



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR.141.330
Date: September 1, 2009
Page: Page 1 of 5
Supersedes: BPP-DIR. 141.330
Dated December 1, 2008

BOARD DIRECTIVE

SUBJECT: POLICIES AND PROCEDURES

PURPOSE: To establish guidelines for the administrative processes for drafting and reviewing policies and procedures regarding the administrative and statutory functions of the Texas Board of Pardons and Paroles (Board). Board employees shall follow the guidelines of this directive in drafting, distributing, and maintaining policies and procedures.

AUTHORITY: §508.036, §508.041, and §2001.004, Texas Government Code

DISCUSSION: It is the intent of the Board to develop an administrative processing system for the efficient administration of its constitutional and statutory responsibilities. These are statements regarding only the internal management of the Board and not affecting private rights or procedures.

DEFINITIONS: Administrative Directives - policies that apply to one or more divisions or sections. These directives are usually more procedural than executive directives. Administrative directives are reviewed by the Board Administrator or designee and signed by the Division or Section Director.

Board Policies – policies reflect statements of general applicability that describe the procedure or practice requirements of the BPP. Policies are approved by the board members in an Open Meeting under the coordination of the BPP General Counsel. As a general rule, BPP policies include matters of release on parole, order or discretionary release to mandatory supervision and revocation of parole or mandatory supervision.

Board Directives – directives provide are procedures instructions to board members (members) and parole commissioners (commissioners) regarding the internal administration of the Board’s statutory responsibilities. Board directives are reviewed by members and approved and signed by the Presiding Officer (Chair).

Executive Directives – executive directives are procedures regarding the general, internal administrative operations of the Board. Executive directives are approved and signed by the Board Administrator.

DIRECTIVE:

- I. General - Policies, Directives, Executive Directives and Manuals – Instructional documents shall not conflict with any higher level document. For example, an executive directive cannot conflict with a policy or a board directive. The GCO will update the Board Web page with new or revised documents, including the table of contents, policies, and directives.
 - A. Policies – The Chair and members are responsible for establishing and implementing new or revised policies. The Board General Counsel (BGC) is responsible for annually reviewing policies. Board policies may, with recommendation from the BGC, go through special (or limited) review and revision procedures.
 - B. Board Directives – The Chair is responsible for establishing and implementing new or revised directives. The BGC is responsible for annually reviewing directives.
 - C. Executive Directives – The Board Administrator (BA) is responsible for developing new or revised executive directives. The BGC is responsible for annually reviewing directives.
 - D. Manuals
 1. Hearing Officer (Board Designee) Manual – The BA or designee is responsible for biennially reviewing, maintaining, and distributing the Hearing Officer (Board Designee) Manual.
 2. Operations Manual – Each BPP section director including the BGC is responsible for reviewing, maintaining, and distributing its own operations manual.

II. Submission, Review, and Approval

A. Policies

1. The Chair or designee(s) shall recommend and draft a new or revised policy draft based on statutory or rule changes, or case law. The designee may include a workgroup of Board members (members), parole commissioners and BPP staff appointed by the Chair.
2. The Chair or designee(s) shall submit the draft to the BGC for legal and substantive review requesting comments or suggested revisions within 30 days (this deadline may be shortened for critical policies).
3. The BGC shall distribute the draft to the Chair, members and the BA for review, requesting comments or suggested revisions within 30 days (this deadline may be shortened for critical policies).
4. The BGC shall request the Chair's approval to include the policy as an adoption item on the next board meeting agenda. Upon approval, the BGC shall submit a written request to the Director of Administration include the policy on the agenda for the next board meeting.
5. The BGC shall provide a copy of the new policy and any attachments to the Program Specialist III/Board Specialized Support to place in the meeting packets for the next board meeting. The PSIII shall have a clean original available for the Chair's signature at the board meeting. If the Board adopts the policy, the Chair shall sign the policy and submit to the BGC.
6. 6. The BGC Office (BGCO) staff shall distribute new or revised policies to Board Policy Manual holders using the electronic mail (E-mail) system. The Board Specialized Support staff will distribute hard copies to the appropriate staff.

B. Board Directives

1. For all directives except the Board of Pardons and Paroles Duty Panels and Parole Panels, the Chair or designee shall recommend and draft a new or revised directive based on statutory, policy or rule changes, or case law. The designee may include a workgroup of Board members (members), parole commissioners and BPP staff appointed by the Chair.

The Board of Pardons and Paroles Duty Panels and Parole Panels shall be revised and distributed by the Chair.

2. The Chair or designee shall submit the draft to the BGC for legal and substantive review requesting comments or suggested revisions within 30 days.
3. The BGC shall finalize the draft and distribute it to the Chair, members and the BA for review, requesting comments or suggested revisions within 30 days (this deadline may be shortened for critical policies).
4. When the review is complete, the BGC will certify that the board members received a copy of the directive and after reviewing and providing comments, approve the directive.
5. The Chair shall sign the directive and the BGCO staff shall distribute new or revised directives to Board Policy Manual holders using the E-mail system. The Board Specialized Support staff will distribute hard copies to the appropriate staff.

C. C. Executive Directives

1. The Chair, BA or designee shall recommend and draft a new or revised executive directive based on statutory, policy or rule changes, or case law.
2. The Chair or designee shall submit the draft to the BGC for legal and substantive review. The BGC shall review and revise as appropriate within 30 days.
3. The BGC shall submit the final draft to the BA for signature. The BGC shall distribute Executive Directives to the Board staff.

D. Administrative Directives

1. The BA or designee shall recommend and draft a new or revised administrative directive based upon statutory, policy, or rule changes, or case law.
2. The BA or designee shall submit the draft to the BGC for legal and substantive review. The BGC shall review and revise as appropriate within 30 days.
3. The BGC shall submit the final draft to the division or section director for signature and for BGC directives, the BGC shall sign the directive. The BGC shall distribute Administrative Directives to Board staff.

III. Distribution and Maintenance

- A. The BGC shall distribute all final copies of new or revised instructional documents.

- B. The BGC's annual review shall occur during the last quarter of each calendar year. The BGC will submit a list of all policies and directive to the Chair with a recommendation to retain, repeal or revise the respective documents.
- C. The BGC shall maintain a master of the current original policies, directives, resolutions, and orders. The BGC shall also maintain a master notebook containing outdated policies, directives, resolutions, and orders.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*