affirmative finding of Deadly Weapon - Criminal Solicitation, 1st Degree—15.03 - Indecency w/Child 2nd & 3rd Degree—21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree—22.04(a)(1) (applies only to child victim 14 or younger) - Murder—19.02 - Sexual Assault—22.011 - Sexual Performance by a Child—43.25 - Compelling Prostitution—43.05 - Trafficking of Persons—20A.02 - Continuous Trafficking of Persons—20A.03 - Aggravated Promotion of Prostitution—43.04 	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 years.</p> <p>**22.021(f) is not eligible for parole</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder—19.02 - Sexual Assault—22.011 - Aggravated Sexual Assault—22.021 <p><u>NOT on list in 42A.054(a):</u></p> <ul style="list-style-type: none"> - Engaging in Organized Criminal Activity—71.02 - Directing Activities of Criminal Street Gangs—71.023 	<p>Effective 01/01/2017 offenses in CCP art. 42.12 Section 3g(a) were re-codified at CCP 42A.054(a).</p> <p>Gov't Code 508.046 (extraordinary vote required for certain offenses)</p> <p>*New offenses added to list in 42A.054(a) effective 09/01/2019:</p> <ul style="list-style-type: none"> - Indecency w/Child 3rd Degree – 21.11(a)(2) - Continuous Trafficking of Persons—20A.03 - Aggravated Promotion of Prostitution - 43.04

<ul style="list-style-type: none"> - 1st Degree Burglary of Habitation (30.02) with Intent to Commit any of the following: <ul style="list-style-type: none"> - Continuous Sexual Abuse of a Young Child or Children—21.02 - Indecency w/Child—21.11 - Sexual Assault—22.011 - Aggravated Sexual Assault—22.021 - Prohibited Sexual Conduct—25.02 <p>A Felony Increased under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't Code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't Code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Any offense with Affirmative finding of Deadly Weapon Murder, 1st or 2nd Degree—19.02 - Capital Murder—19.03 - Aggravated Kidnapping, 1st or 2nd Degree—20.04 - Aggravated Assault, 1st or 2nd Degree— 22.02 - Robbery, 2nd Degree—29.02 - Aggravated Robbery, 1st Degree— 29.03 - Arson, 1st Degree—28.02 - Burglary of Habitation, 1st Degree— 30.02 with intent to commit felony other than Theft 	<p>Ineligible for Mandatory Supervision</p> <p>Also, any offense committed on or after 09/01/1996 with a prior conviction of any of the listed offenses, including predecessor offenses, are ineligible for Mandatory Supervision.</p>	Gov't Code 508.149

<ul style="list-style-type: none"> - Aggravated Sexual Assault, 1st Degree— 22.021 - Compelling Prostitution —43.05 - Trafficking of Persons—20A.02 - Continuous Trafficking of Persons— 20A.03 - Criminal Solicitation, 1st Degree-15.03 - Continuous sexual abuse of a child— 21.02 - Indecency w/Child—21.11 - Sexual Assault, 2nd Degree—22.011 - Sexual Performance by a Child—43.25 - Injury to a Child or Elderly or Disabled Individual, 1st Degree—22.04 - Engaging in Organized Criminal Activity, 1st Degree—71.02 - Directing Activities of Criminal Street Gangs, 1st Degree—71.023 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
<p>Discretionary Mandatory Supervision for offense dates on or after 09/01/1996</p> <p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> - Super Aggravated Sexual Assault of a child—22.021(f) - Continuous Sexual Abuse of a Young Child or Children—21.02 - Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree—22.04 - *Aggravated Sexual Assault—22.021 - *Capital Murder—19.03 (LIFE) includes all statutory precursor offenses to both 	<p>Ineligible for Parole. Ineligible for Mandatory Supervision.</p> <p>Eligible for up to a five- year set-off following a decision of parole denial by the BPP voting panel.</p> <p>*Eligible for up to a ten-year set-off following a decision of parole denial by the BPP voting panel.</p>	<p>Gov't Code 508.149(b) An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> - Offender will endanger the public AND - Offender accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation. <p>Gov't Code 508.145(a) Gov't Code 508.149</p> <p>Also see, PC 12.42(c)(4) (repeat offender) Effective 06/14/2013 Gov't Code 508.141</p> <p>*Effective 09/01/2015 Gov't Code 508.141</p>
87th LEGISLATURE		
9/1/2021 – 8/31/2023		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>1. Capital Murder (Capital Felony)</p> <p>2. Death or Life without Parole—19.03</p> <p>3. Murder of a peace officer or fireman on official duty;</p> <p>4. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat -22.07(a)(1), (3), (4), (5), or (6);</p>	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life sentence) if under 18 years of age when serving a life sentence for a capital</p>	<p>Gov't Code 508.145, Gov't Code 508.149, PC 12.31</p> <p>**unless transferred to the court under Family Code, Section 54.02 (Life sentence).</p> <p>***Effective on or after Sept. 1, 2019 (SB 719-Lauren's Law):</p>

