



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-DIR.146.300**

**Date: December 1, 2008**

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**Supersedes: None**

## **BOARD DIRECTIVE**

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**SUBJECT: MOTION TO REOPEN HEARING**

**PURPOSE:** To provide procedures to the staff of the Texas Board of Pardons and Paroles to respond to a Motion to Reopen Hearing request.

**AUTHORITY:** Texas Constitution, Article IV, Section 11  
Texas Administrative Code, Title 37, Part V, Chapter 146, Sections 146.11 and 146.12  
Board Directive BPP-DIR.141.304

**DISCUSSION:** The Board of Pardons and Paroles (Board) may receive and consider Motions to Reopen (MTR) revocation hearings from offenders or their attorneys. An offender or his attorney must submit an MTR no later than 60 days after the revocation date.

**DEFINITIONS:** Alternate Panel – a panel designated by the Presiding Officer (Chair) that considers MTRs if members of the MTR panel originally revoked the offender's parole or mandatory supervision release.

Original Panel – the last panel that voted to revoke an offender's parole or mandatory supervision release.

Super Intensive Supervision Program (SISP) Panel – a panel designated by the Presiding Officer (Chair) that considers MTRs received from SISP Offenders (panel members must be different than the original revoking panel).

Motion to Reopen (MTR) panel - a panel designated by the Presiding Officer (Chair) that considers MTRs.

**PROCEDURES:**

- I.** The Board's General Counsel Office (BGCO) receives and processes all MTR requests in accordance with established rules, policies, directives and operational procedures.
  - A. The Assistant General Counsel (AGC) shall review and make recommendations on all MTR requests.
  - B. The BGCO transmits the AGC's recommendation to the appropriate panel as defined above (based on original revocation decision).
- II.** The panel shall review and consider the MTR request, then vote in accordance with Texas Administrative Code, Title 37, Part V, Chapter 146, Sections 146.11 and 146.12.
- III.** The BGCO shall notify the offender and/or attorney of the parole panel's decision and, if appropriate, refer the case file to the BPP Director of Administration for "Reverse Disposition" processing.

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

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\* *Signature on file.*