

TEXAS BOARD OF
PARDONS AND PAROLES



ANNUAL STATISTICAL REPORT
FY 2017

MISSION STATEMENT

THE MISSION OF THE TEXAS BOARD OF PARDONS AND PAROLES is to perform its duties as imposed by Article IV, Section 11, of the Texas Constitution and:

- Determine which prisoners are to be released on parole or discretionary mandatory supervision;
- Determine conditions of parole and mandatory supervision;
- Determine revocation of parole and mandatory supervision; and,
- Recommend the resolution of clemency matters to the Governor.

VISION STATEMENT

THE TEXAS BOARD OF PARDONS AND PAROLES, guided by sound application of the discretionary authority vested by the Constitution of the State of Texas, shall:

- Render just determination in regard to parole release and revocations, thereby maximizing the restoration of human potential while restraining the growth of prison and jail populations;
- Impose reasonable and prudent conditions of release consistent with the goal of structured reintegration of the offender into the community; and,
- Resolutely administer the clemency process with recommendation to the Governor fully commensurate with public safety and due consideration.

In accordance with Section 508.036(a)(5), Government Code, the Presiding officer shall report at least annually to the Governor and the Legislature on the activities of the Board and Parole Commissioners.

The information in this report was obtained from the Texas Department of Criminal Justice who is responsible for maintaining and providing statistical information relating to parole and mandatory supervision pursuant to Government Code Section 508.313(b).

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REPORT OVERVIEW

The Texas Board of Pardons and Paroles, a constitutionally created agency, decides whether to parole eligible offenders, terms of parole supervision and whether to revoke parole if terms are violated. The Board also recommends clemency to the Governor.

The Board consists of seven members appointed for six-year terms by the Governor with the advice and consent of the Senate. Board members must be representative of the general public and have lived in Texas the two years before appointment. The presiding officer reports directly to the Governor and serves as administrative head of the agency.

The Board sets policy for parole and mandatory supervision consideration, votes special cases requiring a full Board vote, and votes clemency matters.

The Board uses research-based Parole Guidelines to assess each offender's likelihood for a successful parole against the risk to society.

In deciding whether to revoke parole, the Board uses a graduated sanctions approach. Depending on the seriousness of the violation, the Board may continue parole, impose additional conditions, place the offender in an Intermediate Sanction Facility, or use other alternatives to revoking parole and sending the offender back to prison.

Fourteen parole commissioners are hired by the presiding officer to assist the Board in deciding parole release and revocation by serving as voting members on parole panels.



BOARD MEMBERS	APPOINTED	TERM EXPIRES OR EXPIRED	OFFICE
David Gutiérrez	04/09/2009	02/01/2021	Gatesville
James LaFavers	07/11/2011	02/01/2017	Amarillo
Federico Rangel	11/01/2014	02/01/2019	Huntsville
Ed Robertson	09/14/2015	02/01/2021	Austin
Michelle Skyrme	07/11/2011	02/01/2017	Palestine
Fred Solis	06/02/2015	02/01/2021	San Antonio
Cynthia Tauss	02/25/2013	02/01/2019	Angleton

The central agency headquarters is in Austin, with offices at:

Price Daniel Building
209 W. 14th St., Suite 500
Austin, Texas 78701

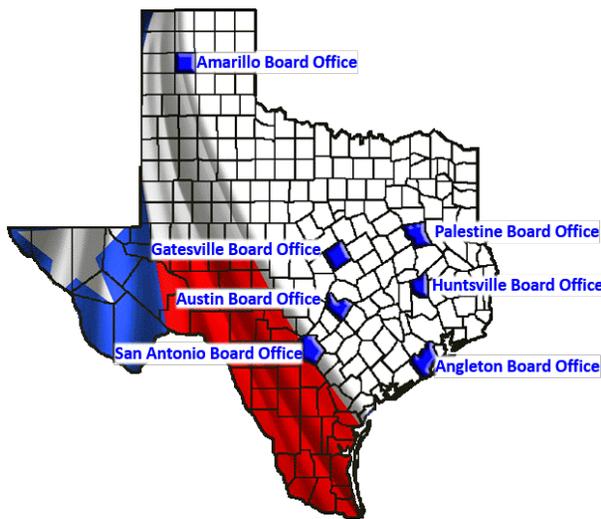
8610 Shoal Creek Boulevard
Austin, Texas 78757

For general information, call: 512-406-5452 or email: bpp_pio@tdcj.texas.gov.

The agency's mailing address is:

Texas Board of Pardons and Paroles
P.O. Box 13401
Austin, TX 78711-3401

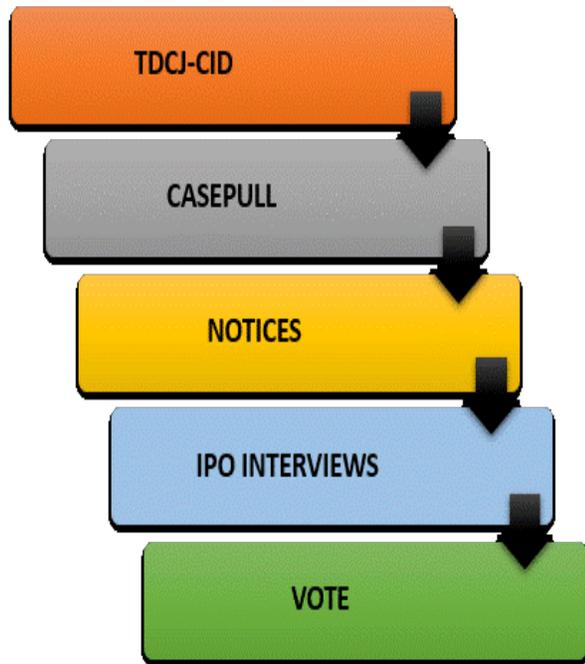
The seven Board offices are managed by a board member and each includes two parole commissioners. Board offices are in:



PAROLE COMMISSIONERS	HIRE DATE	OFFICE
Ira Evans	01/01/2015	Angleton
Troy Fox	01/15/2012	Austin
Raymond Gonzalez	07/18/2016	Amarillo
Roy (Tony) Garcia	07/17/2006	Huntsville
James Hensarling	03/03/2008	Palestine
Elvis Hightower	10/01/2005	Austin
James (Paul) Kiel	04/05/2004	Palestine

PAROLE COMMISSIONERS	HIRE DATE	OFFICE
Lee Anne Eck-Massingill	04/01/2014	Gatesville
Marsha Moberley	01/19/2010	Amarillo
Anthony Ramirez	12/10/2012	San Antonio
Lynn Ruzicka	02/15/2004	Angleton
Wanda Saliagas	06/02/2015	Huntsville
Charles Speier	04/05/2004	San Antonio
Roel Tejada	04/01/2014	Gatesville

PAROLE REVIEW PROCESS



The parole review process entails an exhaustive review and consideration of an offender’s case, from conviction offense, to medical and psychological history, to how they have adjusted and behaved in prison. Case files arrive regularly in each Board office or are sent as an electronic file through the Offender Information Management System (OIMS). Each parole panel of the Board reviews files and interviews victims upon request as required in Texas Government Code, §508.153. Interviews with offenders and other individuals in support or protest of an offender is at the discretion of the parole panel’s lead voter.

Parole Panels

A parole panel is composed of one board member and two parole commissioners who make decisions by majority vote concerning parole and discretionary mandatory release, revocation and imposing conditions of supervision. For offenders convicted of certain offenses, the law requires a vote of two-thirds of the board members to grant parole (Texas Government Code, §508.046, Extraordinary Vote Required).

Parole Review

All offenders sentenced to a term of incarceration in the Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID) are eligible for release on parole, except those sentenced to death or to life imprisonment without parole.

If an offender is denied parole, a parole panel or the Board is required to reconsider an offender for release as soon as practical after the first anniversary of the denied date unless the offender is convicted of an offense listed in Texas Government Code, §508.149(a), or serving a sentence for second or third degree under Section 22.04 of the Penal Code; or greater than 10 years for offenders serving a sentence under Section 22.021, Penal Code, or a life sentence for a capital felony; or greater than one year for offenders not serving sentences listed in Section 508.149(a), Government Code.

Board Activity Report

The Board of Pardons and Paroles was established by the Texas Constitution to make decisions concerning parole and to recommend clemency to the Governor. The tables in this section of the annual report detail the activities of the board members and parole commissioners, including votes for and against parole and discretionary mandatory supervision; revocation and non-revocation decisions, the number of hearings conducted and waivers reviewed, and the number of clemency cases reviewed by the board members.

Parole Considerations

The overall parole approval rate for FY 2017 was 34.94 percent (*see table on page 5*). Parole considerations in the following table are separated into violent and non-violent and aggravated sexual and aggravated non-sexual cases. An example of a violent offense is murder and non-violent is credit-debit card fraud. The sexual and non-sexual categories are self-explanatory.

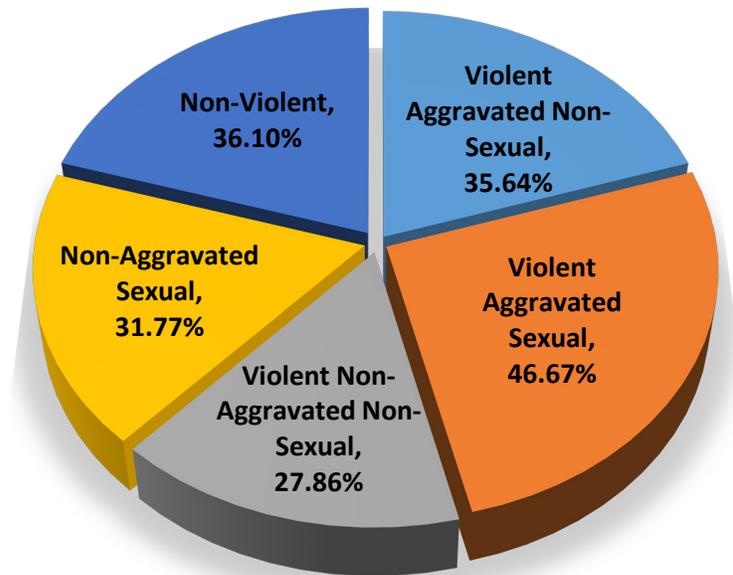
Additional tables in this section provide a history of the overall parole approval rates, approval and denial rates for each board member, approval rate by type and other related parole tables by designated categories i.e., consecutive sentences, Parole in Absentia, Medically Recommended Intensive Supervision (MRIS) and special review.

