

offender is not serving an offense under Section 508.149(a), Government Code, deny release and order serve-all, but in no event shall this be utilized if the offender's maximum expiration date is over one year from the date of the panel decision.

### FULL BOARD PAROLE DECISIONS – SB 45 AND HB 1914

In accordance with Texas Government Code Section 508.046, a two-thirds majority vote of the Board is necessary for parole decisions involving: offenders convicted of or serving a sentence for a capital felony, an offense under Section 20A.03 [Continuous Trafficking of Persons], Section 21.02 [Continuous Sexual Abuse of Young Child or Children], Section 21.11(a)(1) [Indecency with a Child], or Section 22.021 [Aggravated Sexual Assault] of the Penal Code, or offenders required under Texas Government Code Section 508.145(c) to serve 35 calendar years before becoming eligible for release on parole.

#### Approval Votes

- **FI-1, FI-4R, FI-9R, FI-18R, and CU/FI.**

These offenders, except capital felons serving a life sentence and those convicted of or serving a sentence for Aggravated Sexual Assault, are eligible for up to a 5 year set-off. Capital felons serving a life sentence and those offenders with Aggravated Sexual Assault offenses are eligible for up to a 10 year set-off.

#### Denial Votes

- **NR (Month/Year):** Deny parole and set time for next parole consideration. (1) SB 45 Cases - Deny release and set the next review date for 36 or 60 months following the panel decision date; or (2) HB 1914 Cases – Deny release and set the next review date for 36, 60, 84, or 120 months following the panel decision date.
- **SA:** Deny parole with no regular subsequent review. (1) SB 45 Cases – The offender's minimum or maximum expiration date is less than 60 months away. The offender will continue to serve their sentence until that date; or (2) HB 1914 Cases – The offender's minimum or maximum expiration date is less than 120 months away. The offender will continue to serve their sentence until that date.
- **CU/NR (Month/Year-Cause Number):** Deny parole and set time for next parole consideration. (1) SB 45 Cases - Deny release and set the next review date for 36 or 60

months following the panel decision date; or (2) HB 1914 Cases – Deny release and set the next review date for 60, 84, or 120 months following the panel decision date.

- **CU/SA (Month/Year-Cause Number):** Deny parole with no regular subsequent review. (1) SB 45 Cases – The offender's minimum or maximum expiration date is less than 60 months away. The offender will continue to serve their sentence until that date; or (2) HB 1914 Cases – The offender's minimum or maximum expiration date is less than 120 months away. The offender will continue to serve their sentence until that date.

### HB 1433 CASES – DISCRETIONARY MANDATORY SUPERVISION VOTING OPTIONS

This legislation requires the Board to review some offenders prior to release to mandatory supervision. To deny mandatory supervision, a parole panel must determine that accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation **AND** that the offender's release would endanger the public. The two voting options are:

- **DMS:** Deny release to mandatory supervision and set the next mandatory supervision review date one year from the panel decision date.
- **RMS:** Release to mandatory supervision.

### CONTACT INFORMATION

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For more information on the parole process, please visit the website.

For information on the parole review status of an offender, please visit the website and select the "Offender Search/Parole Review Information" link or call the toll free number.



## TEXAS BOARD OF PARDONS AND PAROLES

## VOTING OPTIONS

## PAROLE REVIEW PROCESS

The Texas Department of Criminal Justice (TDCJ) Parole Division identifies offenders six months prior to their initial parole eligibility date and pulls their files to begin the parole review process. In subsequent reviews, cases are identified four months prior to the offender's next review date.

A notice is sent to trial officials/victims/victims' families to advise them of the review and allow comments. An Institutional Parole Officer interviews the offender and prepares a parole case summary for Board review.

The offender's file is sent to the assigned Board office for consideration by a parole panel.

Parole panel members *must* grant an interview to a victim (as defined by statute) upon request.

Interviewing the offender is at the discretion of the lead parole panel member.

Other than victims as defined by statute, granting interviews to individuals in support or protest of an offender's release is also at the discretion of the lead parole panel member.

- A panel consists of three members, typically one Board Member and two Parole Commissioners;
- The first voting member reviews and votes the case;
- The case then goes to the second voting member, who reviews and votes the case;
- If the first two votes are similar, the vote is final;
- If the first two votes differ, the third member reviews the case and breaks the tie.

The offender is notified of the parole panel decision via correspondence.

## FACTORS CONSIDERED IN VOTING A CASE

- Seriousness of the offense(s);
- Sentence length/amount of time served;
- Offender's age;
- Juvenile history;
- Criminal history (prior probation/parole);
- Number of prison incarcerations;
- Other arrests;
- Institutional adjustment (participation in proposed or specialized prison programs);
- Letters of support and/or protest.

## PAROLE PANEL VOTING OPTIONS

### Approval Votes

- **FI-1:** Release the offender when eligible.
- **FI-2 (Month/Year):** Release on a specified future date.
- **FI-3R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than three months from specified date. Such TDCJ program may include either CHANGES/Lifeskills, Voyager, Segovia Pre-Release Center (Segovia PRC), or any other approved tier program.
- **FI-4R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than four months from specified date. Such TDCJ program shall be the Sex Offender Education Program (SOEP).
- **FI-5:** Transfer to In-Prison Therapeutic Community Program (IPTC). Release to aftercare component only after completion of IPTC program.
- **FI-6:** Transfer to a DWI Program and release to a continuum of care program.
- **FI-6R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and no earlier than six months from specified date. Such TDCJ program may include the Pre-Release Therapeutic Community (PRTC), Pre-Release Substance Abuse Program (PRSAP), or In-Prison Therapeutic Community Program (IPTC), or any other approved tier program.
- **FI-7R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than seven months from the specified date. Such TDCJ program shall be the Serious and Violent Offender Reentry Initiative (SVORI).
- **FI-9R (Month/Year):** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than nine months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-9).
- **FI-18R (Month/Year):** Transfer to a TDCJ rehabilitation treatment program. Release to parole only after program completion and no earlier than 18 months from specified date.

Such TDCJ program shall be either the Sex Offender Treatment Program (SOTP-18), or the InnerChange Freedom Initiative (IFI).

- **CU/FI (Month/Year-Cause Number):** Designate the date on which the offender serving consecutive sentences would have been eligible for release on parole if the offender had been sentenced to serve a single sentence. This date shall be within a three-year incarceration period following the panel decision.

### Denial Votes

- **NR (Month/Year):** Deny parole and set time for next parole consideration. State law requires annual reviews except for offenders serving a sentence for an offense listed in Section 508.149(a), Government Code, or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code. For these offenders, the next review date (month/year) may be set up to five years from the panel decision date, but in no event shall it be less than one calendar year from the panel decision date.
- **SA:** Deny parole with no regular subsequent review, requiring offender to serve balance of sentence, unless eligible for mandatory supervision consideration prior to projected release date.
- **CU/NR (Month/Year-Cause Number):** Deny favorable action and set the next review date at one year from the panel decision date. If the offender is serving a sentence for an offense listed in Section 508.149(a), Government Code, or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code, the next review date (month/year) may be set at any date in the five-year incarceration period following the panel decision date, but in no event shall it be less than one calendar year from the panel decision date.
- **CU/SA (Month/Year-Cause Number):** If the offender is serving a sentence for an offense listed in Section 508.149(a), Government Code, or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code; deny release and order serve-all, but in no event shall this be utilized if the offender's maximum expiration date is over five years from the date of the panel decision. If the