



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR. 145.301

Date: August 24, 2011

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**Supersedes: BPP-DIR. 145.301
Dated April 8, 2009**

BOARD DIRECTIVE

SUBJECT: EXTRAORDINARY VOTE (SB 45)

PURPOSE: To establish procedures for the Texas Board of Pardons and Paroles (board) members to process cases which require an extraordinary vote.

AUTHORITY: Texas Government Code §§ 508.036, 508.0441, 508.045 and 508.046
Texas Administrative Code title 37, Part 5, Chapter 145, Section 145.12
Board Policy BPP-POL. 145.200

DISCUSSION: In 1993, Code of Criminal Procedure Article 42.18, Section 7(g) was amended to add a requirement for the full board to review offenders convicted of capital felony for parole consideration. In 1995, Senate Bill 45 was passed by the 74th Legislature which added indecency with a child by contact, aggravated sexual assault and those offenders required to serve a minimum of 35 calendar years before being eligible for parole. In 2011, HB 3000 were passed by the 82nd Legislature which added continuous trafficking of persons and compelling prostitution.

DEFINITIONS: Extraordinary Vote – requires at least two-thirds of the full board to vote to release an offender on parole.

Full Board – the entire membership of the board.

Parole Panel – a three-member panel comprised of a board members and two parole commissioners.

Senate Bill 45 (SB 45) Case – an acronym for Extraordinary Vote. It refers to the bill that was passed by the 74th Legislature.

DIRECTIVE:

- I. **Voting Order** – Board offices shall initiate the voting process for offenders requiring a full Board vote, based on the offenders’ location in facilities under their jurisdiction. The voting order for each office, after initiating an extraordinary vote, is as follows:
- Amarillo Board Office:** Amarillo, Gatesville, Palestine, Huntsville, Angleton, San Antonio, and Austin.
- Angleton Board Office:** Angleton, San Antonio, Amarillo, Gatesville, Palestine, Huntsville, and Austin.
- Gatesville Board Office:** Gatesville, Palestine, Huntsville, Angleton, San Antonio, Amarillo, and Austin.
- Huntsville Board Office:** Huntsville, Angleton, San Antonio, Amarillo, Gatesville, Palestine, and Austin.
- Palestine Board Office:** Palestine, Huntsville, Angleton, San Antonio, Amarillo, Gatesville, and Austin.
- San Antonio Board Office:** San Antonio, Amarillo, Gatesville, Palestine, Huntsville, Angleton, and Austin.
- II. **Special Conditions** – A board member may impose conditions of parole or mandatory supervision when voting an offender for release on parole or discretionary mandatory. A parole panel may impose or withdraw special conditions prior to or after the offender is released.
- III. **Cessation of Voting** – When three or more members vote to deny parole, a two-thirds majority vote to grant parole becomes mathematically impossible to obtain. Therefore, voting by the remaining members is not required, and the action directed by the first three votes denying parole shall be recorded as the Board’s disposition.
- IV. **Completion of Voting** – Upon completion of case voting, the Board member will send the cases to the Texas Department of Criminal Justice-Parole Division, Review and Release Processing Section for processing.

SIGNED THIS, THE 24th DAY OF AUGUST, 2011

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*