



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 141.203

Date: April 25, 2024

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Supersedes: July 27, 2023

BOARD POLICY

SUBJECT: USE OF TECHNOLOGY

PURPOSE: To establish a policy of the Texas Board of Pardons and Paroles regarding the use of technology.

AUTHORITY: Texas Government Code Sections 508.052, 508.053, 551.127, 620.001, 620.003, and 2054.137

POLICY: It is the policy of the Texas Board of Pardons and Paroles (Board) to use appropriate technological solutions to improve the Board's ability to perform its functions and provide public access to interact with the Board via the internet.

DISCUSSION: Chapter 508 of the Government Code defines the functions of the Board. Section 508.036, Government Code, contains general administrative duties of the Presiding Officer and the Board. Section 508.044, Government Code, contains the powers and duties of a Board. Section 508.0441, Government Code, contains release and revocation duties of Board Members and Parole Commissioners. Section 508.045, Government Code, indicates parole panels are comprised of at least one (1) Board Member and may be a combination of Board Members and Parole Commissioners who are responsible for matters of release on parole, release to mandatory supervision, and revocation of parole or mandatory supervision. Section 508.046, Government Code, requires all members of the Board to vote on the release of an inmate convicted of an offense listed in that section.

Chapter 48 of the Code of Criminal Procedure defines the Board's duties and responsibilities as it relates to clemency matters.

Section 508.052(a) of the Government Code authorizes the Texas Department of Criminal Justice (TDCJ) to provide the Board with necessary computer access to all computerized records related to the duties and functions of the Board. The Board will adhere to the policies set forth by the TDCJ Information Technology Division (ITD) in developing applications programming, network support, special projects, system and network operations, support services, and administrative services. The Board will maintain an internet web page on the TDCJ web server that provides information and assistance to the public, including the ability for the public to interact with the Board via the internet.

Section 2054.137 of the Government Code requires each state agency with more than 150 full-time employees to designate a full-time employee of the agency to serve as a data management officer. Since the TDCJ is required to provide the Board with access to all data maintained by the TDCJ to perform the duties and responsibilities of the Board, the Board hereby designates the TDCJ Data Management Officer to perform all the statutory duties and responsibilities of the Data Management Officer on the Board's behalf.

DEFINITIONS: Covered application - social media service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited; or a social media application or service specified by proclamation of the Governor. [*Texas Government Code Section 620.001(1)(A) and (B)*]

PROCEDURE:

I. Board Functions

- A. To the extent technology may be used to assist in performing the duties and responsibilities of the Board, the Board and Board staff shall use available technology as appropriate.
- B. Section 508.045 of the Government Code defines parole panels' duties and responsibilities. These relate to the release and revocation of parole and mandatory supervision and the imposition, modification, and withdrawal of conditions of parole and mandatory supervision. Section 508.046, Government Code, defines the Board's duties and responsibilities related to the "Extraordinary Vote". The Board and Board staff shall use technology to include, but not limited to, reviewing offender cases electronically and recording the Board and parole panels' votes.
 - 1. The Board and Board staff shall use the technology provided by the TDCJ ITD: This includes the TDCJ Micro Focus system, Offender Information Management System (OIMS), OnBase, and Classification Profile.
 - 2. The Board and Board staff may use teleconference and videoconference technology to fulfill the Board's parole and mandatory supervision release and revocation duties and responsibilities.
 - 3. As new technology is developed and made available, the Board and Board staff shall incorporate the new technological solutions in their daily operations.
- C. Articles 48.01 and 48.05 of the Texas Code of Criminal Procedure define the Board's duties and responsibilities related to reprieves, commutations of punishment, pardons, and the restoration of civil rights. To the extent technology may be used to assist in performing these duties, the Board and Board staff shall use available technology, to include, but not limited to, electronically reviewing

an applicant's case and recording the Board's vote, and utilizing teleconference or videoconference technology to conduct a hearing, meeting, or interview, as authorized by the statute.

- D. Section 508.047 of the Government Code requires the Board to meet at least once in each quarter of the calendar year at a site determined by the Presiding Officer. Pursuant to Section 551.127, Government Code, the Board and Board staff may use videoconference technology to conduct a statutorily required quarterly meeting as determined by the Presiding Officer.
- E. Section 508.153 of the Government Code requires the Board to allow the victim to appear in person to present a statement about the offense, the offender, and the effect of the offense on the victim. Section 508.141(c), Government Code, authorizes the Board to have the offender appear before the panel and interview the offender. The Board may use teleconference or videoconference technology to conduct an interview with the victim or a representative of the victim, and the offender.
- F. Section 508.228 of the Government Code requires the Board to conduct a hearing prior to imposing sex offender treatment conditions on an offender who was not convicted of a sex offense. Section 508.281, Government Code, authorizes the Board to conduct a hearing to dispose of the charges when an offender is accused of a violation of parole or mandatory supervision. The Board and Board staff may use videoconference technology to conduct these hearings.

II. Public Interaction

- A. The Chief of Staff shall designate a Website Coordinator who shall act as the Board's liaison to the TDCJ Webmaster.
 - 1. The Chief of Staff shall submit recommendations to the Website Coordinator to update and improve the Board's website.
 - 2. After approval, the Website Coordinator shall coordinate the update and improvement with the TDCJ Webmaster.
 - 3. The Website Coordinator shall receive and respond to recommendations and complaints concerning the Board's website as the Chief of Staff instructs.
- B. The Chief of Staff shall ensure the public may interact with the Board through the internet via the Board's website. The Chief of Staff designates the Ombudsman as the Board's point-of-contact for public inquiries.
 - 1. The Ombudsman shall respond to public inquiries and requests pursuant to the Texas Public Information Act.

2. Upon receiving communication from the public, the Ombudsman shall respond to the inquiry as required by law or refer as appropriate.
 - C. The Website Coordinator shall provide a designated email address for the Ombudsman on the Board's website, as well as phone numbers and mailing addresses for all Board offices.
- III. Website Accessibility – The Board shall ensure all users of the Board's website have access.
- A. The website shall include several features designed for users with disabilities. These include, but are not limited to, descriptive text equivalent, data tables with content summaries, and special reports and publications in accessible formats.
 - B. The website shall be compatible with a wireless communication device and the most recent version of each internet browser as identified by the Texas Department of Information Resources.
- IV. Social Media Applications and Services – The Board prohibits the installation of social media applications or use of a covered application on any device owned or leased by the Board and requires the removal of covered applications from those devices.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 25TH DAY OF APRIL, 2024.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*