



TEXAS BOARD
OF
PARDONS AND PAROLES

Number: BPP-DIR. 146.300

Date: July 25, 2023

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Supersedes: March 7, 2022

BOARD DIRECTIVE

SUBJECT: MOTION TO REOPEN HEARING – REVOCATION HEARING

PURPOSE: To provide procedures for employees of the Texas Board of Pardons and Paroles to respond to a Motion to Reopen hearing request.

AUTHORITY: Texas Constitution Article 4, Section 11
Texas Government Code Section 508.035(d)
Texas Administrative Code Title 37, Part 5, Chapter 146, Sections 146.11 and 146.12
Board Directive BPP-DIR.141.304

DISCUSSION: The Texas Board of Pardons and Paroles (Board) may receive and consider Motions to Reopen (MTR) revocation hearings from offenders or their attorneys. An offender or their attorney must submit an MTR no later than 60 days after the revocation date.

The General Counsel's Office (GCO) may process a case as an MTR when credible information is received that would merit a legal review of the revocation hearing.

DEFINITIONS: Motion to Reopen (MTR) panel – a panel designated by the Presiding Officer that considers MTRs.

Alternate Panel – a panel designated by the Presiding Officer 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.

PROCEDURE:

- I. The 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 for the General Counsel's approval.

- B. The Assistant General Counsel (AGC) shall review and make recommendations on all MTR requests for the General Counsel's approval.
 - C. Following approval by the General Counsel, the GCO staff shall transmit the AGC's and the General Counsel's recommendation to the appropriate parole panel as defined above (based on the original revocation decision).
- II. The parole panel shall review and consider the MTR request, then vote in accordance with Title 37, Part 5, Chapter 146, Sections 146.11 and 146.12, Administrative Code.
- III. The GCO staff shall notify the offender or their attorney of the parole panel's decision and, if appropriate, refer the case file to the Board Administrator for "Grant Reopening" or "Reverse Disposition" processing.

SIGNED THIS, THE 25TH DAY OF JULY, 2023.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*