SUMMARY OF BOARD ACTIVITY

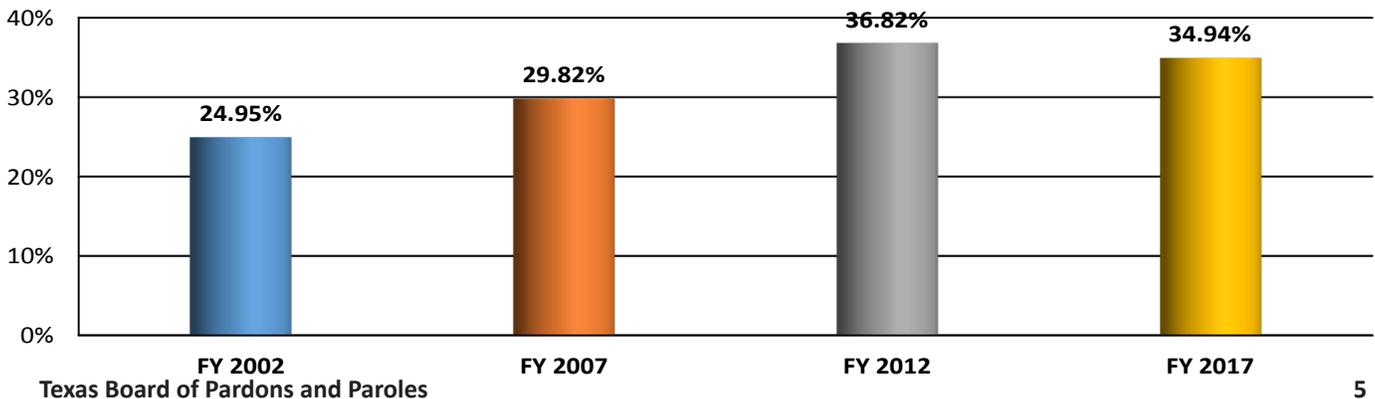
Parole Considerations and Approval Rates by Offense Type

	CASES CONSIDERED	CASES APPROVED	APPROVAL RATE
Violent Aggravated Non-Sexual	11,525	4,107	35.64%
Violent Aggravated Sexual	4,344	1,984	46.67%
Violent Non-Aggravated Non-Sexual	13,940	3,883	27.86%
Non-Aggravated Sexual	2,940	934	31.77%
Non-Violent	46,225	16,687	36.10%
TOTALS	78,974	27,595	34.94%

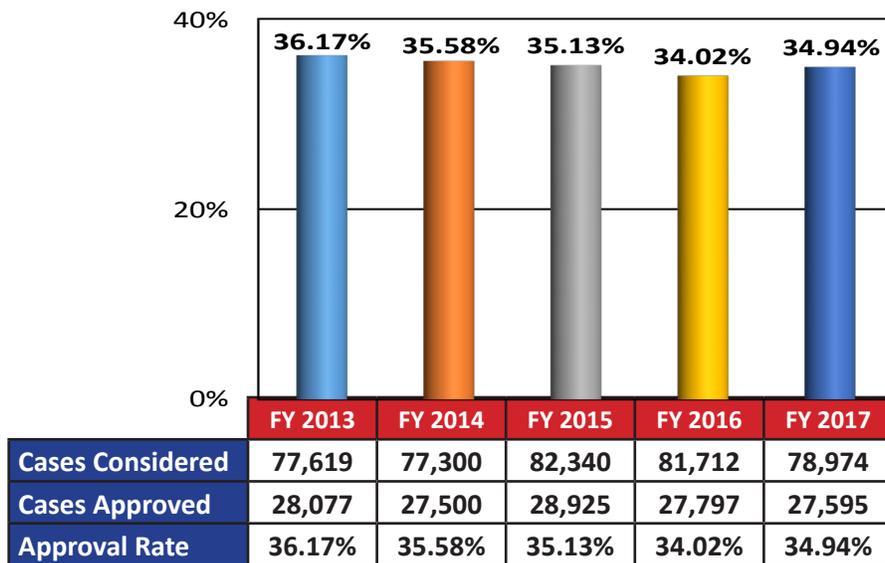
Parole Approval Rates by Offense Type



Parole Approval Rates 15-Year Trend



Parole Considerations and Approval Rates History FY 2013 - FY 2017



Parole Considerations by Board Members and Parole Commissioners in FY 2017

	TOTAL VOTES	NUMBER APPROVED	APPROVAL RATE	DENIAL RATE
Eck-Massingill, L.	8,580	3,581	41.74%	58.26%
Evans, I.	8,559	2,442	28.53%	71.47%
Fox, T.	7,813	3,141	40.20%	59.80%
Garcia, R.	7,440	2,089	28.28%	71.92%
Gonzalez, R.	7,051	2,656	37.67%	62.33%
Gutierrez, D.	2,017	1,597	79.18%	20.82%
Hensarling, J.	8,737	3,121	35.72%	64.28%
Hightower, E.	7,363	3,303	44.86%	55.14%
Kiel, J.	8,108	2,485	30.65%	69.35%
LaFavers, J.	9,849	4,672	47.44%	52.56%
Moberley, M.	6,452	2,486	38.53%	61.47%
Ramirez, A.	8,962	2,627	29.31%	70.69%
Rangel, F.	9,882	4,328	43.80%	56.20%
Robertson, E.	9,559	4,815	50.37%	49.63%
Ruzicka, L.	8,656	3,138	36.25%	63.75%
Saliagas, W.	7,653	2,053	26.83%	73.17%
Skyrme, M.	7,316	2,341	32.00%	68.00%
Solis, F.	10,472	4,165	39.77%	60.23%
Speier, C.	7,907	2,687	33.98%	66.02%
Tauss, C.	11,709	4,174	35.65%	64.35%
Tejada, R.	8,638	3,535	40.92%	59.08%
Total	172,723	65,436	37.88%	62.12%

Voting members include the seven board members and 14 parole commissioners.

Parole Approvals by Voting Options

	VOTING OPTION	TOTAL VOTES	PERCENT
FI-1	Release when eligible.	6,241	22.62%
FI-2	Release on a specified date.	3,908	14.16%
FI-3R *	Requires the offender to complete a TDCJ rehabilitation program and be released no earlier than three months from specified date.	4,194	15.20%
FI-4R *	Transfer to the TDCJ Sex Offender Education Program (SOEP) program. Release to parole only after program completion and not earlier than four months from the specified date.	890	3.23%
FI-5	Requires the offender to complete an In-Prison Therapeutic Community (IPTC) program prior to release on parole.	4,442	16.10%
FI-6	Transfer to a DWI Program (DWI), then release to an alcohol abuse continuum of care treatment program.	1,259	4.56%
FI-6R *	Requires the offender to complete a TDCJ rehabilitation program and be released no earlier than six months from specified date.	4,945	17.92%
FI-7R *	Transfer to the TDCJ Serious and Violent Offender Reentry Initiative (SVORI) program. Release to parole only after program completion and not earlier than seven months from the specified date.	89	0.32%
FI-9R *	Transfer to the Sex Offender Treatment Program (SOTP-9) program. Release to parole only after program completion and not earlier than nine months from the specified date.	1,251	4.53%
FI-18R *	Transfer to the Sex Offender Treatment Program (SOTP-18) program or the InnerChange Freedom Initiative (IFI). Release to parole only after program completion and not earlier than 18 months from the specified date.	144	0.52%
CUFI	Approval for parole on the current sentence in a series; offenders serving consecutive sentences are considered for parole for each individual sentence upon reaching eligibility. The offender must receive parole on or discharge the first sentence to commence serving the next sentence in the series.	232	0.84%
	TOTAL FI VOTES	27,595	100.00%
	TOTAL TIER VOTES ONLY	11,513	41.72% **

* Rehabilitation tier voting options include various programs within TDCJ-CID that must be completed before offenders are released on parole. These rehabilitation programs are designed to help offenders prepare for their return to the community and facilitate their successful reentry into society.

** The 41.72 percent represents the actual percentage of Rehabilitation Tier Votes (FI-3R, FI-4R, FI-6R, FI-7R, FI-9R, and FI-18R) of the total 11,513

Consecutive Sentences

When an offender has two or more convictions and is serving consecutive sentences, he/she will serve each conviction one after the other. When an offender has two or more convictions and is serving concurrent sentences, he/she will serve each conviction at the same time. The court of conviction determines if sentences will be served consecutively or concurrently.

- If all offenses in the series of consecutive sentences occurred on or after September 1, 1987, then each sentence must be considered separately from the other consecutive sentences in the series
- If approved for parole on the current sentence, the offender will begin serving the next sentence on the date designated by the parole panel.
- On the last and final sentence, the offender is reviewed in the same manner as any offender sentenced to serve a single sentence.
- Offenders are not released until parole is granted or the mandatory release date reached for the last sentence in the series.

Parole Considerations for Offenders Serving Consecutive Sentences

	PAROLE FROM CID	PIA	TOTALS
Considered	985	16	1,001
Approved	229	3	232
Approval Rate	23.25%	18.75%	23.18%

Parole in Absentia (Parole Review and Mandatory Supervision for Offenders Not in Actual Physical Custody of the TDCJ Correctional Institutions Division {CID})

Parole in Absentia (PIA) refers to offenders sentenced to confinement in the TDCJ Correctional Institutions Division (CID) but released on Texas parole while incarcerated in a county jail, a facility in another state or a federal facility.

PIA County of Release

	PAROLE	MS	DMS	TOTALS	PERCENT
Federal Jurisdiction	119	3	94	216	58.54%
Other TDCJ Custody	0	1	14	15	4.07%
Other State Jurisdiction	15	2	23	40	10.84%
Harris County Jail	7	0	16	23	6.23%
Dallas County Jail	2	0	0	2	6.23%
Bexar County Jail	2	0	7	9	2.44%
El Paso County Jail	0	0	3	3	0.81%
Cameron County Jail	0	0	1	1	0.27%
Other *	2	18	7	60	16.26%
TOTALS	147	24	165	369	100.00%

* The remainder of county jails and unspecified release sites, each of which had less than five PIA releases in FY 2017.

Discretionary Mandatory Supervision (DMS)

For offenses committed on or after September 1, 1996, a parole panel is required to approve an offender’s release to mandatory supervision. A parole panel may deny an offender’s release to mandatory supervision when it determines that an offender’s accrued good conduct time is not an accurate reflection of the offender’s potential for rehabilitation and the offender’s release would endanger the public.

Prior to Discretionary Mandatory Supervision, certain offenders were released to Mandatory Supervision according to the statutory requirements without a parole panel vote.

Offenders excluded from the Mandatory Supervision law are those serving a sentence for or previously convicted of any of the following offenses:

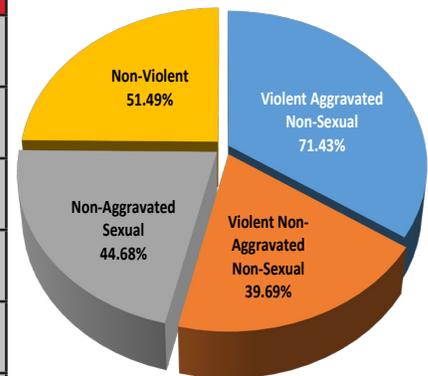
- Aggravated Assault, 1st or 2nd Degree
- Aggravated Kidnapping, 1st or 2nd Degree
- Aggravated Robbery, 1st Degree
- Aggravated Sexual Assault, 1st Degree
- Any Offense with an Affirmative Finding of a Deadly Weapon
- Arson, 1st Degree
- Burglary, 1st Degree
- Capital Murder
- Compelling Prostitution
- Continuous Sex Abuse of a Young Child or Children
- Indecency with a Child
- Injury to a Child, Elderly, or Disabled Individual, 1st Degree
- Murder, 1st or 2nd Degree
- Robbery, 2nd Degree
- Sexual Assault
- Sexual Performance by a Child
- Trafficking of Persons
- A Felony Increased Under Health and Safety Code (Drug-Free Zones)

DMS Considerations

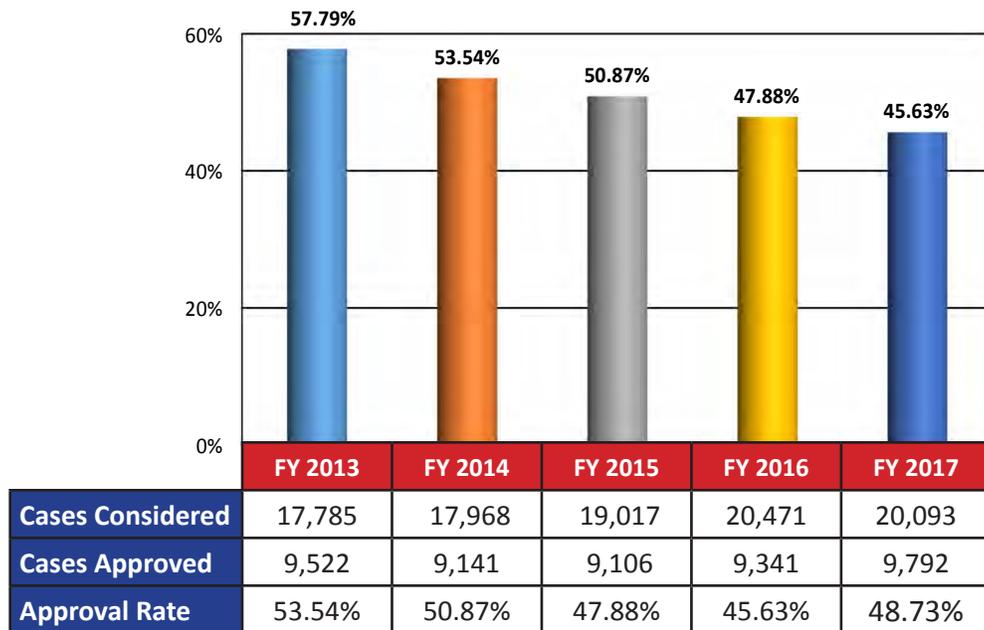
The overall DMS approval rate is 48.73 percent. DMS votes are listed by considerations and approval rates by offense type, considerations and approval rate history and considerations by each voting member.