<p>5. Murders for remuneration or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration;</p> <p>6. Murders while escaping or attempting to escape from a penal Institution;</p> <p>7. While incarcerated, murders an employee of a penal institution or murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals;</p> <p>8. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated or murders while serving a sentence of Life or 99 years for Aggravated Kidnapping (20.04), Aggravated Sexual Assault (22.021), or Aggravated Robbery (29.03);</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct;</p> <p>10. Murders an individual under ten years of age;</p> <p>11. ***murders an individual 10 years of age or older but younger than 15 years of age; or</p> <p>12. Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>felony. PC 12.31(a)(1), Gov't Code 508.145(b).</p> <p>Offenses of continuous sexual abuse of young child or children (21.02) and super aggravated sexual assault of a child (22.021(f)) also are not eligible for Parole or Mandatory Supervision release. Gov't Code 508.145(a)</p> <p>****Offenses of trafficking of persons that involve children (PC 20A.02(a)(5),(6),(7) and (8)) are not eligible for parole. Gov't Code 508.145(c-1).</p>	<p>**** effective on or after Sept. 1, 2021 (HB 465) an offender serving a sentence for this offense for which the judgment in the case contains an affirmative finding under Article 42.01991, Code of Criminal Procedure may be eligible under the parole rules applicable to PC 20A.03 offenses (see page 3).</p> <p>HB 465 added CCP Art. 42.01991, applicable in trials of PC 20A.02(a)(5), (6), (7), and (8) offenses.</p> <p>A person may be eligible for parole if (1) the defendant pleads guilty; and (2) the prosecutor, the defense attorney, and the defendant agree in writing that the defendant will become eligible for parole as described by Gov't Code 508.145(c-1)(2).</p> <p>On the motion of the prosecuting attorney, the judge shall make an affirmative finding of fact regarding the agreement and shall enter a finding in the judgment.</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - *Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11(a)(1) - Sexual Assault—22.011 - Burglary of Habitation with Intent to Commit any of the following-30.02: - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11 - Sexual Assault—22.011 - Trafficking of Persons—20A.02 (a)(7) or (a)(8) (involves a child) <p>AND has a previous conviction for one of the following offenses:</p>	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) is not eligible for parole</p>	<p>Gov't Code 508.145(c), PC 12.42(c)(2)</p>

<ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11 - Obscenity (images of child under the age of 18)—43.23(h) - Possession or Promotion of Child Pornography—43.26 - Prohibited Sexual Conduct—25.02 - Sexual Assault—22.011 - Sexual Performance by a Child—43.25 - Trafficking of Persons— 20A.02 (a)(7) or (a)(8) (involves a child) - Burglary of Habitation with Intent to Commit any of the following:—30.02 - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11 - Prohibited Sexual Conduct—25.02 - Sexual Assault—22.011 - Trafficking of Persons—20A.02 (a)(7) or (a)(8) (involves a child) <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>CCP 42A.054(a)* Offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping—20.04 - Aggravated Robbery—29.03 - **Aggravated Sexual Assault—22.021 - Any offense with affirmative finding of Deadly Weapon - Criminal Solicitation, 1st Degree—15.03 - Indecency w/Child 2nd & 3rd Degree—21.11 - Injury to a Child or Elderly or Disabled Individual, 1st Degree— 22.04(a)(1) (applies only to child victim 14 or younger) - Murder—19.02 - Sexual Assault—22.011 - Sexual Performance by a Child—43.25 - Compelling Prostitution—43.05 - ***Continuous Trafficking of Persons—20A.03 - Aggravated Promotion of Prostitution—43.04 - 1st Degree Burglary of Habitation (30.02) with Intent to Commit any of the following: <ul style="list-style-type: none"> - Continuous Sexual Abuse of a Young Child or Disabled Individual*—21.02 - Indecency w/Child—21.11 	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 years.</p> <p>**22.021(f) is not eligible for parole For every 12 months that elapse between date of arrest warrant and actual arrest date, initial parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder—19.02 - Sexual Assault—22.011 - Aggravated Sexual Assault—22.021 <p>***offenses of PC 20A.03 (continuous trafficking of persons) are no longer eligible for parole if the conduct also includes an offense under PC 20A.02(a) (5),(6),(7) or (8).</p> <p><u>NOT</u> on list in 42A.054(a):</p> <ul style="list-style-type: none"> - Engaging in Organized Criminal Activity- 71.02 - Directing Activities of Criminal Street Gangs—71.023 	<p>Effective 01/01/2017 offenses in CCP art. 42.12 Section 3g(a) were re-codified at CCP 42A.054(a).</p> <p>Gov't Code 508.046 (extraordinary vote required for certain offenses)</p> <p>*New offenses added to list in 42A.054(a) effective 09/01/2019:</p> <ul style="list-style-type: none"> - Indecency w/Child 3rd Degree—21.11(a)(2) - Continuous Trafficking of Persons—20A.03 - Aggravated Promotion of Prostitution—43.04

<ul style="list-style-type: none"> - Sexual Assault—22.011 - Aggravated Sexual Assault—22.021 - Prohibited Sexual Conduct—25.02 - Manufacture/Delivery C/S PG 1-B (includes Possession WIT Deliver)—481.1123(d), (e), or (f)* <p>A Felony Increased under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't Code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't Code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. - a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	PC 12.35 Confinement is to a state jail for any term of not more than two years or less than 180 days.
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Any offense with Affirmative finding of Deadly Weapon - Murder, 1st or 2nd Degree—19.02 - Capital Murder—19.03 - Aggravated Kidnapping, 1st or 2nd Degree—20.04 - Aggravated Assault, 1st or 2nd Degree— 22.02 - Robbery, 2nd Degree—29.02 - Aggravated Robbery, 1st Degree— 29.03 - Arson, 1st Degree—28.02 - Burglary of Habitation, 1st Degree— 30.02 with intent to commit felony other than Theft - Aggravated Sexual Assault, 1st Degree— 22.021 - Compelling Prostitution —43.05 - Trafficking of Persons—20A.02 	Ineligible for Mandatory Supervision Also, any offense committed on or after 09/01/1996 with a prior conviction of any of the listed offenses, including predecessor offenses, are ineligible for Mandatory Supervision	Gov't Code 508.149

