



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-DIR.141.400**

**Date: August 24, 2011**

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**Supersedes: N/A**

## **BOARD DIRECTIVE**

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**SUBJECT: EXPUNCTIONS**

**PURPOSE:** To provide procedures to the staff of the Texas Board of Pardons and Paroles to respond to Expunction Orders.

**AUTHORITY:** Texas Constitution, Article IV, Section 11  
Texas Government Code, Sections 508.313  
Texas Code of Criminal Procedure Article 55  
Texas Administrative Code, Title 37, Part V, Chapter 141, Section 141.72

**DISCUSSION:** The Board of Pardons and Paroles (Board) may receive Expunction Orders from the court, the Texas Department of Criminal Justice or attorneys/offenders during the pre-revocation hearing process. Upon receipt of the Expunction Order, the Board is required to redact any and all responsive information in the records prepared and/or maintained by the Board or change the name in the records as directed by the Expunction Order.

**DEFINITIONS:** Expunction Order – an order entered by a state district court requiring all entities that maintain criminal history information to redact arrest or misuse of identity information from all records.

Original Panel – the panel that voted to release on offender on parole or mandatory supervision or revoke the offender' release status.

**PROCEDURES:**

- I. The Board's General Counsel Office (BGCO) receives and processes all Expunction Orders in accordance with this directive and operational procedures. The BGCO staff shall review all parole and clemency records, paper and electronic, prepared and/or maintained by Board staff wherever it may be located.
  - A. Criminal Arrest Records - When the BGCO staff locates information in the records which matches the information in the Expunction Order, the BGCO staff or designated Board staff shall redact the information as directed by the Expunction Order.

- B. Misuse of Identity - When the BGCO staff locates information in the records which matches the information in the Expunction Order, the BGCO staff or designated Board staff shall delete the name in the record and replace it with the appropriate name as directed by the Expunction Order.
  
- II.** When the redaction of criminal history information occurs after a parole panel's vote to deny an offender release on parole or mandatory supervision or after a revocation decision, the case may be referred back to the original panel for review.
  
- III.** After the appropriate records are redacted or corrected by changing the name, the district clerk shall be notified in writing. The BGCO staff shall send a letter along with all court documents to the district clerk.

**SIGNED THIS, THE 24<sup>th</sup> DAY OF AUGUST, 2011.**

**RISSIE OWENS, PRESIDING OFFICER (CHAIR)**

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*\* Signature on file.*