DMS Considerations and Approval Rates by Offense Type

	CASES CONSIDERED	CASES APPROVED	APPROVAL RATE
Violent Aggravated Non-Sexual	14	10	71.43%
Violent Aggravated Sexual	3	0	0.00%
Violent Non-Aggravated Non-Sexual	4,482	1,779	39.69%
Non-Aggravated Sexual	376	168	44.68%
Non-Violent	15,218	7,835	51.49%
TOTALS	20,093	9,792	48.73%



DMS Considerations and Approval Rate History FY 2013 - FY 2017



DMS Considerations by Board Members and Parole Commissioners

	TOTAL VOTES	NUMBER APPROVED	APPROVAL RATE	DENIAL RATE
Eck-Massingill, L.	2,217	1,014	45.74%	54.26%
Evans, I.	2,672	1,071	40.08%	59.92%
Fox, T.	2,000	1,132	56.60%	43.40%
Garcia, R.	1,682	897	53.33%	46.67%
Gonzalez, R.	1,903	856	44.98%	55.02%
Gutierrez, D.	76	48	63.16%	36.84%
Hensarling, J.	1,867	1,352	72.42%	27.58%
Hightower, E	1,906	1,220	64.01%	35.99%
Kiel, J.	1,772	1,112	62.75%	37.25%
LaFavers, J.	1,863	895	48.04%	51.96%
Moberley, M.	1,738	931	53.57%	46.43%
Ramirez, A.	2,860	1,073	37.52%	62.48%
Rangel, F.	1,718	753	43.83%	56.17%
Robertson, E.	1,823	1,060	58.15%	41.85%
Ruzicka, L.	2,623	1,165	44.41%	55.59%
Saliagas, W.	1,800	615	34.17%	65.83%
Skyrme, M.	1,076	402	37.36%	62.64%
Solis, F.	2,512	1,194	47.53%	52.47%
Speier, C.	2,487	1,385	55.69%	44.31%
Tauss, C.	2,502	876	35.01%	64.99%
Tejada, R.	2,222	1,005	45.23%	54.77%
Total	41,319	20,056	48.54%	51.46%

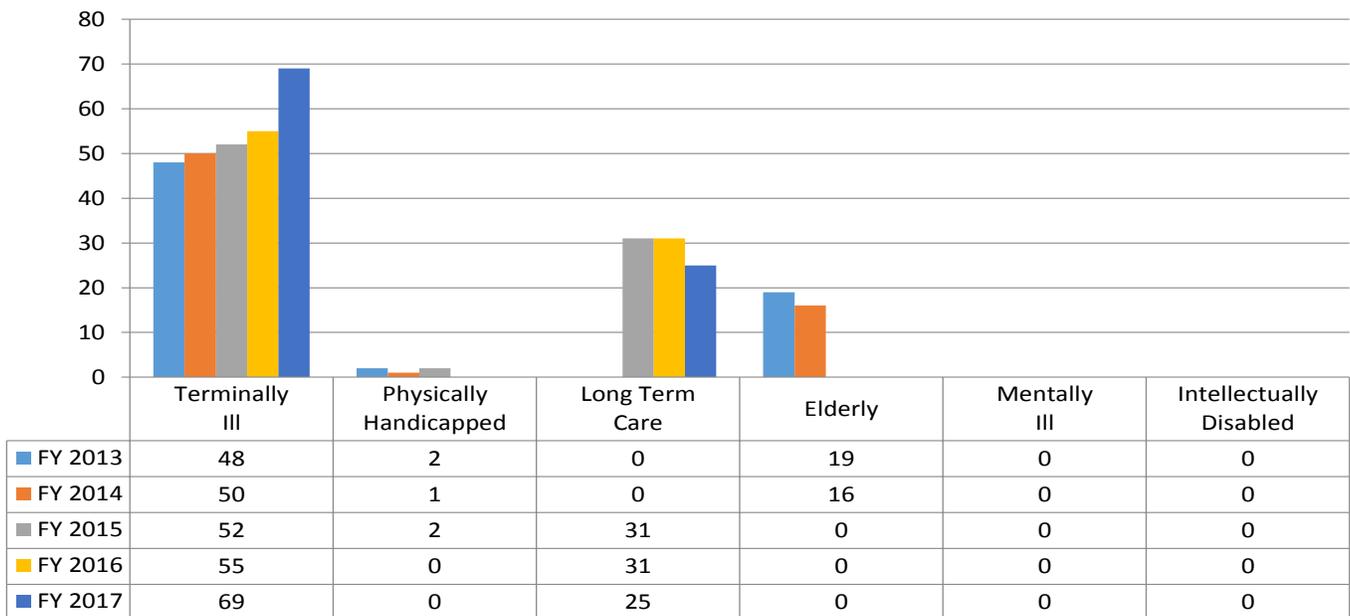
MEDICALLY RECOMMENDED INTENSIVE SUPERVISION (MRIS)

Medically Recommended Intensive Supervision (MRIS) represents a cooperative effort between the Texas Board of Pardons and Paroles (Board), Texas Correctional Office for Offenders with Medical or Mental Impairments (TCOOMMI), Correctional Managed Health Care providers, and Texas Department of Criminal Justice (TDCJ) Parole Division to identify offenders with serious impairments. Provided a release does not constitute a threat to public safety, collaborative decisions are made to release these offenders to a more appropriate environment with supervision.

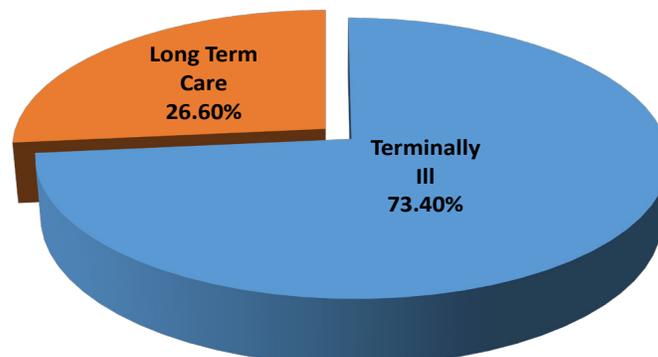
If an offender qualifies for release to Medically Recommended Intensive Supervision (MRIS), the MRIS panel bases its decisions on the offender’s medical condition and prognosis, and whether the offender constitutes a threat to public safety.

Offenders must comply with the terms and conditions of the MRIS program and abide by a Texas Correctional Office for Offenders with Medical or Mental Impairments (TCOOMMI) approved release plan. Offenders remain under the care of a physician and in a medically suitable placement.

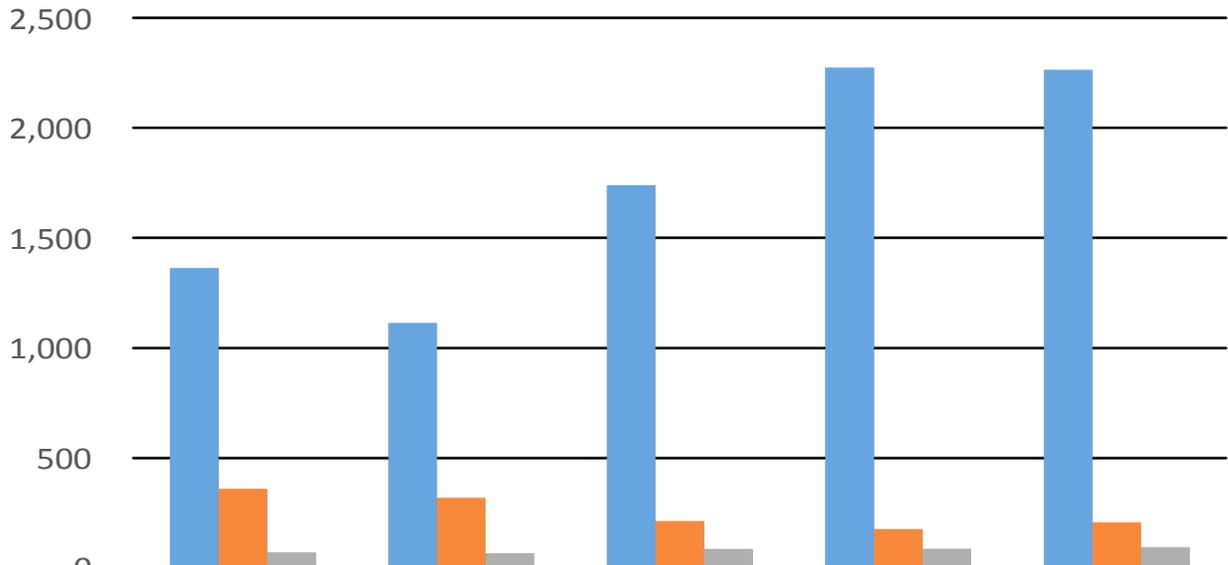
MRIS Data Comparison Approval by Diagnosis FY 2013 - FY 2017



MRIS Data Comparison FY 2017



MRIS Considerations and Approval Rates History FY 2013- FY 2017



	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Screened	1,362	1,113	1,738	2,273	2,263
Presented	359	318	213	176	207
Approved	69	67	85	86	94

(MRIS Data Comparison and Approval Rates by Diagnosis statistics are provided by TCOOMMI.)

SPECIAL REVIEW

Special Review provides a forum for a case to be considered by a special review parole panel when it is determined that there is information that was not previously available to the parole panel. If the panel based its decision upon erroneous information or an administrative file processing error, the case may be returned to the original panel to reconsider the decision. Requests for special review are considered in the following circumstances:

- A parole panel member who voted with the majority desires to have the decision reconsidered prior to the next review (NR) date; or
- A written request on behalf of an offender is received which cites information not previously available to the parole panel; or
- Both parole panel members who voted with the majority are no longer active board members or parole commissioners and the presiding officer places the decision in the special review process to be reconsidered prior to the NR date.

In FY 2017, the Board considered a total of 255 Special Review cases. The chart below reflects the disposition of the cases.

Parole Panel Votes after Approval for Special Review

	NUMBER	PERCENT
FI-1 (Parole when Eligible)	23	9.02%
FI-2 (Parole on Specified Date)	14	5.49%
FI-3R (Changes)	3	1.18%
FI-4R (SETP)	1	0.39%
FI-5 (IPTC)	11	4.31%
FI-6 (DWI)	4	1.57%
FI-6R (PRTC, PRSAP)	20	7.84%
FI-7R (SVORI)	4	1.57%
FI-9R (SOTP-9)	3	1.18%
FI-18R (SOTP-18, Innerchange)	2	0.78%
NR (Set Off)	123	48.24%
CU NR Vote	7	2.75%
CU FI Vote	3	1.18%
CU SA Vote	1	0.39%
SA (Required to Serve All)	7	2.75%
RMS (Release to Mandatory Supervision)	14	5.49%
DMS (Deny Mandatory Supervision)	15	5.88%
TOTALS	255	100%

OTHER VOTES AND ACTIVITIES

Transmittals are submitted to parole panels by the Parole Division requesting imposition or withdrawal of special conditions. The total number of transmittal votes was 105,307.

OTHER VOTES	NUMBER
Transmittal Votes	105,307

Board members and parole commissioners conduct victim, offender, attorney and family interviews via in person, telephone or video conference; and educate offenders, victims and other members of the public regarding the parole process through presentations.