<ul style="list-style-type: none"> - Continuous Trafficking of Persons—20A.03 - Criminal Solicitation, 1st Degree—15.03 - Continuous sexual abuse of a child—21.02 - Indecency w/Child—21.11 - Sexual Assault, 2nd Degree—22.011 - Sexual Performance by a Child—43.25 - Injury to a Child or Elderly or Disabled Individual, 1st Degree—22.04 - Engaging in Organized Criminal Activity, 1st Degree—71.02 - Directing Activities of Criminal Street Gangs, 1st Degree—71.023 - Manufacture/Delivery C/S PG 1-B (includes Possession WIT Deliver)—481.1123(d), (e), or (f)* <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
Discretionary Mandatory Supervision for offense dates on or after 09/01/1996		Gov't Code 508.149(b) An offender may be denied mandatory supervision by a parole panel for the following reasons: <ul style="list-style-type: none"> - Offender will endanger the public AND - Offender accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
The offenses listed below are NOT eligible for Parole or Mandatory Supervision: <ul style="list-style-type: none"> - Super Aggravated Sexual Assault of a child—22.021(f) - Continuous Sexual Abuse of a Young Child or Disabled Individual—21.02 	Ineligible for Parole. Ineligible for Mandatory Supervision.	Gov't Code 508.145(a) Gov't Code 508.149 Also see, PC 12.42(c)(4) (repeat offender)
Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree—22.04	Eligible for up to a five- year set-off following a decision of parole denial by the BPP voting panel.	Effective 06/14/2013 Gov't Code 508.141
<ul style="list-style-type: none"> - *Aggravated Sexual Assault—22.021 - *Capital Murder—19.03 (LIFE) includes all statutory precursor offenses to both 	*Eligible for up to a ten-year set-off following a decision of parole denial by the BPP voting panel.	*Effective 09/01/2015 Gov't Code 508.141
88th LEGISLATURE		
9/1/2023 – 8/31/2025		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
1. Capital Murder (Capital Felony) 2. Death or Life without Parole—19.03	**Not eligible for Parole or Mandatory Supervision release. **Punishable by Death or Life without Parole only.	Gov't Code 508.145, Gov't Code 508.149, PC 12.31

<p>3. Murder of a peace officer or fireman on official duty;</p> <p>4. Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat -22.07(a)(1), (3), (4), (5), or (6);</p> <p>5. Murders for remuneration or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration;</p> <p>6. Murders while escaping or attempting to escape from a penal Institution;</p> <p>7. While incarcerated, murders an employee of a penal institution or murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals;</p> <p>8. A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated or murders while serving a sentence of Life or 99 years for Aggravated Kidnapping (20.04), Aggravated Sexual Assault (22.021), or Aggravated Robbery (29.03);</p> <p>9. Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct;</p> <p>10. Murders an individual under ten years of age;</p> <p>11. ***murders an individual 10 years of age or older but younger than 15 years of age; or</p> <p>12. Murders in retaliation for/on account of service/status as a judge or justice of courts.</p> <p>- (Capital felonies under PC 19.03)</p>	<p>Calendar Time = 40 years served without consideration of good time (Life sentence) if under 18 years of age when serving a life sentence for a capital felony. PC 12.31(a)(1), Gov't Code 508.145(b).</p> <p>Offenses of continuous sexual abuse of young child or disabled individual (21.02); super aggravated sexual assault of a child (22.021(f)); illegal entry by certain individuals (51.03); and refusal to comply with an order to return to a foreign nation (51.04) also are not eligible for Parole or Mandatory Supervision release.</p> <p>Gov't Code 508.145(a)</p> <p>****Offenses of trafficking of persons that involve children or disabled individual (PC 20A.02(a)(5),(6),(7) and (8)) are not eligible for parole.</p> <p>Gov't Code 508.145(c-1).</p>	<p>**unless transferred to the court under Family Code, Section 54.02 (Life sentence).</p> <p>***Effective on or after Sept. 1, 2019 (SB 719-Lauren's Law):</p> <p>**** effective on or after Sept. 1, 2021 (HB 465) an offender serving a sentence for this offense for which the judgment in the case contains an affirmative finding under Article 42.01991, Code of Criminal Procedure may be eligible under the parole rules applicable to PC 20A.03 offenses (see page 3).</p> <p>Effective Sept. 1, 2021 (HB 465) CCP Art. 42.01991, applicable in trials of PC 20A.02(a)(5), (6), (7), and (8) offenses. A person may be eligible for parole if (1) the defendant pleads guilty; and (2) the prosecutor, the defense attorney, and the defendant agree in writing that the defendant will become eligible for parole as described by Gov't Code 508.145(c-1)(2) – eligible when actual calendar time served, without consideration of good time, equals one-half of the sentence or 30 calendar years, whichever is less, but not less than two years.</p> <p>On the motion of the prosecuting attorney, the judge shall make an affirmative finding of fact regarding the agreement and shall enter a finding in the judgment.</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - *Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11(a)(1) - Sexual Assault—22.011 	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) is not eligible for parole</p>	<p>Gov't Code 508.145(c), PC 12.42(c)(2)</p>

