



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR.146.300
Date: October 10, 2014
Page: Page 1 of 2
Supersedes: BPP-DIR.146.300
Dated December 1, 2008

BOARD DIRECTIVE

- SUBJECT:** MOTION TO REOPEN HEARING – REVOCATION HEARING
- PURPOSE:** To provide procedures to the staff of the Texas Board of Pardons and Paroles to respond to a Motion to Reopen Hearing request.
- AUTHORITY:** Texas Constitution, Article IV, Section 11
Texas Administrative Code, Title 37, Part V, Chapter 146, Sections 146.11 and 146.12
Board Directive BPP-DIR.141.304
- DISCUSSION:** The Board of Pardons and Paroles (Board) may receive and consider Motions to Reopen (MTR) revocation hearings from offenders or their attorneys. An offender or his attorney must submit an MTR no later than 60 days after the revocation date.
- DEFINITIONS:** Alternate Panel – a panel designated by the Presiding Officer (Chair) that considers MTRs if members of the MTR panel originally revoked the offender’s parole or mandatory supervision release.
- Original Panel – the last panel that voted to revoke an offender’s parole or mandatory supervision release.
- Super Intensive Supervision Program (SISP) Panel – a panel designated by the Presiding Officer (Chair) that considers MTRs received from SISP Offenders (panel members must be different than the original revoking panel).
- Motion to Reopen (MTR) panel - a panel designated by the Presiding Officer (Chair) that considers MTRs.

PROCEDURES:

- I.** The General Counsel's Office (GCO) receives and processes all MTR requests in accordance with established rules, policies, directives and operational procedures.
 - A. The Assistant General Counsel (AGC) shall review and make recommendations on all MTR requests.
 - B. The GCO staff transmits the AGC's and General Counsel's recommendation to the appropriate parole panel as defined above (based on original revocation decision).
- II.** The parole panel shall review and consider the MTR request, then vote in accordance with Texas Administrative Code, Title 37, Part V, Chapter 146, Sections 146.11 and 146.12.
- III.** The GCO staff shall notify the offender and/or attorney of the parole panel's decision and, if appropriate, refer the case file to the Board Administrator for "Reverse Disposition" processing.

SIGNED THIS, THE 10TH DAY OF OCTOBER, 2014.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*