



**TEXAS BOARD
OF
PARDONS AND PAROLES**

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Date: November 22, 2013

Page: Page 1 of 6

Supersedes: September 1, 2009

BOARD DIRECTIVE

SUBJECT: POLICIES AND PROCEDURES

PURPOSE: To establish guidelines for the administrative processes for drafting and reviewing policies and procedures regarding the administrative and statutory functions of the Texas Board of Pardons and Paroles (Board). Board employees shall follow the guidelines of this directive in drafting, distributing, and maintaining policies and procedures.

AUTHORITY: Texas Government Code Sections 508.036, 508.041, and 2001.004

DISCUSSION: It is the intent of the Board to develop an administrative processing system for the efficient administration of its constitutional and statutory responsibilities. These are statements regarding only the internal management of the Board and not affecting private rights or procedures.

DEFINITIONS: Administrative Directives – procedures that apply to one or more divisions or sections. These directives are usually more procedural than executive directives. Administrative directives are reviewed by the Board Administrator or designee and signed by the Division or Section Director.

Board Policies – policies reflect statements of general applicability that describe the procedure or practice requirements of the Board. Policies are approved by the Board Members in an Open Meeting under the coordination of the General Counsel. As a general rule, Board policies include matters of release on parole, order or discretionary release to mandatory supervision and revocation of parole or mandatory supervision.

Board Directives – directives are procedures and instructions to Board Members and employees regarding the internal administration of the Board's statutory responsibilities. Board directives are reviewed by Board Members and appropriate staff, and approved and signed by the Presiding Officer (Chair).

PROCEDURES:

- I. General - Policies, Directives and Manuals – Instructional documents shall not conflict with any higher level document. For example, an administrative directive cannot conflict with a policy or a board directive. The Public Information Director or designee will update the Board Web page with new or revised documents, including the table of contents, policies, and directives.
 - A. Policies – The Chair and Board Members are responsible for establishing and implementing new or revised policies. Board policies may, with recommendation from the General Counsel, go through special (or limited) review and revision procedures.
 - B. Board Directives – The Chair is responsible for establishing and implementing new or revised directives.
 - C. Annual Review – The General Counsel is responsible for annually reviewing policies and directives. The General Counsel annual review shall occur during the last quarter of each calendar year. The General Counsel will submit all policies and directive to the Chair, Board Members and the Board Administrator with a recommendation to retain, repeal or revise the respective documents.
 - D. Manuals
 1. Board Resource Manual – The Chair or designee is responsible for reviewing, maintaining and distributing the Board’s resource manuals.
 2. Hearing Officer (Board Designee) Manual – The Board Administrator or designee is responsible for biennially reviewing, maintaining, and distributing the Hearing Officer (Board Designee) Manual.
 3. Operations Manual – Each Board section director including the General Counsel is responsible for reviewing, maintaining, and distributing its own operations manual.
- II. Submission, Review, and Approval
 - A. Policies
 1. The Chair or designee(s) shall recommend and draft a new or revised policy draft based on statutory or rule changes, or case law. The designee may include a workgroup of Board Members, Parole Commissioners and Board staff appointed by the Chair.

2. The Chair or designee(s) shall submit the draft to the General Counsel-for legal and substantive review requesting comments or suggested revisions within 15 days (this deadline may be shortened for critical policies).
3. The General Counsel shall distribute the draft to the Chair, Board members and the Board Administrator for review, requesting comments or suggested revisions within 15 days (this deadline may be shortened for critical policies). The General Counsel's recommendations concerning the Board's policies are considered attorney client privileged communications.
4. The General Counsel shall request the Chair's approval to include the policy as an adoption item on the next board meeting agenda. Upon approval, the General Counsel shall submit the policy to the Public Information Director or designee to review and prepare a final draft to include the policy on the agenda for the next board meeting.
5. The General Counsel shall provide a copy of the new policy and any attachments to the Public Information Director or designee to place in the meeting packets for the next board meeting. The Public Information Director or designee shall have a clean original available for the Chair's signature at the board meeting. If the Board adopts the policy, the Chair shall sign the policy and submit to the Public Information Director or designee.
6. The Public Information Director or designee shall distribute new or revised policies to Board Policy Manual holders using the electronic mail (E-mail) system and hard copies to appropriate staff.

