



**TEXAS BOARD
OF
PARDONS AND PAROLES**

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Date: December 1, 2008

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Supersedes: None

BOARD DIRECTIVE

SUBJECT: VISITORS ON BEHALF OF AN OFFENDER

PURPOSE: To provide procedures for the Board of Pardons and Paroles to register persons who visit Board offices on behalf of an offender.

AUTHORITY: Texas Government Code, Chapter 2004
Texas Administrative Code (TAC), Title 37, Part 5, Chapter 141, Section 141.81

DISCUSSION: Section 2004.002 of the Texas Government Code requires an individual who appears before a state agency or contacts in person an officer or employee of a state agency on behalf of an individual, firm, partnership, corporation, or association about a matter before that agency shall register with the state agency.

Section 2004.003 of the Texas Government Code exempts the individual's appearance or contact on an interagency matter if the individual is an officer or employee of the state agency; or a contact by the individual with the state agency or an officer or employee of the agency if the contact is:

- A. solely for obtaining information and an attempt is not made to influence the action of an officer or employee of the agency;
- B. making an appearance and participating at a public hearing;
- C. made in a matter in which a pleading or other instrument that discloses the individual's representation is on file with the agency; or
- D. one for which the individual does not receive compensation or any thing of value.

A victim appearing on behalf of an offender will be advised that they have the option to register.

DEFINITIONS: Individual - includes a member of the legislature, any other state officer, and a state employee.

State Agency - an office, department, Commission, or board of the executive branch of state government.

PROCEDURES:

- I. Offenders' attorneys, families, and friends who wish to visit with parole panel members or Board staff or who wish to present information on behalf of an offender must register with the Board. The Board must maintain a list of registrants and submit quarterly reports to the Texas Ethics Commission.
- II. Each Board office will maintain a record of individuals who appear before the voting members of the Board of Pardons and Paroles (Board) or their designee, or who contacts in person an officer or employee of the Board on behalf of an individual, firm, partnership, corporation, or association about a matter before the Board.
- III. Individuals must register the following information on the attached form:
 - A. the name and address of the registrant;
 - B. the name and address of the person on whose behalf the appearance or contact is made; and
 - C. A statement of whether the registrant has received or expects to receive any money, thing of value, or financial benefit for the appearance or contact.
- IV. Each Board office will submit their monthly reports to the Board Administrator via facsimile no later than the 10th day of each month.
- V. The Board Administrator or designee will submit the quarterly report to the Texas Ethics Commission by the 10th day of the month ending each calendar quarter.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*

