



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 145.201

Date: April 19, 2018

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Supersedes: April 19, 2017

BOARD POLICY

SUBJECT: ACTION UPON REVIEW – RELEASE DENIED

PURPOSE: To establish a policy for the date on which a parole panel of the Texas Board of Pardons and Paroles (Board) may reconsider for release an offender who has previously been denied.

AUTHORITY: Texas Government Code Sections 508.0441, 508.045, 508.141 and 508.1411
Texas Administrative Code (TAC), Title 37, Part 5, Chapter 145, Section 145.12 and 145.18

POLICY: It is the policy of the Board to reconsider cases for review in accordance with Texas Government Code Section 508.141(g) and (g-1).

DISCUSSION: After voting to deny release, which includes identifying a denial reason(s), as required by the statute, a parole panel shall designate a future month and year for the next review of an offender who has been denied release. In the case of offenders serving a sentence under Section 508.149(a), Government Code, or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code, the designated month must begin after the first anniversary of the date of the denial and end before the fifth anniversary of the date of the denial.

For all other offenders, except those offenders governed by Board Policies BPP-POL. 145.200 Extraordinary Vote (SB 45) and BPP-POL. 145.207 Extraordinary Vote (HB 1914), the parole panel, after voting to deny release, shall designate the month after the first anniversary of the date of denial.

PROCEDURE:

I. Offenders Serving an Offense under Section 508.149(a), Government Code, or for an Offense Punishable as a Felony of the Second or Third Degree under Section 22.04, Penal Code

A. Parole Panel's Responsibility

The parole panel that votes to deny release shall designate a month and year (month/year) for the offender's next review to begin after the first anniversary of the date of the denial and end before the fifth anniversary of the date of the denial.

B. Serve-all

The parole panel that votes to deny release may utilize a serve-all (SA) vote if the offender's projected release date is within five years.

II. Offenders Not Serving an Offense under Section 508.149(a), Government Code or for an Offense Punishable as a Felony of the Second or Third Degree under Section 22.04, Penal Code

A. Parole Panel's Responsibility

The parole panel that votes to deny release shall designate a month and year (month/year) for the offender's next review at one year following the panel decision date.

B. Serve-all

The parole panel that votes to deny release may utilize a serve-all (SA) vote if the offender's projected release date is within one year.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 19TH DAY OF APRIL, 2018.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

** Signature on file.*