B. Board Directives

1. For all directives except the Board of Pardons and Paroles Parole Panels, the Chair or designee shall recommend and draft a new or revised directive based on statutory, policy or rule changes, or case law. The designee may include a workgroup of Board members, Parole Commissioners and Board staff appointed by the Chair.

The Board of Pardons and Paroles Parole Panels shall be revised and distributed by the Chair.

2. The Chair or designee shall submit the draft to the General Counsel for legal and substantive review requesting comments or suggested revisions within 15 days.
3. The General Counsel shall finalize the draft and distribute it to the Chair, Board Members and the Board Administrator for review, requesting

comments or suggested revisions within 15 days (this deadline may be shortened for critical directives).

4. When the review is complete, the General Counsel will incorporate the recommendations in the final draft directive or discuss them with the Chair. The Chair will approve the final draft directive. The General Counsel will submit the final draft directive to the Public Information Director or designee for review and submission to the Chair for signature.
5. The Chair shall sign the directive and the Public Information Director or designee shall distribute new or revised directives to Board Policy Manual holders using the E-mail system and hard copies to the appropriate staff.

C. Administrative Directives

1. The Board Administrator or Public Information Director or designee shall recommend and draft a new or revised administrative directive based upon statutory, policy, or rule changes, or case law.
2. The Board Administrator or Public Information Director or designee shall submit the draft to the General Counsel for legal and substantive review. The General Counsel shall review and revise as appropriate within 15 days.
3. The General Counsel shall submit the final draft to the Public Information Director or designee. The Public Information Director or designee shall submit the final directive to the division or section director for signature. The Public Information Director or designee shall distribute Administrative Directives to appropriate staff.

D. Board Resource Manual

1. The Chair or designee shall recommend and draft a new or revised manual procedure based on new, revised or amended statute, rule, policy or directive. The designee may include a work group of Board Members, Parole Commissioners and Board staff appointed by the Chair.
2. The Chair or designee shall submit the draft to the General Counsel for legal and substantive review, requesting comments or suggested revisions within 15 days.
3. The General Counsel shall provide comments or suggested revisions to the Chair or designee. The Chair or designee shall finalize the draft and distribute it to the Chair, Board Members and Board Administrator for review, requesting comments or suggested new or revised language within 30 days (this deadline may be shortened for critical revisions).

4. When the review is complete, the Chair or designee shall either incorporate the comments and suggestions in the manual or not. The Chair shall approve the manual revisions.
5. The Chair or designee shall submit the manual revisions to the Public Information Director or designee to distribute manual revisions to the Board Policy Manual holders using the E-mail system and hard copies to appropriate staff.

E. Hearing Officer (Board Designee) Manual

1. The Board Administrator or designee shall recommend and draft a new or revised manual biennially based on new, revised or amended statute, rule, policy or directive or case law. The designee may include a work group of the hearing operations director and regional operations supervisors.
2. The Board Administrator or designee shall submit the draft to the General Counsel for legal and substantive review, requesting comments or suggested revisions within 60 days.
3. The Board Administrator or designee shall finalize the draft and distribute it to the Chair, Board Members and the point person for revocation matters for review, requesting comments or suggested revisions within 60 days (this deadline may be shortened for critical revisions).
4. The Board Administrator shall request the Chair's approval to include the manual as an adoption item on the next Board meeting agenda. Upon approval, the Board Administrator shall notify the Public Information Director or designee to include the manual revisions and resolution on the agenda for the next Board meeting.
5. The Board Administrator or designee shall provide a summary of the revisions to the Public Information Director to send with the meeting packets for the next Board meeting. The Public Information Director shall have a clean original resolution for the Chair's signature at the Board meeting. If the Board adopts the manual, the Chair shall sign the resolution.
6. The Board Administrator or designee shall submit the manual to the Public Information Director or designee to distribute hard copies of the manual to Board Policy Manual holders.

III. Distribution and Maintenance

- A. The Public Information Director or designee shall distribute all final copies of new or revised instructional documents.

- B. The Public Information Director or designee shall maintain a master of the current original policies, directives, resolutions, and orders. The Public Information Director shall also maintain a master notebook containing outdated policies, directives, resolutions, and orders.

SIGNED THIS, THE 22nd DAY OF NOVEMBER, 2013.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

* Signature on file