



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 145.203

Date: July 15, 2021

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Supersedes: May 21, 2020

BOARD POLICY

SUBJECT: ELIGIBILITY FOR RELEASE; CONSECUTIVE (CUMULATIVE) FELONY SENTENCES

PURPOSE: To establish a policy regarding parole consideration for offenders sentenced to consecutive felony sentences.

AUTHORITY: Texas Constitution Article 4, Section 11
Texas Government Code Sections 508.0441, 508.045 and 508.150
Texas Administrative Code Title 37, Part 5, Chapter 145, Section 145.13
Texas Code of Criminal Procedure Article 42.08

POLICY: A parole panel shall treat consecutive felony sentences singularly and in sequence for purposes of parole and shall not treat consecutive sentences as a single sentence. A parole panel may not release on parole an offender sentenced to serve consecutive felony sentences earlier than the date on which the offender becomes eligible for release on parole from the last sentence imposed on the offender.

This policy applies only to an offender sentenced to serve consecutive sentences if each sentence in the series is for an offense committed on or after September 1, 1987.

DISCUSSION: A parole panel shall designate, for each sentence, the date on which the offender would have been eligible for release on parole if the offender had been sentenced to serve a single sentence. A consecutive sentence ceases to operate when the actual calendar time served equals the sentence imposed by the court, or on the date the parole panel designates as the date the inmate would have been eligible for release on parole if the offender had been sentenced to serve a single sentence.

When an offender who is approved and released on parole is sentenced to a consecutive sentence, the parole panel's parole approval vote is considered an approval for the first sentence in the series if the parole is revoked after the imposition of the consecutive sentence.

If an offender's parole is revoked prior to the imposition of the consecutive sentence, the parole panel's approval vote on the original release on parole does not apply to the consecutive sentence. Therefore, the offender will be considered for parole on a consecutive sentence when the offender is eligible for parole on the first sentence in the series.

Consecutive felony sentencing cases subject to this policy, not previously considered in accordance with this policy, and hereinafter submitted to a parole panel for parole consideration, shall be re-voted in accordance with this policy. When a case is voted in accordance with this policy but later determined by the Texas Department of Criminal Justice Correctional Institutions Division (TDCJ CID) Classification and Records that the case is not a consecutive sentence, the parole panel shall re-vote the case as a concurrent sentence. After the re-vote, TDCJ CID Classification and Records shall make the final determination concerning sentence time credit calculations.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 15TH DAY OF JULY, 2021.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*