



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR. 141.330

Date: December 21, 2020

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Supersedes: February 19, 2019

BOARD DIRECTIVE

SUBJECT: POLICIES AND PROCEDURES

PURPOSE: To establish guidelines for drafting, reviewing, distributing, and maintaining policies and procedures regarding the administrative and statutory functions of the Texas Board of Pardons and Paroles.

AUTHORITY: Texas Government Code Sections 508.035(d), 508.036, 508.041, and 2001.004

DISCUSSION: It is the intent of the Texas Board of Pardons and Paroles (Board) to develop an administrative processing system for the efficient administration of its constitutional and statutory responsibilities. Board employees shall follow the guidelines of this directive in drafting, distributing, and maintaining policies and procedures. These are statements regarding only the internal management of the Board and do not affect private rights or procedures.

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

Board Policies – policies that 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 or discretionary release to mandatory supervision and revocation of parole or mandatory supervision.

Board Directives – 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.

Manuals – employee manuals that provide detailed operational procedures and instructions regarding an employee’s assigned duties and responsibilities. The Board Resource Manual is a manual that provides resource information for the Board Members and Parole Commissioners related to their statutory duties and responsibilities.

PROCEDURE:

- 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. Board Administrator or designee will update the Board website with new or revised documents, including the table of contents, policies, and directives.
 - A. Policies – The Presiding Officer 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 Presiding Officer 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’s annual review shall commence during the last quarter of each calendar year. The General Counsel will submit all policies and directive to the Presiding Officer, Board Members, Chief of Staff, and Board Administrator with a recommendation to retain, repeal, rescind, or revise the respective documents.
 - D. Manuals
 - 1. Board Resource Manual – The Presiding Officer or designee is responsible for reviewing, maintaining, and distributing the Board Resource Manual.
 - 2. Board Designee Manuals – The Board Administrator or designee is responsible for biennially reviewing, maintaining, and distributing the Hearing Officer and Analyst manuals.
 - 3. Operations Manuals – Each Section Director, including the General Counsel, is responsible for reviewing and distributing its own operations manuals.
- II. Submission, Review, and Approval
 - A. Policies

1. The Presiding Officer or designee shall recommend and draft a new or revised policy based upon statutory changes, rule changes, or new case law. The designee may include a work group of Board Members, Parole Commissioners, and Board staff appointed by the Presiding Officer.
2. The Presiding Officer or designee 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 Presiding Officer, Board Members, Chief of Staff, and 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 Presiding Officer'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 Technical Writer to review and prepare a final draft to include the policy on the agenda for the next Board meeting.
5. The General Counsel shall review and approve the final draft policy and any attachments for the Technical Writer to send to the Director of Support Operations or designee to place in the meeting packets for the next Board meeting. The Director of Support Operations or designee shall have a clean original available for the Presiding Officer's signature at the Board meeting. If the Board adopts the policy, the Presiding Officer shall sign the policy and submit it to the Director of Support Operations or designee.
6. The Director of Support Operations or designee shall provide the Technical Writer with the original signed policy. The Technical Writer shall distribute the new or revised policy to Board Member Policy Handbook holders using the electronic mail (email) system.

B. Board Directives

1. For all directives except Board Directive BPP-DIR.141.304 Parole Panels, the Presiding Officer or designee shall recommend and draft a new or revised directive based upon statutory changes, policy changes, rule changes, or new case law. The designee may include a work group of Board Members, Parole Commissioners, and Board staff appointed by the Presiding Officer.

2. The Presiding Officer or designee 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 directives).
3. The General Counsel shall finalize the draft and distribute it to the Presiding Officer, Board Members, Chief of Staff, and 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 discuss the recommendations with the Presiding Officer and incorporate the approved recommendations in the final draft directive. The Presiding Officer will approve the final draft directive. The General Counsel will submit the final draft directive to the Technical Writer for final review and submission to the Presiding Officer for signature.
5. The Presiding Officer shall sign the directive and the Technical Writer shall distribute the new or revised directive to Board Member Policy Handbook holders using the email system.

C. Administrative Directives

1. The Chief of Staff or Board Administrator or Presiding Officer's Program Specialist or designee shall recommend and draft a new or revised administrative directive based upon statutory changes, policy changes, rule changes, or new case law.
2. The Chief of Staff or Board Administrator or Presiding Officer's Program Specialist 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 Technical Writer. The Technical Writer shall submit the final directive to the Division or Section Director for signature. The Technical Writer shall distribute administrative directives to appropriate staff.

D. Board Resource Manual

1. The Presiding Officer or designee shall recommend and draft a new or revised manual procedure based upon new, revised, or amended statutes, rules, policies, or directives. The designee may include a work group of Board Members, Parole Commissioners, and Board staff appointed by the Presiding Officer.

2. The Presiding Officer or designee 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 revisions).
3. The General Counsel shall provide comments or suggested revisions to the Presiding Officer or designee. The Presiding Officer or designee shall finalize the draft and distribute it to the Presiding Officer, Board Members, Chief of Staff, and Board Administrator for review, requesting comments or suggested revisions within 30 days (this deadline may be shortened for critical revisions).
4. When the review is complete, the Presiding Officer or designee shall either incorporate the comments and suggestions into the manual or not. The Presiding Officer shall approve the manual revisions.
5. The Presiding Officer or designee shall submit the manual revisions to the Technical Writer, who shall coordinate or update the electronic manual on the Board's Intranet and distribute the revised manual to the Board Members, Parole Commissioners, Chief of Staff, Board Administrator, and General Counsel using the email system.

E. Board Designee Manuals

1. The Board Administrator or designee shall recommend and draft new or revised manuals biennially based upon new, revised, or amended statutes, rules, policies, directives, or case law. The Board Administrator or designee may include a work group of the Director of Hearing Operations and Regional Operations Supervisors.
2. The Board Administrator or designee shall submit the drafts to the General Counsel for legal and substantive review, requesting comments or suggested revisions within 60 days (this deadline may be shortened for critical revisions).
3. The Board Administrator or designee shall finalize the drafts and distribute them to the Presiding Officer, Board Members, and the Director of Hearing Operations 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 Presiding Officer's approval to include the manuals as adoption items on the next Board meeting agenda. Upon approval, the Board Administrator shall notify the Director of Support Operations or designee to include the manual revisions and resolutions on the agenda for the next Board meeting.

5. The Board Administrator or designee shall provide a summary of the revisions to the Director of Support Operations to include in the meeting packets for the next Board meeting. The Director of Support Operations or designee shall have clean original resolutions for the Presiding Officer's signature at the Board meeting. If the Board adopts the manuals, the Presiding Officer shall sign the resolutions.
6. The Board Administrator or designee shall submit the manuals to the Information Technology Director or designee to upload on the Board's Intranet.

III. Distribution and Maintenance

- A. The Technical Writer shall distribute all final copies of new or revised instructional documents.
- B. The Technical Writer shall maintain master notebooks of all current and superseded original policies, directives, resolutions, orders, and manuals.

SIGNED THIS, THE 21ST DAY OF DECEMBER, 2020.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*