OTHER ACTIVITIES	NUMBER
Office Interviews	800
Telephone Interviews	9,097
Correspondence Responses	12,318
Unit Interviews	1,458
Video Interviews	247
Public Presentations	9
TOTAL	23,929

SUPER INTENSIVE SUPERVISION PROGRAM (SISP)

The presiding officer designates regular parole panels and alternate panels. The Super Intensive Supervision (SISP) panel considers offenders known to have:

- Committed or threatened to commit an act resulting in a victim; caused bodily injury or serious bodily injury; or placed an individual in danger of bodily injury or serious bodily injury; or
- Had problematic institutional adjustment, such that their accrued good conduct time is not an accurate reflection of the potential for rehabilitation and whose release would endanger the public, or identified by TDCJ as a member of an organized street gang.

Parole Panel Considerations FY 2017

	PAROLE	MS	TOTALS
Considerations	8,196	956	9,152
Imposed	2,214	216	2,430
Percent Imposed	27.01%	22.59%	26.55%

PROFILE OF OFFENDERS CONSIDERED FOR SISP

By SISP Eligibility Criteria

	CURRENT OFFENSE	PRIOR OFFENSE	GANG MEMBER	TOTALS
Considerations	8,819	6	327	9,152
Imposed	2,412	3	15	2,430
Percent Imposed	27.35%	50.00%	4.59%	26.55%

By Gender and Race/Ethnicity

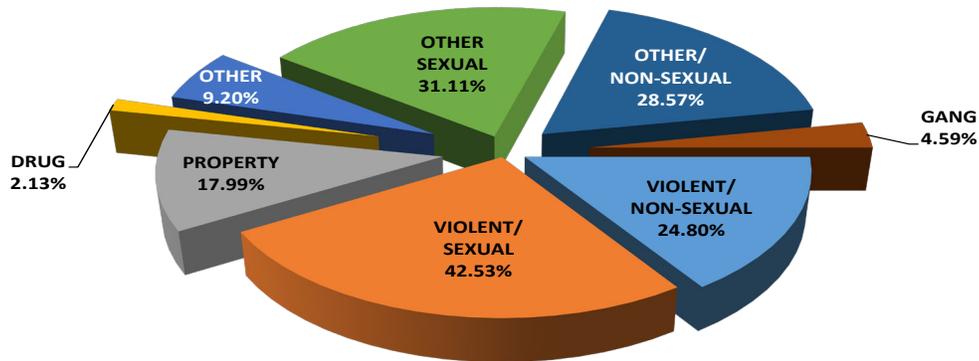
	MALE	FEMALE	TOTALS	BLACK	WHITE	HISPANIC	OTHER	TOTALS
Considerations	8,366	786	9,152	3,114	2,692	3,293	53	9,152
Imposed	2,317	113	2,430	860	720	834	16	2,430
Percent Imposed	27.70%	14.38%	26.55%	27.62%	26.75%	25.33%	30.19%	26.55%

By Age Group (Years)

	17-20	21-25	26-30	31-40	41-50	51-60	61 +	TOTALS
Considerations	163	1,170	1,798	2,744	1,653	1,148	476	9,152
Imposed	54	164	331	650	553	448	230	2,430
Percent Imposed	33.13%	14.02%	18.41%	23.69%	33.45%	39.02%	48.32%	26.55%

PROFILE OF OFFENDERS CONSIDERED FOR SISP

By Offense Type



	VIOLENT NON-SEXUAL	VIOLENT SEXUAL	PROPERTY	DRUG	OTHER	OTHER SEXUAL	OTHER NON-SEXUAL	GANG	TOTALS
Considerations	6,223	1,359	328	94	87	601	133	327	9,152
Imposed	1,543	578	59	2	8	187	38	15	2,430
Percent Imposed	24.80%	42.53%	17.99%	2.13%	9.20%	31.11%	28.57%	4.59%	26.55%

By Pending Release Type

	VIOLENT NON-SEXUAL	VIOLENT SEXUAL	PROPERTY	DRUG	OTHER	OTHER SEXUAL	OTHER NON-SEXUAL	GANG	TOTALS
Parole	1,402	559	49	2	8	167	23	4	2,214
MS	141	19	10	0	0	20	15	11	216
TOTALS	1,543	578	59	2	8	187	38	15	2,430

SISP Removal History

	REMOVED	DECEASED	DISCHARGED	REVOKED	OTHER REASON	TOTALS
Parole	1,060	15	430	222	14	1,741
MS	81	4	74	54	0	213
TOTALS	1,141	19	504	276	14	1,954

Revocations for Offenders on SISP

	ALLEGATIONS		SUSTAINED	
	TOTALS	PERCENT	TOTALS	PERCENT
New Conviction	126	44.21%	126	44.21%
Law Violation No New Conviction	4	1.40%	4	1.40%
Both Law and Technical Violations	12	4.21%	8	2.81%
Technical Only	143	50.18%	147	51.58%
TOTALS	285	100.00%	285	100.00%

INSTITUTIONAL PAROLE ACTIVITY

The Institutional Parole Operations (IPO) performs a variety of functions for the Board. A primary IPO responsibility is interviewing offenders and preparing case summaries for review by a parole panel. The information in the case summary assists the parole panel in making parole or release decisions. In FY 2017, there were 79,723 parole case summaries and 19,810 discretionary mandatory supervision summaries completed. Additionally, 15 summaries were prepared for clemency reviews on death penalty cases.

Summaries Prepared

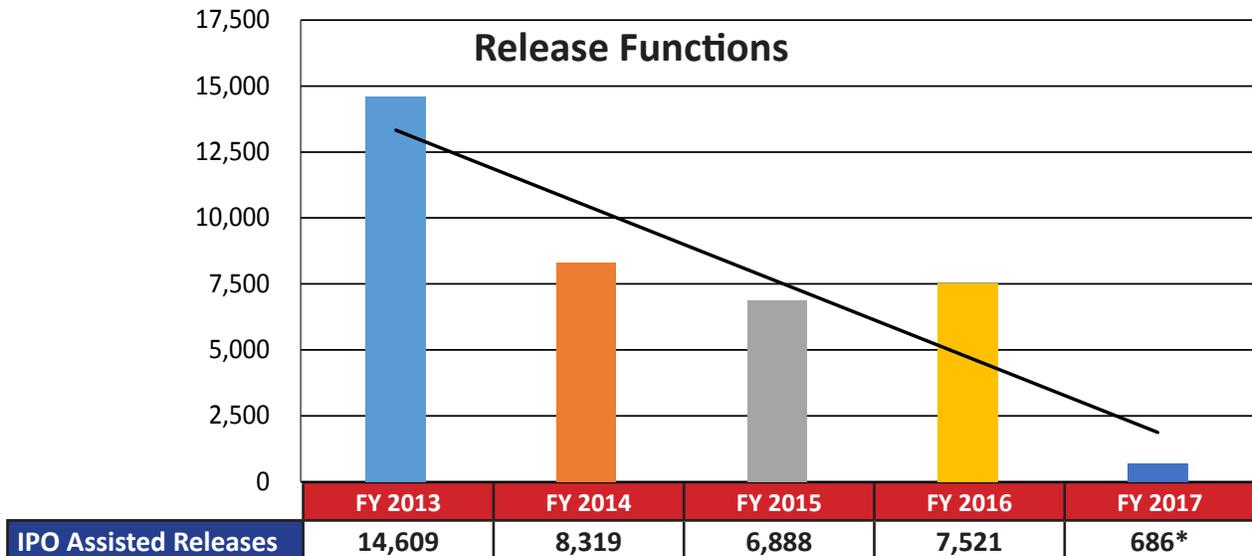
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Parole Case Summaries	79,595	74,376	81,058	79,732	79,723
DMS Summaries	16,708	16,793	18,196	19,906	19,810
Clemency Case Summaries	23	24	23	14	15
TOTAL	96,326	91,193	99,277	99,652	99,548

Upon a decision being rendered by a voting panel, the IPO is responsible for notifying the offender of the release decision along with the approval or denial reason(s). In FY 2017, IPOs provided notification via status letters to 84,798 offenders.

Offender Notifications

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Status Letters Provided to Offenders	79,773	78,717	83,555	86,683	84,798

The Institutional Parole Offices also assist in releasing certain offenders who have been approved for parole or discretionary mandatory supervision. The IPO assisted in release of 686 offenders in FY 2017, by explaining the rules of supervision and ensuring the proper execution of release certificates.



*Note: *This number is significantly lower than previous fiscal years because IPO staff transitioned releasing CID offenders to Reentry and Integration Division staff. IPO staff still continue to release offenders from county jails and federal facilities.*

Institutional Parole Offices also provide status information to the family members, victims and public concerning offender release decisions. In FY 2017, the IPOs responded to 11,535 public phone inquiries and 121,730 offender requests.

HEARINGS ACTIVITY

Offenders released on supervision are required to comply with both general and any special conditions of release that have been imposed by the Board. In the event an offender is alleged to have violated one or more of the conditions of release, prior to the Board revoking an offender’s parole/mandatory supervision, the offender must be afforded an opportunity of a hearing to determine if sufficient evidence exists to show that one or more violations have occurred. An offender can elect to waive such hearing(s).

Hearings Conducted by Hearing Officers

Texas Government Code, §508.282 relates to the time allowed for disposition of alleged violations of parole by a parole panel where the alleged violation occurred. The statutory timeframe from warrant execution of an administrative violation of a release condition to the date of a panel disposition is 41 days. A continuance of a hearing extends the time frame by 15 days.

The offender is entitled to due process in the revocation hearing. These requirements are outlined in Morrissey v. Brewer, 408 U.S. 471, 33L.Ed2d 484, 494 (1972).

There were 21,103 total hearings held in FY 2017, of which 8,069 were subject to statutory timeframes. Cases subject to statutory timeframes where the offender was entitled to a preliminary hearing averaged 19.23 days; those entitled to a revocation hearing averaged 26.01 days; and those cases entitled to both a preliminary and revocation hearing averaged 32.77.

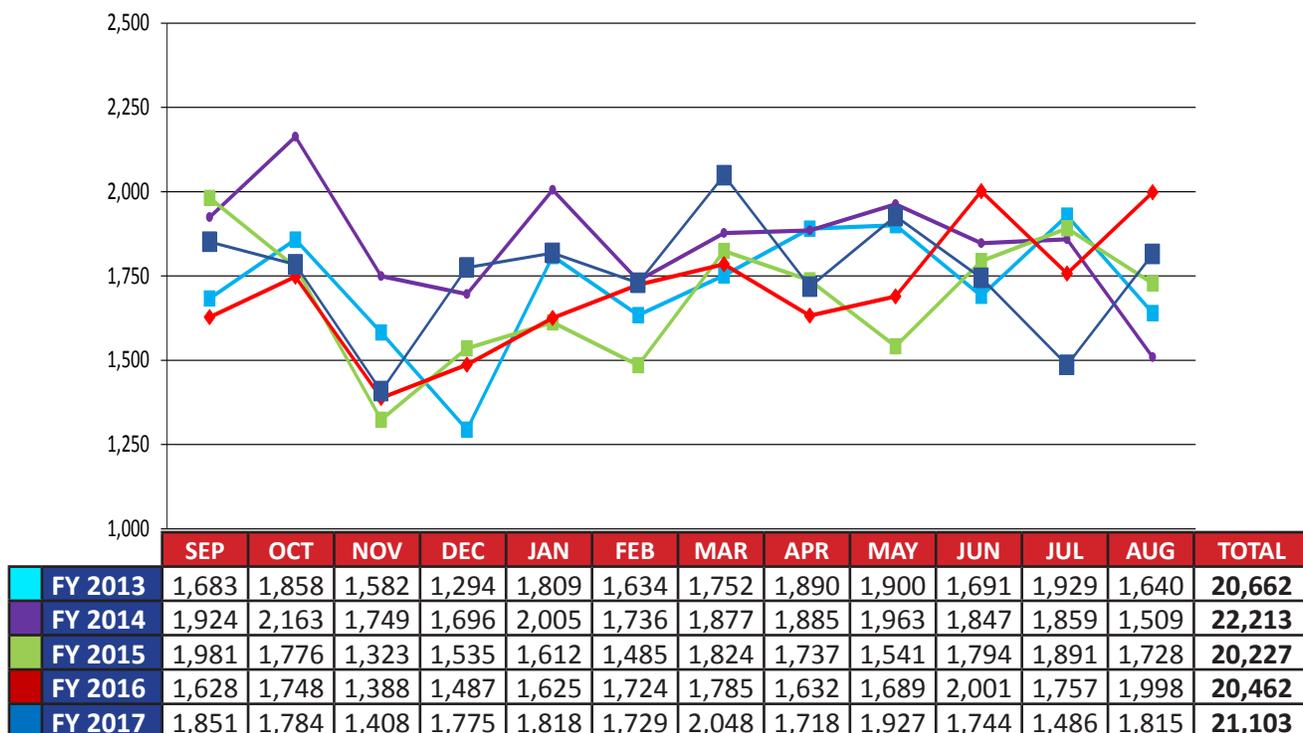
Hearings – Average Processing Time in Days *

