



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number:** BPP-POL. 146.252

**Date:** May 21, 2020

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**Supersedes:** August 22, 2018

## **BOARD POLICY**

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**SUBJECT:** PRELIMINARY HEARINGS – PENDING CRIMINAL CHARGES

**PURPOSE:** To establish a policy statement of the Texas Board of Pardons and Paroles regarding preliminary hearings for offenders with pending charges.

**AUTHORITY:** Texas Government Code Sections 508.251, 508.252, 508.281, and 508.2811  
Texas Administrative Code Title 37, Part 5, Chapter 146, Sections 146.6 and 146.7

**DISCUSSION:** The Texas Department of Criminal Justice Parole Division (Division) is authorized by statute to issue warrants for offenders on parole or mandatory supervision under certain circumstances. When an offender is arrested on the warrant, a Division Parole Officer provides the offender notice of the alleged violations of parole or mandatory supervision and notifies him of his right to request or waive his right to a preliminary and/or revocation hearing. If an offender requests a hearing, it is the Parole Officer's duty and responsibility to notify the Texas Board of Pardons and Paroles (Board). When the Board receives the Parole Officer's request to schedule a hearing, the Board shall schedule and conduct the hearing.

**POLICY:** It is the policy of the Board to schedule and conduct a preliminary hearing, after an offender requests a hearing, for any offender in custody in a Texas county jail awaiting the disposition of pending criminal charges when the Parole Officer submits a request to schedule a hearing.

**ADPOTED BY A MAJORITY OF THE BOARD ON THE 21<sup>ST</sup> DAY OF MAY, 2020.**

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

*\*Signature on file.*