



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 145.209

Date: October 21, 2021

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Supersedes: September 1, 2021

BOARD POLICY

SUBJECT: PRE-PAROLE RELEASE

PURPOSE: To establish a policy and provide procedures for voting members of the Texas Board of Pardons and Paroles to make a determination to approve or deny an offender's pre-parole release.

AUTHORITY: Texas Government Code Sections 493.034, 508.0441, 508.045, 508.145, 508.1455, and 508.221

POLICY: It is the policy of the Texas Board of Pardons and Paroles (Board) to consider Pre-Parole Release (PPR) cases in accordance with the law. The Board Members and Parole Commissioners, acting in a parole panel, will review and make release decisions on cases referred to the Board by the Texas Department of Criminal Justice (TDCJ).

DISCUSSION: PPR represents a cooperative effort between the Board and TDCJ to identify offenders who are eligible to be released approximately 180 days before the date the offender would be eligible for release on parole under Section 508.145(f), Texas Government Code. PPR offenders shall be required, as a condition of release, to participate in a program operated by TDCJ which shall begin immediately following the offender's release on parole.

DEFINITIONS: Identified Offender – TDCJ shall annually identify not fewer than 100 PPR eligible offenders who are suitable candidates for participation in a program operated by TDCJ.

PPR Eligible – an offender who is serving a sentence for an offense under Chapter 481, Health and Safety Code, that is punishable as a felony of the third degree; who has not previously been convicted of a felony under Title 5, Penal Code, or under Chapter 43 or 71 of that code; and whose eligibility for parole is computed under Section 508.145(f), Texas Government Code.

Statutorily Eligible Offender – an offender who is PPR eligible as identified by TDCJ.

PROCEDURE:

- I. PPR Notice
 - A. When TDCJ determines an offender is eligible for PPR, the offender will receive a notice of the PPR review.
 1. The offender shall be provided written notice of the PPR review. The notice shall be hand-delivered, and a signed copy will be retained in the parole file for the parole panel to review.
 2. The notice shall advise the offender that they have 30 days from the receipt of the notice to submit, in writing, information to the Board by delivering the information the unit Institutional Parole Office.
 - B. After the expiration for the 30-day time period, the case shall be referred to a parole panel who will consider the case for release to pre-parole approximately 180 days prior to offender's parole eligibility date.
- II. PPR Decision – Upon considering a case for release to PPR, a parole panel may:
 - A. Vote PPR, pre-parole release; or
 - B. Vote Deny PPR, place in parole review when eligible.
- III. Decision to Approve PPR
 - A. When the parole panel, upon a majority vote, approves release to PPR for an identified offender, the parole panel shall impose a condition of release that requires the offender to participate in a program operated by TDCJ.
 - B. Prior to the offender's release, the offender shall receive and sign a pre-parole release certificate. The program shall begin immediately following the offender's release on parole.
 - C. TDCJ Parole Division shall obtain monthly progress reports on the offender's compliance with the condition imposed by the parole panel.
- IV. Withdrawal of PPR – When the Board is notified that the offender has failed to comply with the requirements of the program, the parole panel may withdraw the offender's PPR status. Prior to withdrawing the PPR status, the offender must be provided the same due process afforded to an offender released to parole or on mandatory supervision.
- V. Successful Completion of the Program – When the offender successfully completes the program, the offender will transition from a PPR release to a parole release status. The offender shall receive and sign a parole certificate and remain on parole supervision until the sentence discharge date.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 21ST DAY OF OCTOBER, 2021.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*