	PRELIMINARY	REVOCATION	PRELIMINARY & REVOCATION
AVERAGE	19.23	26.01	32.77

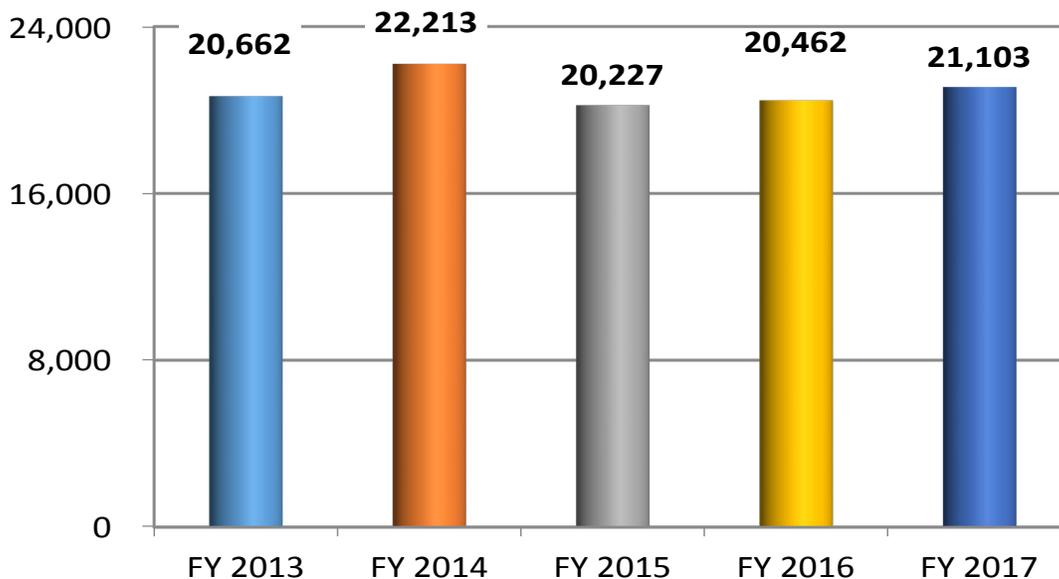
**Start date to parole panel disposition.*

Hearings Conducted by Hearing Officers FY 2013 – FY 2017

The annual total of hearings illustrates the cumulative workload of the Board’s hearing officers. In addition to their regular workload, hearing officers participate in training. Since laws, court decisions and Board policies change or are reinterpreted over time, the hearing process is constantly changing. The annual training seminar keeps hearing officers informed of changes that affect their decision-making responsibilities and the hearing process.



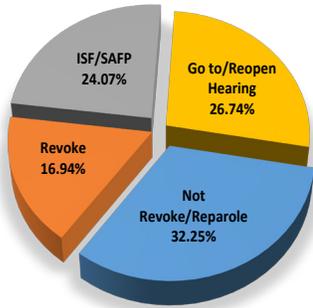
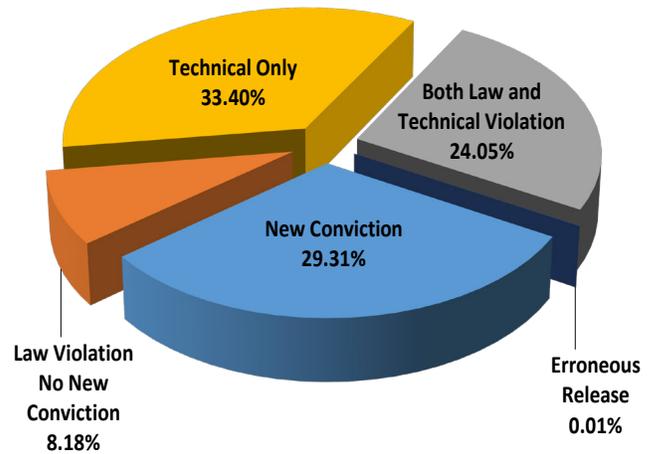
Hearings Conducted by Hearing Officers FY 2013 – FY 2017



Allegations Presented for Administrative Decisions

By Allegation (Hearings and Waivers)

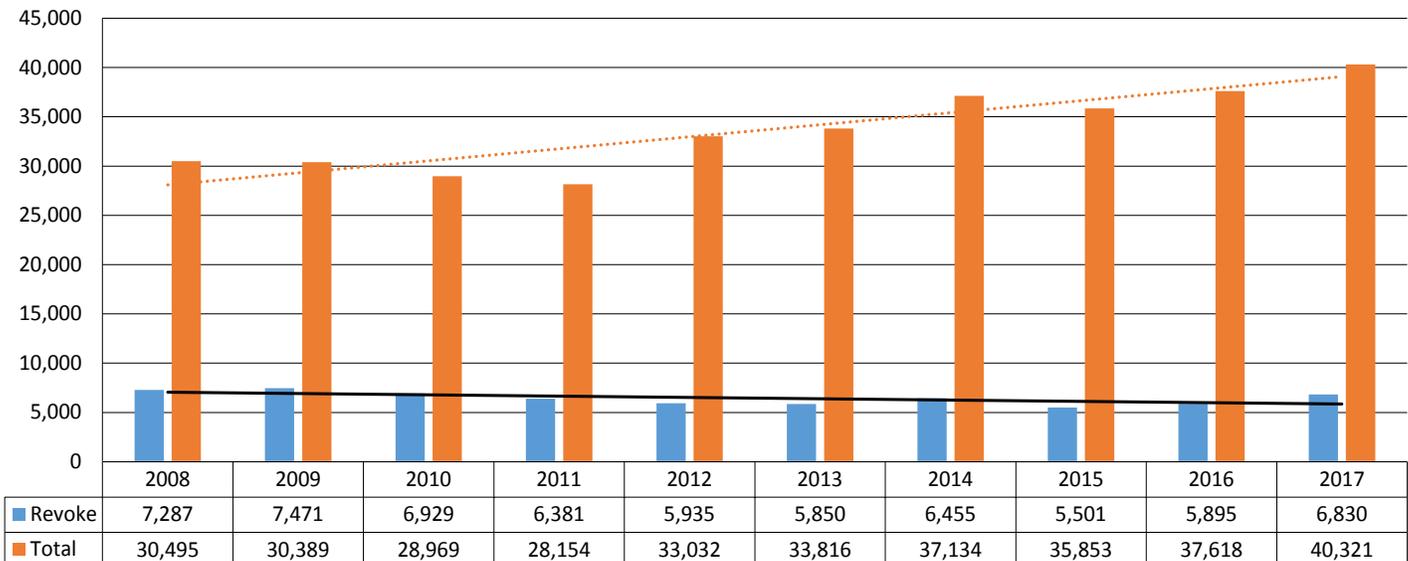
	NUMBER
New Conviction	11,820
Law Violation No New Conviction	3,300
Both Law and Technical Violations	9,698
Technical Only	13,467
Erroneous Release	5
TOTAL	40,321



By Decision

	NON-REVOCAATION				GO TO HEARING	REOPEN HEARING	PLACE IN NORMAL REVIEW	REVOKE	TOTAL ACTIONS
	CONTINUE SUPERVISION	TRANSFER TO ISF FACILITY	REPAROLE	SAFPF					
FY 2013	10,775	8,053	2	569	8,516	43	8	5,850	33,816
	31.9%	23.8%	0.0%	1.7%	25.2%	0.1%	0.0%	17.3%	
FY 2014	11,980	8,820	0	687	9,153	35	4	6,455	37,134
	32.3%	23.8%	0.0%	1.9%	24.6%	0.1%	0.0%	17.4%	
FY 2015	13,047	7,976	0	532	8,744	47	6	5,501	35,853
	36.4%	22.2%	0.0%	1.5%	24.4%	0.1%	0.0%	15.3%	
FY 2016	12,879	8,236	4	712	9,836	49	7	5,895	37,618
	34.2%	21.9%	0.0%	1.9%	26.1%	0.1%	0.0%	15.7%	
FY 2017	13,000	8,888	0	817	10,748	34	4	6,830	40,321
	32.2%	22.0%	0.0%	2.0%	26.7%	0.1%	0.0%	16.9%	

Revocations Compared to Hearings and Waivers FY 2008 - FY 2017



Administrative Decisions by Board Members and Parole Commissioners

	NON-REVOCACTION				GO TO HEARING	REOPEN HEARING	PLACE IN NORMAL REVIEW	REVOKE	TOTAL ACTIONS
	CONTINUE SUPERVISION	TRANSFER TO ISF FACILITY	SAFPF	REPAROLE					
Eck-Massingill, L.	3,143	1,375	111	0	30	2	0	646	5,307
Evans, I.	1,332	439	53	0	8	3	0	851	2,686
Fox, T.	1,191	1,338	140	0	8	3	0	996	3,676
Garcia, R.	1,443	666	46	0	16	4	1	688	2,864
Gonzalez, R.	797	834	122	0	8	1	0	453	2,215
Gutierrez, D.	123	127	10	0	2	0	0	101	363
Hensarling, J.	1,528	1,107	63	0	35	12	2	529	3,276
Hightower, E.	1,150	1,227	130	0	7	3	0	951	3,468
Kiel, J.	1,327	987	60	0	36	12	1	514	2,937
LaFavers, J.	1,135	991	168	0	16	1	0	615	2,926
Moberley, M.	952	820	157	0	12	3	0	495	2,439
Ramirez, A.	598	892	29	0	12	6	1	906	2,444
Rangel, F.	1,446	708	70	0	25	2	0	675	2,926
Robertson, E.	1046	1133	115	0	6	0	0	877	3,177
Ruzicka, L.	1,463	514	53	0	5	2	0	630	2,667
Saliagas, W.	1,236	774	65	0	35	3	1	759	2,873
Skyrme, M.	1,089	784	39	0	29	4	1	374	2,320
Solis, F.	397	715	31	0	8	5	0	702	1,858
Speier, C.	515	802	31	0	8	0	1	761	2,118
Tauss, C.	1,376	494	49	0	7	3	0	738	2,667
Tejada, R.	3,092	1,343	117	0	31	1	0	740	5,324
TOTALS	26,379	18,070	1,659	0	344	70	8	14,001	60,531

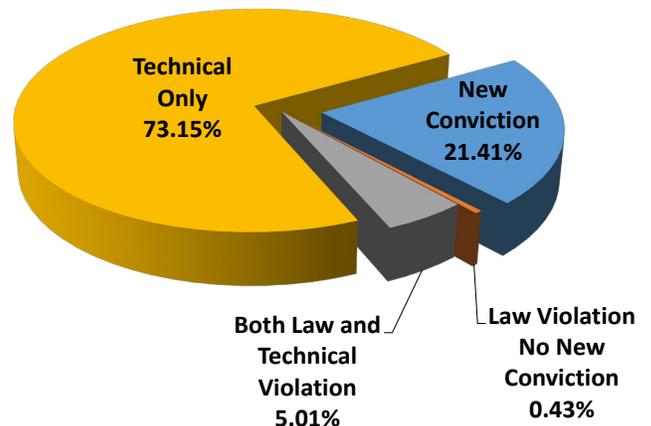
Parole Panels have various options in the revocation process such as sending the offender to an Intermediate Sanction Facility (ISF) or Substance Abuse Felony Punishment Facility (SAFPF).