<ul style="list-style-type: none"> - Burglary of Habitation with Intent to Commit any of the following-30.02: - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault—22.021 - Trafficking of Persons—20A.02 (a)(7) or (a)(8) (involves a child or disabled individual) <p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> - Aggravated Kidnapping (with intent to violate or abuse the victim sexually)—20.04(a)(4) - Aggravated Sexual Assault—22.021 - Indecency w/Child—21.11 - Obscenity (images of child under the age of 18)—43.23(h) - Possession or Promotion of Child Pornography—43.26 - Prohibited Sexual Conduct—25.02 - Sexual Assault—22.011 - Sexual Performance by a Child—43.25 - Trafficking of Persons— 20A.02 (a)(7) or (a)(8) (involves a child or disabled individual) - Burglary of Habitation with Intent to Commit any of the following:—30.02 <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>Tex. Gov't Code 508.145(d)</p> <p>CCP 42A.054(a)* Offenses:</p> <ul style="list-style-type: none"> -Criminal Solicitation, 1st Degree—15.03 -Murder—19.02 -Aggravated Kidnapping—20.04 -Trafficking of Person – 20A.02 (except subsections (a)(5),(6), (7) ***Continuous Trafficking of Persons—20A.03 -Indecency w/Child—21.11 -Sexual Assault—22.011 -Aggravated Sexual Assault—22.021 -Injury to a Child or Elderly or Disabled Individual, 1st Degree— 22.04(a)(1) (applies only to child victim 14 or younger) - Aggravated Robbery—29.03 -1st Degree Burglary of Habitation (30.02) with Intent to Commit any of the following: - Continuous Sexual Abuse of a Young Child or Disabled Individual*—21.02 - Sexual Assault—22.011 	<p>Calendar Time = 1/2 Minimum of 2 yrs. Maximum of 30 years.</p> <p>**22.021(f) is not eligible for parole For every 12 months that elapse between date of arrest warrant and actual arrest date, initial parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> - Murder—19.02 - Sexual Assault—22.011 - Aggravated Sexual Assault—22.021 <p>***offenses of PC 20A.03 (continuous trafficking of persons) are no longer eligible for parole if the conduct also includes an offense under PC 20A.02(a) (5),(6),(7) or (8). Gov't Code 508.145 (c-1).</p> <p><u>NOT</u> on list in 42A.054(a):</p> <ul style="list-style-type: none"> - Engaging in Organized Criminal Activity- 71.02 	<p>Effective 01/01/2017 offenses in CCP art. 42.12 Section 3g(a) were re-codified at CCP 42A.054(a).</p> <p>Gov't Code 508.046 (extraordinary vote required for certain offenses)</p> <p>*New offenses added to list in 42A.054(a) effective 09/01/2019:</p> <ul style="list-style-type: none"> - Indecency w/Child 3rd Degree—21.11(a)(2) - Continuous Trafficking of Persons—20A.03 - Aggravated Promotion of Prostitution—43.04 <p>*New offense added to list in 42A.054(a) effective 09/01/2023: Possession or Promotion of Child Pornography –43.26</p>

