



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 145.254

Date: July 15, 2021

Page: 1 of 2

Supersedes: October 28, 2020

BOARD POLICY

SUBJECT: SPECIAL CONDITION “I” (EMPLOYER NOTIFICATION)

PURPOSE: To establish Special Condition “I” (Employer Notification) as a special condition of parole or mandatory supervision and to establish a procedure for imposing employer notification as a condition of parole or mandatory supervision.

AUTHORITY: Texas Government Code Sections 508.0441, 508.045, and 508.221
Texas Labor Code Section 21.002(8)

POLICY: Special Condition “I” is intended to inform any prospective employer of an offender’s criminal history of theft or fraud if the offender will be employed in a position of financial responsibility.

Special Condition “I” is intended for offenders with a current conviction for theft or fraud; or a criminal history or demonstrated propensity for engaging in theft or fraud offenses or activities, as defined in Chapters 31 and 32 of the Texas Penal Code, that occurred within the past 10 years of the current conviction.

DISCUSSION: The Texas Board of Pardons and Paroles (Board) determines 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. Unless otherwise provided, any condition may be imposed before or after release and shall remain in effect until specifically removed by a parole panel.

DEFINITIONS: Employer – (a) a person who is engaged in an industry affecting commerce and who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding year; (b) an agent of a person described in (a); (c) an individual elected to public office in this state or a

political subdivision of this state; or (d) a county, municipality, state agency, or state instrumentality, regardless of the number of individuals employed.

COMPONENTS: At any time Special Condition “I” is in effect, an offender must notify any prospective employer of the offender’s criminal history as instructed by the supervising Parole Officer.

PROCEDURE:

- I. Imposition of Special Condition
 - A. A parole panel, upon a majority vote, may impose Special Condition “I” as a special condition of parole or mandatory supervision.
 - B. Unless otherwise directed, any special condition of parole or mandatory supervision imposed is effective on the date of the parole panel decision.
- II. Withdrawal of Special Condition
 - A. Once imposed, Special Condition “I” shall continue to govern the offender for the duration of the supervision period.
 - B. A parole panel may, by majority vote, withdraw Special Condition “I” as a special condition of parole or mandatory supervision.

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

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*