



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 145.250

Date: October 19, 2023

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Supersedes: November 10, 2022

BOARD POLICY

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

PURPOSE: To establish Special Condition “C” as a special condition of parole or mandatory supervision and to establish a procedure for imposing the prohibition on certain financial activities as a condition of parole or mandatory supervision.

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

POLICY: Special Condition “C” represents a cooperative effort between the Texas Board of Pardons and Paroles (Board) and the Texas Department of Criminal Justice Parole Division (Division) to minimize the threat to the community when an offender is released on parole or mandatory supervision.

Special Condition “C” prohibits certain financial activities by offenders who have been convicted of an offense listed under Title 7 Offenses Against Property, Chapter 31 Theft, and Chapter 32 Fraud, Texas Penal Code, or who have an established pattern of behavior for engaging in theft or fraud offenses or activities within the past 10 years of the current conviction.

DISCUSSION: The Board determines the 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 composition of the parole panels. Special conditions are conditions imposed in addition to the standard conditions of parole or mandatory supervision. Any condition may be imposed before or after release and shall remain in effect until specifically removed by a parole panel, unless otherwise authorized by Board policy.

A parole panel, upon majority vote, may impose Special Condition “C” when it is determined: (1) the current or prior conviction for theft or fraud involved the use of a checking or savings account; or credit or debit card to commit the offense, or (2) the current or prior conviction for conspiracy or engaging in organized crime for theft or fraud involved the use of a checking 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:

- A. Not open or maintain more than one checking account;
- B. Not open or maintain more than one savings account;
- C. Not obtain or maintain more than one credit or debit card; and
- D. Not participate in electronic financial transmissions without the 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 parole 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 intends to afford the offender’s supervising parole 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 19TH DAY OF OCTOBER, 2023.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*