Decisions to Send Offender to ISF or SAFPF

	NUMBER OF CASES	PERCENT
New Conviction	2,078	21.41%
Law Violation No New Conviction	42	0.43%
Both Law and Technical Violations	486	5.01%
Technical Only	7,099	73.15%
TOTALS	9,705	100.00%

NOTE: A "Technical Violation Only" is a violation of one or more conditions of release, not including the commission of a new offense. "New Offense" includes offenders who have pending felony or misdemeanor charges and possible technical violations at the time of revocation.

Disposition to ISF/SAFPF



The parole panel that reviews a revocation case decides whether the offender will continue on supervision, with or without modification of conditions of release. In the case of Erroneous Release, the panel can recommend that the offender be placed in the normal parole review process upon return to TDCJ-CID, parole if eligible (FI-1) or continue on existing release certificate.

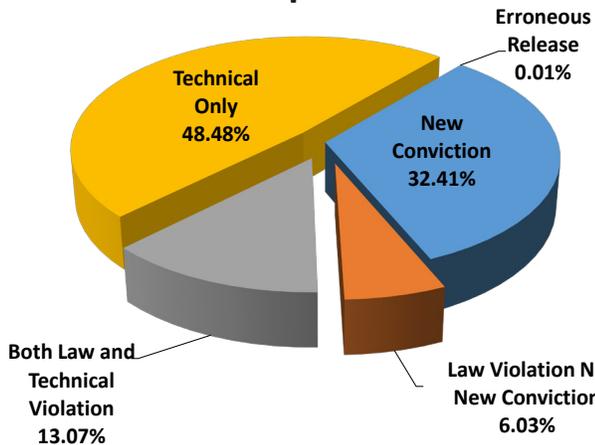
Decisions to Continue Supervision or Reparole

	CASES	PERCENT
New Conviction	4,213	32.41%
Law Violation No New Conviction	784	6.03%
Both Law and Technical Violations	1,699	13.07%
Technical Only	6,303	48.48%
Erroneous Release	1	0.01%
TOTALS	13,000	100.00%

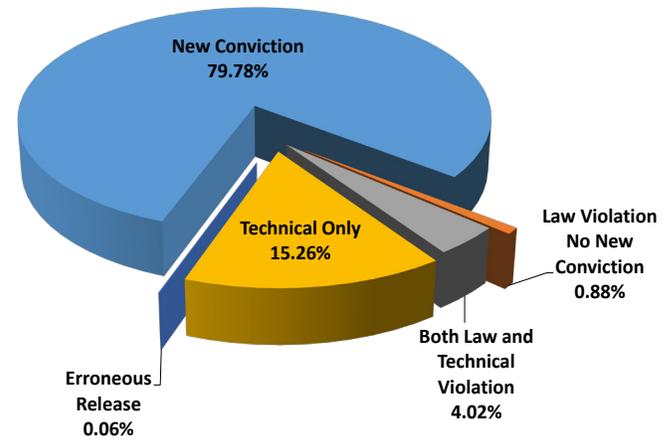
Decisions to Revoke or Place in Normal Review

	CASES	PERCENT
New Conviction	5,452	79.78%
Law Violation No New Conviction	60	0.88%
Both Law and Technical Violations	275	4.02%
Technical Only	1,043	15.26%
Erroneous Release	4	0.06%
TOTALS	6,834	100.00%

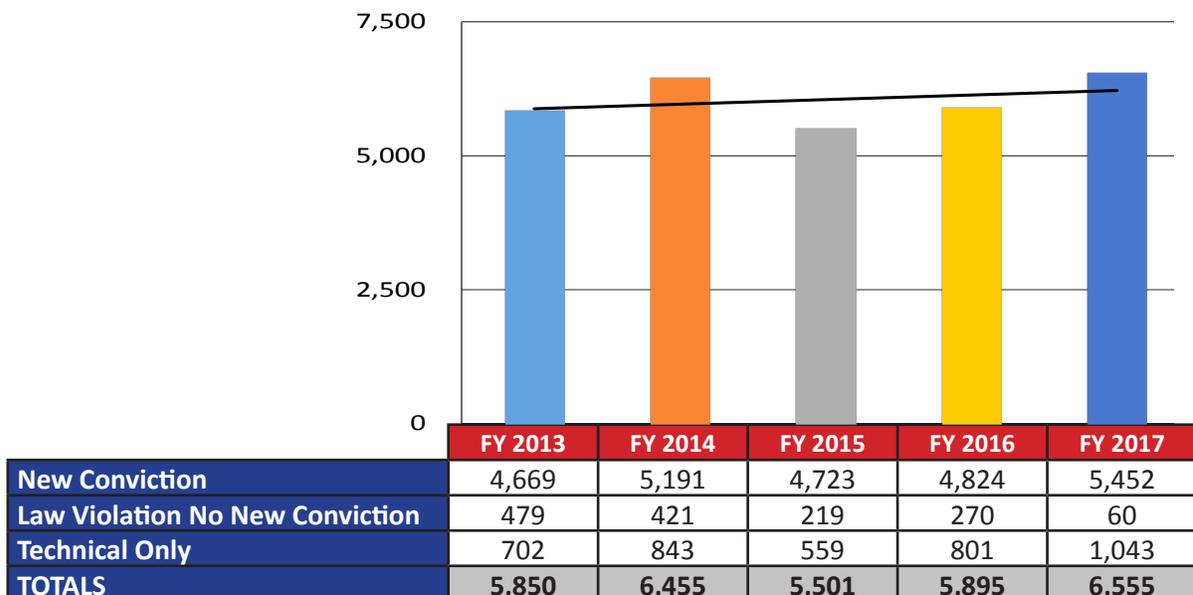
Disposition to Continue Supervision or Reparole



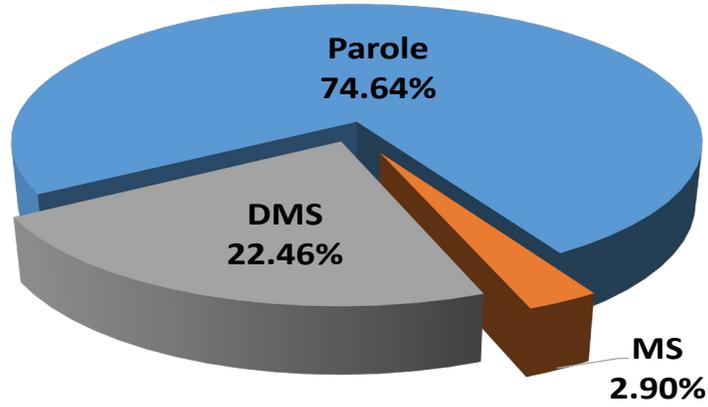
Disposition to Revoke or Place in Normal Review



History of Offenders Revoked by Grounds for Revocation FY 2013 - FY 2017



**FY 2017 Revocations by Release Type
Parole/Mandatory Supervision
Monthly Totals**



	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	TOTAL
Parole	417	397	301	360	379	333	491	516	520	460	444	480	5,098
MS	10	14	13	22	10	9	20	17	21	23	20	19	198
DMS	109	108	90	98	110	104	134	142	161	153	159	166	1,534
TOTALS	536	519	404	480	499	446	645	675	702	636	623	665	6,830

**Decisions
(Waivers/Hearings Processed)**

	PREL	REV ONLY	PREL & REV SIMULTANEOUSLY	REOPEN WAIVERS/ HEARINGS	TRANSMITTALS	TOTALS
Total Waivers Processed *	6,577	14,823	329	N/A	N/A	21,729
Total Hearings Processed **	5,042	12,656	N/A	328	N/A	18,026
Transmittals ***	N/A	N/A	N/A	N/A	1,139	1,139
TOTAL WAIVERS/ HEARINGS/TRANSMITTALS	11,619	27,479	329	328	1,139	40,894

* 8,699 Waivers were subject to statutory timeframes.

** 8,959 Hearings were subject to statutory timeframes.

*** Cases transmitted to a parole panel for reconsideration subsequent to a decision resulting from a hearing or waiver.

EXECUTIVE CLEMENCY

The authority for the Governor to grant executive clemency is in Article IV, Section 11 of the Texas Constitution. In all criminal cases, except treason and impeachment, the Governor may grant clemency upon written recommendation of a majority of the Board of Pardons and Paroles (Board) after a conviction or successful completion of a term of deferred adjudication community supervision. The Constitution authorizes the Governor to grant pardons, reprieves, and commutation of sentence. The Board, pursuant to Section 508.036(b)(1), Government Code, adopted rules governing the clemency process for noncapital and capital cases.

Clemency Process

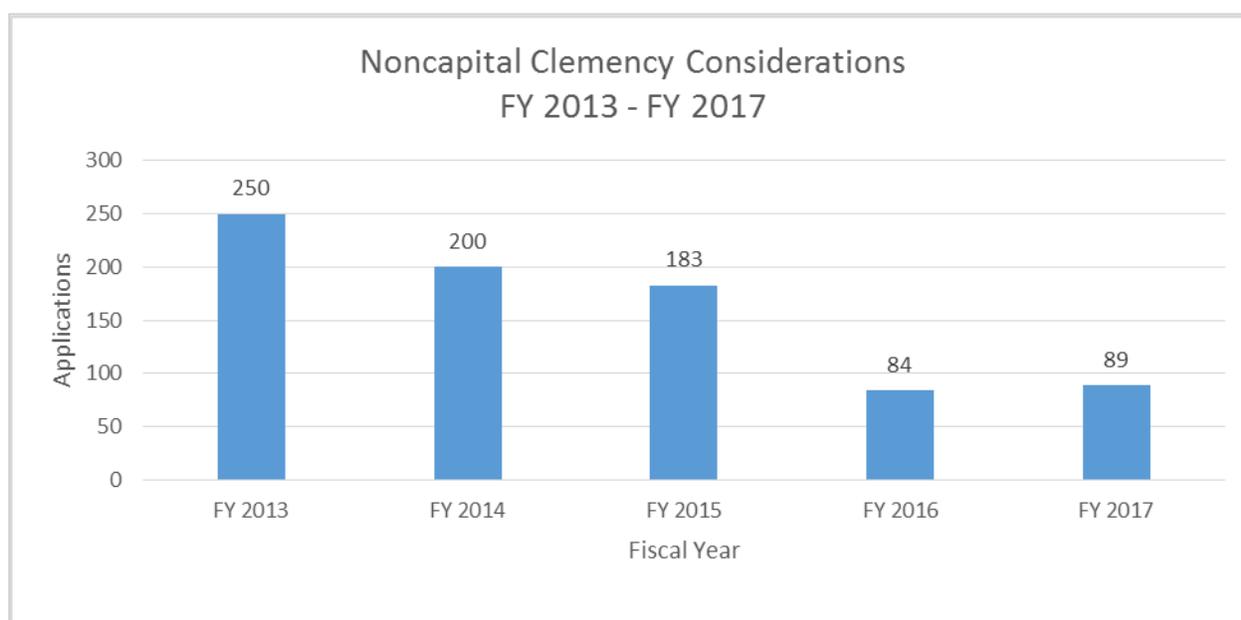
The process begins when an individual or their representative submits an application along with the appropriate documents. The process includes notification of the trial officials identified in Section 508.115, Government Code, and the victim, if one is identified.

