



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-POL. 145.250**

**Date: November 1, 2018**

**Page: 1 of 2**

**Supersedes: July 21, 2016**

## **BOARD POLICY**

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**SUBJECT: SPECIAL CONDITION “C” (PROHIBITED FINANCIAL ACTIVITIES)**

**PURPOSE: To establish “C” as a special condition of parole or mandatory supervision.**

**AUTHORITY: Texas Government Code, Sections 508.0441, 508.045 and 508.221**

**DISCUSSION: Members of the Texas Board of Pardons and Paroles (Board) and Parole Commissioners determine conditions of parole and mandatory supervision. Except in special circumstances, Board Members and Parole Commissioners act in panels comprised of three persons, and panel decisions are made by majority vote. The Presiding Officer designates the parole panels. Special conditions are conditions imposed in addition to the standard conditions of parole or mandatory supervision. Unless otherwise provided, any condition may be imposed before or after release and shall remain in effect until specifically removed by a parole panel.**

**POLICY: Special Condition “C” is intended to prohibit certain financial activities by offenders who have been convicted of theft or fraud or who have an established propensity for engaging in theft or fraudulent criminal behavior.**

A parole panel, by majority vote, may impose Special Condition “C” when it is determined that the current conviction of theft or fraud involved the use of a check or savings account; or credit or debit card to commit the offense.

**COMPONENTS: At any time Special Condition “C” is in effect, and to the extent directed in writing by the parole panel, an offender shall:**

- Not open or maintain more than one checking account;
- Not open or maintain more than one savings account;
- Not obtain or maintain more than one credit or debit card; and
- Not participate in electronic financial transmissions without prior written approval of the offender’s supervising parole officer.

**PROCEDURE:**

**I. Imposition of Special Condition**

- A. A parole panel, upon a majority vote, may impose Special Condition “C” as a special condition of parole or mandatory supervision.
- B. Unless otherwise directed, any condition of parole or mandatory supervision imposed is effective on the date of the parole panel decision.
- C. At any time that Special Condition “C” is in effect, an offender’s supervising officer shall
  - 1. require the offender to comply with any or all Special Condition “C” components to the extent directed in writing by the offender’s supervising parole officer,
  - 2. provide an acknowledgement form for the offender to sign every time compliance requisites are imposed or modified, and
  - 3. provide the offender documents related to any of the components of Special Condition “C” imposed by the parole panel.

**II. Withdrawal of Special Condition**

- A. Once imposed, Special Condition “C” shall continue to govern the offender for the duration of the supervision period.
- B. The Board, by Procedure I.C. intends to afford the offender’s supervising officer the flexibility to remove the components according to supervision needs.
- C. A parole panel, upon majority vote, may withdraw Special Condition “C” as a special condition of parole or mandatory supervision.

**ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 18<sup>TH</sup> DAY OF OCTOBER, 2018.**

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

*\*Signature on file.*