<ul style="list-style-type: none"> - Prohibited Sexual Conduct—25.02 - Manufacture/Delivery C/S PG 1-B (includes Possession WIT Deliver)—481.1123(d), (e), or (f)* <p>Aggravated Promotion of Prostitution—43.04</p> <ul style="list-style-type: none"> -Compelling Prostitution—43.05 -Sexual Performance by a Child—43.25 <p>-Possession or Promotion of Child Pornography—43.26</p> <ul style="list-style-type: none"> -Any offense with affirmative finding of Deadly Weapon <p>A Felony Increased under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	Directing Activities of Criminal Street Gangs—71.023	
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't Code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't Code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> - a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	PC 12.35 Confinement is to a state jail for any term of not more than two years or less than 180 days.
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> - Any offense with Affirmative finding of Deadly Weapon - Murder, 1st or 2nd Degree—19.02 - Capital Murder—19.03 - Aggravated Kidnapping, 1st or 2nd Degree—20.04 - Aggravated Assault, 1st or 2nd Degree— 22.02 - Robbery, 2nd Degree—29.02 - Aggravated Robbery, 1st Degree— 29.03 - Arson, 1st Degree—28.02 	<p>Ineligible for Mandatory Supervision</p> <p>Also, any offense committed on or after 09/01/1996 with a prior conviction of any of the listed offenses, including predecessor offenses, are ineligible for Mandatory Supervision</p>	Gov't Code 508.149

<ul style="list-style-type: none"> - Burglary of Habitation, 1st Degree—30.02 with intent to commit felony other than Theft - Aggravated Sexual Assault, 1st Degree—22.021 - Compelling Prostitution—43.05 - Trafficking of Persons—20A.02 - Continuous Trafficking of Persons—20A.03 - Criminal Solicitation, 1st Degree—15.03 - Continuous sexual abuse of a child—21.02 - Indecency w/Child—21.11 - Sexual Assault, 2nd Degree—22.011 - Sexual Performance by a Child—43.25 - Injury to a Child or Elderly or Disabled Individual, 1st Degree—22.04 - Engaging in Organized Criminal Activity, 1st Degree—71.02 - Directing Activities of Criminal Street Gangs, 1st Degree—71.023 - Manufacture/Delivery C/S PG 1-B (includes Possession WIT Deliver)--481.1123(d), (e), or (f)* - a second degree felony under Section 22.01, Assault - an offense under 22.01, punished under Subsection (b)(2), (7), or (8) of that section. <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>		
Discretionary Mandatory Supervision for offense dates on or after 09/01/1996		Gov't Code 508.149(b) An offender may be denied mandatory supervision by a parole panel for the following reasons: <ul style="list-style-type: none"> - Offender will endanger the public AND Offender accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
The offenses listed below are NOT eligible for Parole or Mandatory Supervision: <ul style="list-style-type: none"> - Super Aggravated Sexual Assault of a child—22.021(f) Continuous Sexual Abuse of a Young Child or Disabled Individual—21.02	Ineligible for Parole. Ineligible for Mandatory Supervision.	Gov't Code 508.145(a) Gov't Code 508.149 Also see, PC 12.42(c)(4) (repeat offender)
Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree-22.04	Eligible for up to a five-year set-off following a decision of parole denial by the BPP voting panel.	Effective 06/14/2013 Gov't Code 508.141

<ul style="list-style-type: none"> - *Aggravated Sexual Assault-22.021 - *Capital Murder-19.03 (LIFE) includes all statutory precursor offenses to both 	<p>*Eligible for up to a ten-year set-off following a decision of parole denial by the BPP voting panel.</p>	<p>*Effective 09/01/2015 Gov't Code 508.141</p>
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