



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-DIR. 141.352**

**Date: December 28, 2020**

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**Supersedes: September 1, 2019**

## **BOARD DIRECTIVE**

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**SUBJECT: PUBLIC INFORMATION POLICY**

**PURPOSE:** To provide guidance and instructions to Board Members and staff of the Texas Board of Pardons and Paroles concerning the services related to public information.

**AUTHORITY:** Texas Government Code Sections 508.035(d), 441.183 – 441.187, and 508.313, and Chapter 552  
Texas Administrative Code Title 37, Part 5, Chapter 141, Sections 141.71 and 141.72  
Board Directive BPP-DIR.141.300

**DISCUSSION:** Public Information requests addressed to and received by the Texas Board of Pardons and Paroles (Board) are responded to or coordinated by the Chief of Staff or designee. The Chief of Staff or designee is responsible for but are not limited to the following:

- A. Responding to inquiries from the news media and other organizations.
- C. Supervising the Communications Supervisor, Ombudsman, and administrative staff who are responsible for processing and responding to correspondence and telephone inquiries from the public.
- D. Coordinating the quarterly Board meetings where public information is discussed in an open meeting as required by Texas Government Code Section 508.047.
- E. Preparing an annual statistical report in accordance with Texas Government Code Section 508.036(a)(5), an annual report on parole guidelines in accordance with Texas Government Code Section 508.1445, and publications and website information for crime victims, family members, and public and state agencies.

- F. Preparing a public information booklet and a written plan providing access by non-English speaking persons to the Board's programs and services.

**POLICY:** The Board shall respond to public information requests, manage the Board's records in accordance with statutory requirements, and provide quality communication services in fulfilling the Board's mission.

**PROCEDURE:**

I. Contact by a Member of the News Media

- A. General Information – The Chief of Staff or designee is the spokesperson for the Board. After consultation with the Presiding Officer, the Chief of Staff or designee will respond to all news media inquiries, except those requests to the Presiding Officer, Board Members, or Parole Commissioners to which they wish to respond.
- B. Media Phone or Email Contact – When a Board Member or employee is contacted by the news media, the news media contact should be referred immediately to the Chief of Staff or designee. The Chief of Staff or designee may consult with the Presiding Officer to determine the most appropriate response and the appropriate person to respond to the news media.
- C. Media In-Person Contact – In the event that a member of the news media shows up at an office, hearing, or other Board location or event, the Chief of Staff or designee should be contacted immediately. The Chief of Staff or designee will contact the Presiding Officer for instructions on how to proceed.
- D. Potential News Media Interest – If a Board Member, Parole Commissioner, or Hearing Officer anticipates potential news media interest in a particular parole-related matter, the Board Member, Parole Commissioner, or Hearing Officer should report that expected interest to their immediate supervisor and the Chief of Staff or designee. After consultation with the Presiding Officer, the Chief of Staff or designee will respond to the inquiry. The Chief of Staff or designee, in responding to news media inquiries, will inform the original contact of the disposition of the inquiry.

II. Public Information Requests

- A. The Chief of Staff or designee is the Public Information Coordinator for the Board. The Chief of Staff or designee is responsible for responding to all public information requests.
- B. Receipt of Open Records Request – The Chief of Staff or designee oversees and tracks all responses to official Open Records requests for public information.

Official Open Records requests are considered received by the Board when the request is first received in any of the designated Board offices. All requests for official records or information should be forwarded to the Chief of Staff or designee or the Ombudsman on the day of receipt via scan and email or fax, and the original should be sent via truck mail. All requests should be in writing.

- C. Routine Requests – The Chief of Staff or designee, Ombudsman, or Communications staff may respond to routine Open Records requests. If any question arises about whether or not the requested information may be released as an Open Records request, the Chief of Staff or designee will contact the General Counsel or Assistant General Counsel, who may or may not request an opinion from the Attorney General to maintain the confidentiality of a record.
1. The following information shall be released upon request to the general public in accordance with Board Rule 141.71:
    - a. Minutes of the Board and parole panels;
    - b. The parole status of an offender;
    - c. Final decisions relating to parole, mandatory supervision, pardons, and clemency; and
    - d. General information regarding the parole decision-making process.
  2. If a request is received for public information identifiable and readily available on the Board’s website, the requestor may be referred to the exact internet location or uniform resource locator (URL) of the Board’s website. If the requestor does not have access to the internet or prefers a manner other than access through the URL, the Board must supply the information in the manner required by statute for information not maintained on the Board’s website.
  3. If a request is received for a copy of the record of a preliminary or revocation hearing, sex offender condition hearing, or statistical or general information concerning the parole and mandatory supervision process, the requestor should be referred to the Texas Department of Criminal Justice as the official custodian of all electronic and paper records for offenders eligible for parole or mandatory supervision.
- D. Temporary Suspension of the Open Records Requirements – The Chief of Staff or designee shall consult with the Presiding Officer to determine whether the requirements of Chapter 552 will be suspended due the impact of a catastrophe on the agency’s operations. If the Presiding Officer elects to suspend the applicability of the requirements of Chapter 552, the Director or designee shall comply with

the statutory requirements in submitting the appropriate notification to the Attorney General and the public.

**III. Research and Development of Public Information**

A. The following officers or employees are entitled to request public information assistance. Board employees not included in this listing should follow their chain-of-command to request public information support.

1. Presiding Officer;
2. Board Members;
3. Parole Commissioners;
4. Chief of Staff and any employees who report directly to the Chief of Staff;
5. Board Administrator and any employees who report directly to the Board Administrator;
6. General Counsel and any employees who report directly to the General Counsel; and
7. Any other particular officers or employees authorized by the Presiding Officer.

B. The Chief of Staff or designee shall prepare information of public interest describing the functions of the Board, making the information available to the public and appropriate state agencies by producing publications and maintaining information on the Board's website.

**SIGNED THIS, THE 28<sup>TH</sup> DAY OF DECEMBER, 2020.**

**DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)**

*\*Signature on file.*