Clemency Decision

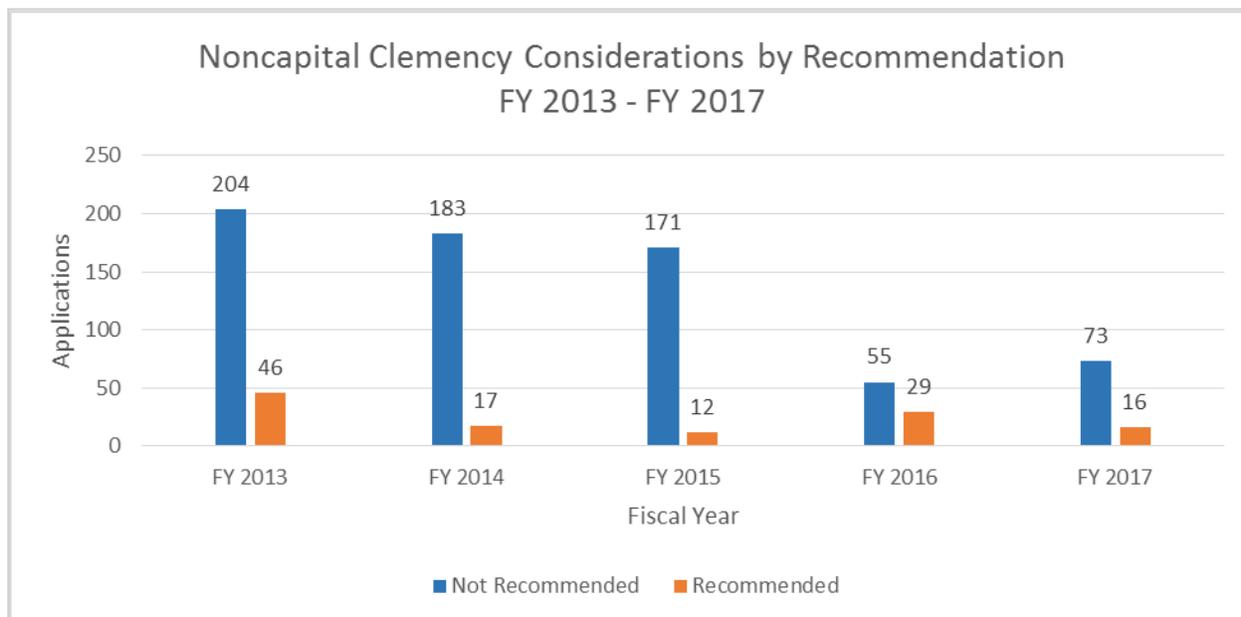
The Governor makes the final decision to grant clemency. The Board may only recommend or not recommend that the Governor grant clemency.

Board Actions on Non-Capital Cases

In noncapital cases, the Board considers applications for full pardons and restoration of rights of citizenship, pardon for innocence, conditional pardon, reprieve, commutation of sentence, remission of fines and forfeitures, and restoration of driver's license. In FY 2017, the Board considered 89 non-capital cases (see the table below).

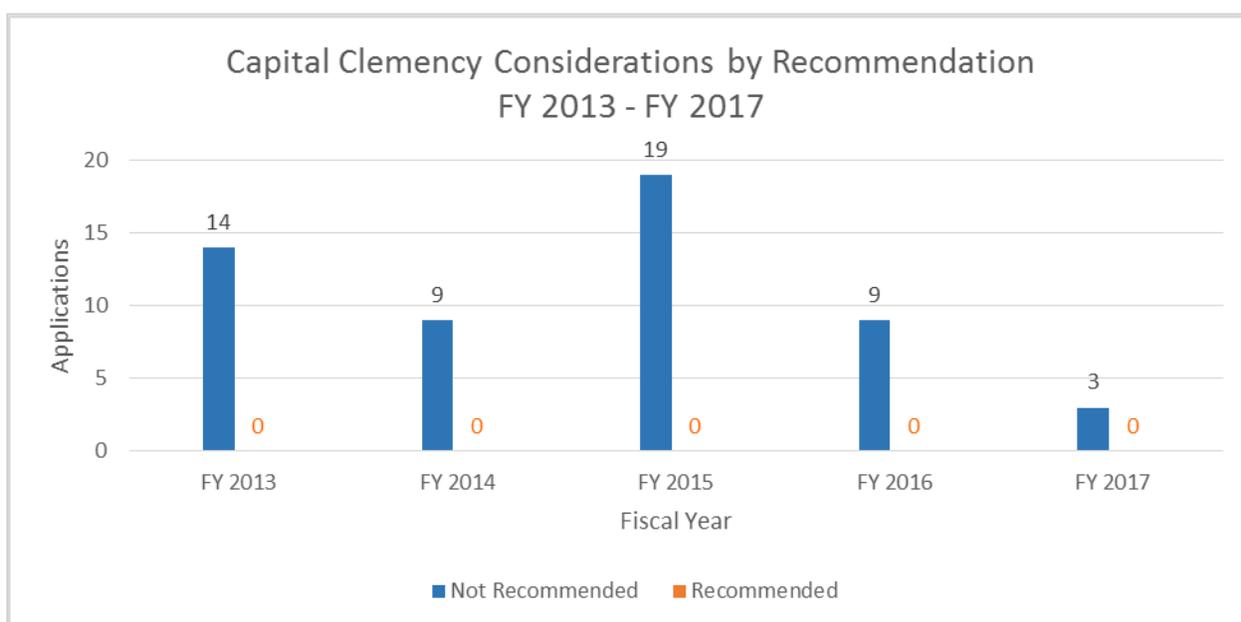


In FY 2017, the Board recommended the Governor grant 16 non-capital clemency requests out of 89 applications considered or 18% of the applications considered (see the table below).



Board Actions on Capital Cases

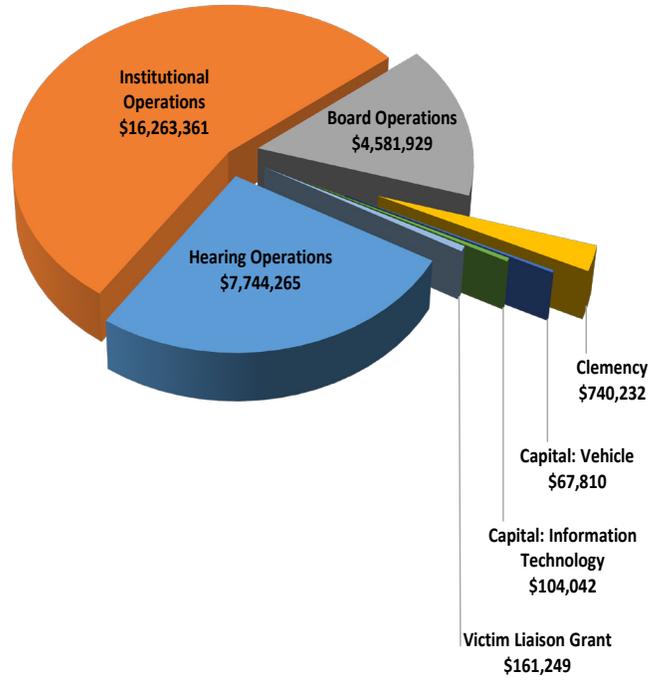
In capital cases, the Board considers applications for commutation of death sentence to lesser penalty and a reprieve of execution. Upon request, the Board may conduct an interview with the offender. The Governor may also grant a one-time 30-day reprieve of execution without a recommendation from the Board. In FY 2017, the Board considered nine applications which requested a commutation of sentence and of the nine applications, four included a request for a reprieve. In FY 2017, the Board conducted two interviews. In FY 2017, the Board did not recommend clemency for any of the applications considered (see the table below).



AGENCY EXPENDITURES

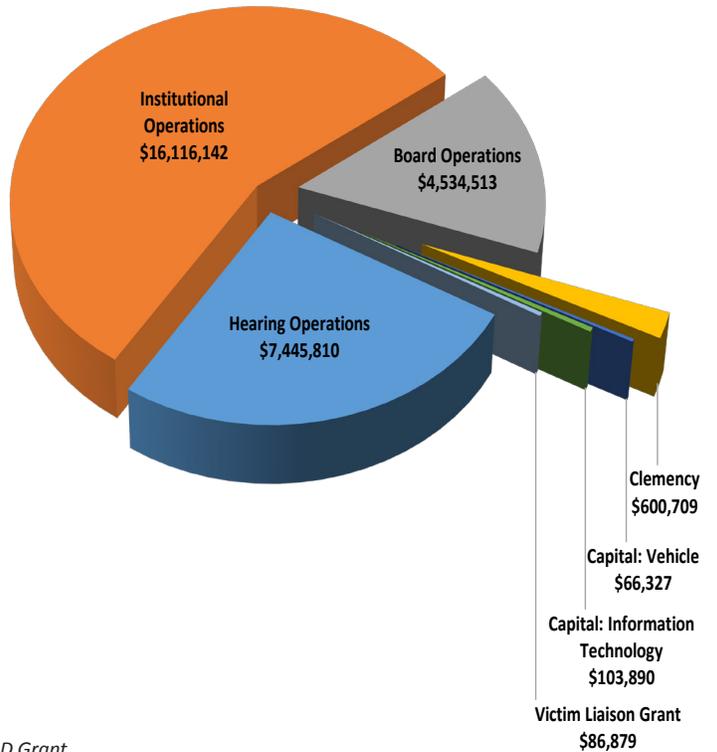
FY 2017 BUDGET

FY 2017 Budget Total	\$ 29,662,888
Hearing Operations	\$ 7,744,265
Institutional Operations	\$ 16,263,361
Board Operations	\$ 4,581,929
Clemency	\$ 740,232
Capital: Vehicle	\$ 67,810
Capital: Information Technology	\$ 104,042
Victim Liaison Grant	\$ 161,249



FY 2017 EXPENDITURES (ACTUAL)

FY 2017 Expenditure Total	\$ 28,954,270
Hearing Operations	\$ 7,445,810
Institutional Operations	\$ 16,116,142
Board Operations	\$ 4,534,513
Clemency	\$ 600,709
Capital: Vehicle	\$ 66,327
Capital: Information Technology	\$ 103,890
Victim Liaison Grant	\$ 86,879



Note: Hearing Operations includes expenditure and budget received from the CJD Grant.

GLOSSARY OF TERMS

Administrative Violation

A violation of one or more of the rules of parole or mandatory supervision, not including commission of a new criminal offense. This is also known as a technical violation.

Board

Refers to the Texas Board of Pardons and Paroles.

Clemency

The power of the governor to grant a full or conditional pardon, reprieve of execution of a death sentence, commutation of a sentence, commutation of a death sentence, emergency reprieve for medical reasons, reprieve to attend civil court proceedings, or a reprieve of jail sentence. Clemency must be recommended in writing by a majority of the Board and approved by the governor.

Commutation of Sentence

A reduction of the penalty assessed by the court. Under Board rules, a commutation of sentence must be supported by a majority of the applicant's trial officials, recommended in writing by a majority vote of the Board, and granted by the governor.

Conditional Pardon

A pardon that releases the offender from confinement, subject to certain conditions. A conditional pardon may be used to request the release of an offender to another country or to immigration officials for deportation. A conditional pardon does not restore civil rights or the rights of citizenship and can be revoked by the Board if any conditions imposed were violated.

Correctional Institutions Division (CID)

The Correctional Institutions Division (CID) of the Texas Department of Criminal Justice is responsible for the confinement of adult felony offenders who are sentenced to prison.

CUI

Designates the date on which an offender serving consecutive or cumulative sentences will satisfy the current sentence and begin to serve the next sentence in the series. The cause number on the approved sentence will be indicated in the vote.

Deny Mandatory Supervision

A parole panel decision to deny mandatory supervision release when the panel concludes that the accrued good time is not an accurate reflection of the offender's potential for rehabilitation and that release would endanger the public. It applies to those offenders with mandatory release-eligible offenses committed on or after September 1, 1996.

Discretionary Mandatory Supervision (DMS)

A form of release that applies to certain offenders who are incarcerated for an offense committed on or after September 1, 1996 and are eligible for release on mandatory supervision. Those offenders must be approved by a parole panel for mandatory supervision release. See also HB 1433.

Emergency Reprieve

A form of executive clemency allowing an offender temporary release from prison for a specific reason, including but not limited to the medical condition of the offender or a family member. A reprieve must be recommended by a majority of the Board and approved by the governor.

Fiscal Year (FY)

The Board's fiscal year runs from September 1 of one year through August 31 of the following year.

Full Pardon Request

A request by an offender for a full pardon of an offense. A full pardon restores certain citizenship rights forfeited by law upon criminal conviction. Citizenship rights can include the right to vote, the right to serve on a jury, and the right to hold public office.

