



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-POL. 145.264**

**Date: January 21, 2021**

**Page: 1 of 3**

**Supersedes: January 17, 2019**

## **BOARD POLICY**

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**SUBJECT: SPECIAL CONDITION "Z" (NOT TO RESIDE IN OR ENTER A SPECIFIED COUNTY)**

**PURPOSE:** To establish Special Condition "Z" (Not to Reside in or Enter a Specified County) as a special condition of parole or mandatory supervision and to establish a procedure for imposing restrictions on residing in or entering a specified county as a condition of parole or mandatory supervision.

**AUTHORITY:** Texas Government Code Sections 508.0441, 508.045, 508.181, and 508.221  
Texas Code of Criminal Procedure Article 42A.301

**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.

**POLICY:** A parole panel shall require, as a condition of parole or mandatory supervision, the offender reside in the county in which: (1) the offender resided at the time the offense was committed; or (2) the offender committed the offense if the releasee was not a resident of the state at the time the offense was committed.

A parole panel, by majority vote, may impose Special Condition "Z" to protect or restore the victim and protect the life or safety of a victim of the offender's offense; to protect the offender; to protect a witness in the case or any other person; or increase the likelihood of the offender's successful completion of parole or mandatory supervision.

Special Condition "Z" is intended to prohibit an offender from residing in or entering the specified county without prior written approval by the parole panel.

At any time Special Condition “Z” is in effect, and to the extent directed in writing by the offender’s supervising Parole Officer, the offender shall not reside in or enter the specified county.

**DEFINITIONS:** Legal County of Residence (LCOR) – the county in which the offender resided at the time of committing the offense for which the offender was sentenced to the Texas Department of Criminal Justice Correctional Institutions Division (TDCJ CID); or the county in which the offender was sentenced to the TDCJ CID, if the offender was not a resident of this state at the time of committing the offense.

**PROCEDURE:**

I. Imposition of Special Condition

- A. A parole panel, upon majority vote, may impose Special Condition “Z” as a special condition of parole or mandatory supervision for:
  - 1. The offender’s statutory county of residence or conviction to protect the life and safety of the victim of the offender’s offense, a witness in the case or any other person, or the offender pursuant to Texas Government Code Section 508.181; or
  - 2. The victim’s county of residence if the offender’s county of residence or conviction is different from the victim’s county of residence to protect or restore the victim; and to protect the life or safety of a victim of the offender’s offense pursuant to Texas Government Code Section 508.221.
- B. Unless otherwise directed, any special condition of parole or mandatory supervision becomes effective on the date of the parole panel decision.
- C. Once imposed, Special condition “Z” shall continue to govern the offender for the duration of the supervision period.

II. Modification or Withdrawal of Special Condition

- A. A parole panel may, by majority vote, modify Special Condition “Z” as a special condition of parole or mandatory supervision to allow the offender to enter the specified county for a specified date, period of time, and purpose.
- B. A parole panel may, by majority vote, withdraw Special Condition “Z” as a special condition of parole or mandatory supervision.
- C. All requests for modification or withdrawals shall be submitted in writing to the supervising Parole Officer and shall be forwarded to the parole panel with a recommendation for decision.

**ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 21<sup>ST</sup> DAY OF JANUARY, 2021.**

**DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)**

*\*Signature on file.*