



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 141.400

Date: September 1, 2017

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Supersedes: None

BOARD POLICY

SUBJECT: OFFENDER TRANSFER FROM TDCJ CID TO FEDERAL CUSTODY

PURPOSE: To establish a policy statement of the Texas Board of Pardons and Paroles regarding offenders who have an ICE detainer and discharged their TDCJ sentence.

AUTHORITY: Texas Code of Criminal Procedure Article 42.039(b)
Texas Government Code Section 508.0441
Texas Administrative Code Sections 145.12, 145.13, 145.14, and 145.15

DISCUSSION: The Texas Board of Pardons and Paroles (Board), Board Members and Parole Commissioners, are authorized by statute to determine which offenders are to be released on parole or mandatory supervision. By rule, the Board has adopted voting options when considering an offender for parole or mandatory supervision. One of the voting options requires the offender to serve until the sentence is discharged.

POLICY: It is the policy of the Board to recognize a judge's order which authorizes an official of a secure correctional facility official, in which the offender is confined, to transfer the offender from the secure correctional facility to federal custody to serve the final portion of the offender's sentence, not to exceed a period of seven days. This will occur when the Board determines that an offender, with an ICE detainer, is required to serve his sentence until it discharges. The Board's determination acknowledges that the change in the place of confinement not to exceed a period of seven days prior to discharge will facilitate the seamless transfer of the offender into federal custody.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 20th DAY OF JULY, 2017.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*