In Texas and many states, voting rights automatically are restored when an offender discharges a felony sentence, even without a pardon, provided that the offender is eligible to register. A full pardon will remove barriers to some but not all, types of employment and professional licensing but licenses are granted at the discretion of each profession's state licensing board. A pardon will not restore eligibility to become a licensed peace officer in Texas. A full pardon does not expunge a criminal record.

Further Investigation (FI)

An initial determination by a parole panel favorable to the parole release of an offender, pending further investigation. Favorable voting options are: FI-1, FI-2, FI-3R, FI-4R, FI-5, FI-6, FI-6R, FI-7R, FI-9R, FI-18R, and CUFI.

House Bill 1433 (HB 1433)

The law passed during the 74th Legislature that requires parole panels to review scheduled mandatory supervision releases if offenses were committed on or after September 1, 1996. Specifically, HB 1433 authorizes a parole panel to review and deny mandatory supervision releases on a case-by-case basis when it determines that an offender's good conduct time does not accurately reflect the potential for rehabilitation and that the offender's release would endanger the public. See also *Discretionary Mandatory Supervision*.

In-Prison Therapeutic Community (IPTC)

An intensive substance abuse treatment program housed in various TDCJ-CID units. As a condition of release from an IPTC, an offender is required to participate in an Aftercare Program at a Transitional Treatment Center (TTC).

Intermediate Sanction Facility (ISF)

A secure facility under contract with or operated by TDCJ that serves as a confinement alternative for offenders under active supervision who have violated one or more release conditions but have no pending charges. An ISF provides an effective addition to the range of sanctions available for parole supervision.

Mandatory Supervision (MS)

The release by law of an eligible offender when calendar time served plus good conduct time credit equals the length of the sentence. The amount of good conduct time credits determines the length of time the offender serves under the supervision of the TDCJ-Parole Division.

Medically Recommended Intensive Supervision (MRIS) Program

Under this program, offenders who are mentally ill, mentally retarded, elderly, terminally ill, physically handicapped, or require long-term care are considered for release by a parole panel.

The panel, based on the offender's condition and medical evaluation, may release an offender who does not constitute a threat to public safety or a threat to commit an offense.

Next Review (NR) Date

A parole panel decision to deny parole and to set a new date for review in one to five years, depending on the offense.

Offender

A person incarcerated in the prison system, other penal institution or jail, or a person released to parole or mandatory supervision.

Pardon

A form of executive clemency that absolves an individual from the legal consequences of their crime and conviction. A pardon must be recommended in writing by the majority of the Board and granted by the governor.

Pardon for Innocence

A pardon based on innocence granted by the governor upon the written recommendation of a majority of the Board.

Parole

The discretionary and conditional release of an eligible offender to serve the remainder of the sentence under the supervision of the TDCJ-Parole Division.

Parole in Absentia (PIA)

The release of an offender, eligible for parole or mandatory supervision, serving a Texas sentence in an institution other than a Texas state prison, i.e., an out-of-state prison, federal facility, or municipal or county jail.

Parole Panel

A three-member panel consisting of at least one board member and any combination of board members and parole commissioners.

Release to Mandatory Supervision (RMS)

A decision by a parole panel to release an offender to mandatory supervision under the provisions of HB 1433 (discretionary mandatory supervision law).

Reprieve

A delay or temporary suspension of punishment. Offenders who are terminally ill or require medical treatment unavailable within TDCJ but ineligible for MRIS may seek an emergency medical reprieve. Offenders also may seek a family medical reprieve to attend to critically ill relatives. As with other forms of clemency, a reprieve requires a written recommendation from a majority of the Board and approval from the governor. When the time allowed on reprieve has elapsed, the offender must return to prison unless an additional reprieve is granted. Emergency reprieve requests to attend funerals or visit critically ill relatives are not handled through the executive clemency process, since prison officials have authority to grant eligible offenders short-term furloughs for such situations. In death penalty cases, the governor may grant a reprieve for any period of time (in 30-day increments) upon recommendation of a majority of the Board. Under the Texas Constitution, the governor has the power to grant a one-time, 30-day reprieve without the recommendation of the Board.

Restoration of Civil Rights

A form of pardon that restores all civil rights under Texas law that an offender forfeits when convicted of a federal offense, except as specifically provided in the certificate of restoration (Texas Code of Criminal Procedure §48.05 - Restoration of Civil Rights). An offender may apply for restoration of civil rights after completing their sentence if they were convicted three or more years before the date of application, and if they have no other conviction under the laws of Texas, another state, or the United States.

Revocation

A parole panel decision to return an offender to the custody of the TDCJ-CID because the offender has violated the terms or conditions of release, committed a new crime, or both.

Senate Bill 45 (SB 45)

Passed during the 74th Legislature, this law requires a two-thirds affirmative vote of the board members to parole offenders with certain capital felony and sex offense convictions.

Senate Bill 880 (SB 880)

Passed during the 78th Legislature, this law reduced the hearing process for certain parole violators from 60 to 41 days.

Serve-All (SA)

A Serve-All vote means an offender is denied parole and that no further parole reviews will be scheduled on the current sentence. In no event, shall a serve-all be voted if the offender's projected release date is greater than five years for offenders serving sentences listed in Texas Government Code, §508.149(a), or greater than one year for offenders not serving sentences under that section.

Sex Offender

A classification applied to offenders who have been sentenced for a sexual offense, been convicted of an offense involving sexually deviant behavior, displayed sexually deviant behavior in committing any offense, or admitted sexually deviant behavior. Also refers to any offender who has a previous period of supervision revoked due to a technical violation that involved sexually deviant or offensive behavior without a legal conviction or offender admission.

State Jail Division

The division of TDCJ that provides community-oriented, cost-effective incarceration and rehabilitation for offenders who commit certain low-level, non-violent offenses. Parole panels do not make release decisions on state jail offenders.

Substance Abuse Felony Punishment Facility (SAFPF)

A secure chemical-dependence treatment facility under contract with the TDCJ for non-violent offenders. An offender may be placed in a SAFPf by a parole panel as a condition of parole or mandatory supervision following a hearing.

Super Intensive Supervision Program (SISP)

The highest level of supervision and offender accountability under the TDCJ Parole Division, created by the 75th Legislature for potentially dangerous offenders released on parole or mandatory supervision.

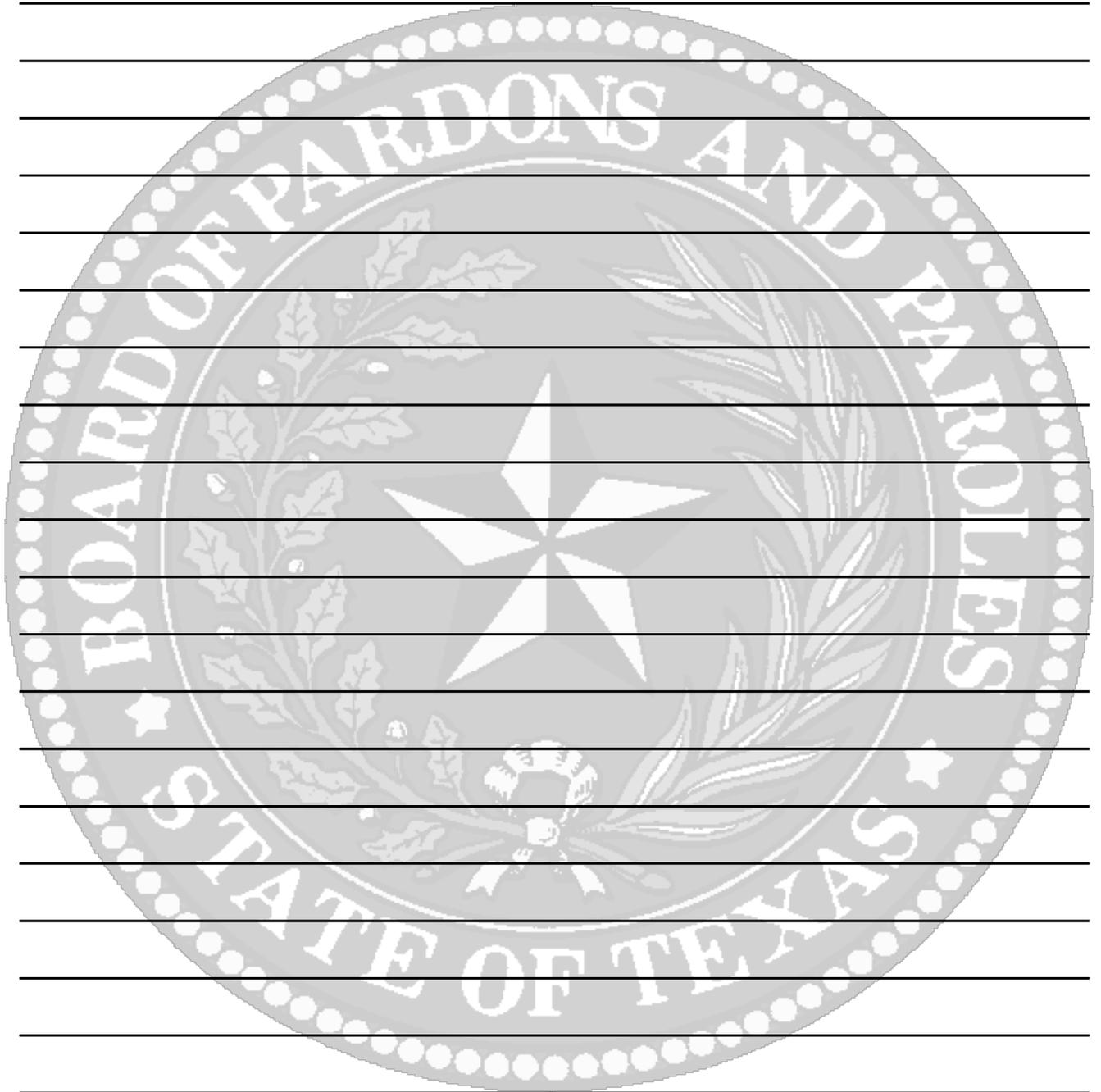
Technical Violation

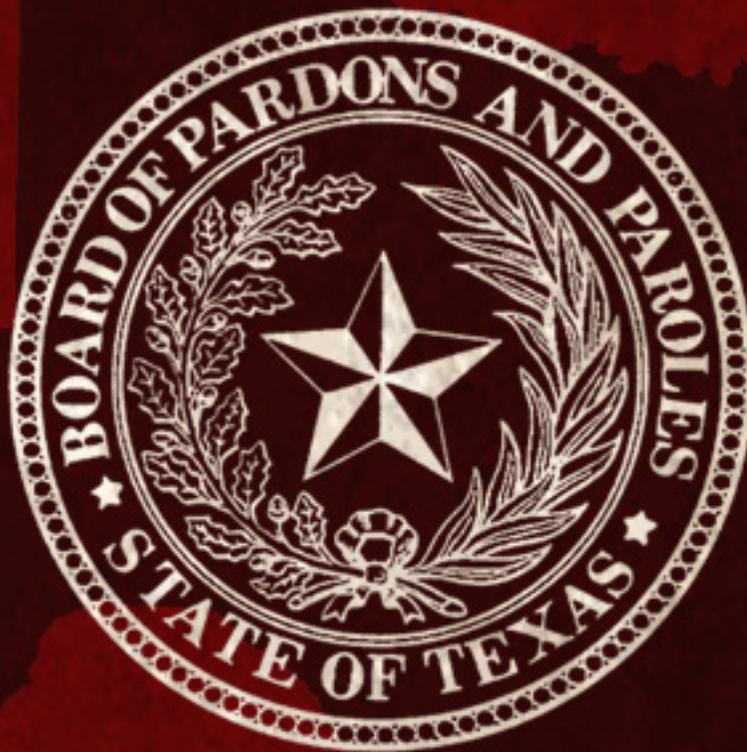
A violation of one or more of the rules of parole or mandatory supervision, not including a new criminal offense. This is also known as an administrative violation.

Texas Department of Criminal Justice (TDCJ)

An umbrella agency that includes the Community Justice Assistance Division, the Correctional Institutions Division, and the Parole Division.

NOTES





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