



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 04-01.11

Date: January 8, 2004

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Supersedes: BPP-POL. 00-04.01

BOARD POLICY

SUBJECT: SPECIAL CONDITION “C” (PROHIBITED FINANCIAL ACTIVITIES)

PURPOSE: To establish “C” as a special condition of parole or mandatory supervision and to establish a procedure for imposing “C” as a condition of parole or mandatory supervision.

AUTHORITY: §§508.0441, 508.045 and 508.221, Government Code.

POLICY: Members of the Texas Board of Pardons and Paroles and parole commissioners determine conditions of parole and mandatory supervision. Members and commissioners act in panels comprised of three persons, and panel decisions are made by majority vote. The board presiding officer (chair) designates the composition of the respective panels. Special conditions are conditions imposed in addition to the standard conditions of parole or mandatory supervision. Unless otherwise provided, any condition may be imposed before or after release and shall remain in effect until specifically removed by a parole panel.

COMPONENTS:

Special Condition “C” is intended to prohibit certain financial activities by offenders who have been convicted of theft or fraud or who have an established propensity for engaging in theft or fraudulent criminal behavior.

A parole panel, by majority vote, may impose special condition “C” when it is determined that theft or fraud was connected to the commission of an offense, or if a panel determines that an offender has an established propensity for engaging in theft or fraudulent criminal behavior.

At any time special condition “C” is in effect, and to the extent directed in writing by the offender’s supervising parole officer, an offender shall:

- Not open or maintain a checking account;
- Not open or maintain a savings account;
- Not obtain or maintain credit or debit card; and
- Not participate in electronic financial transmissions.

PROCEDURE:

I. Imposition of Special Condition

- A. A parole panel, upon a majority vote, may impose special condition “C” as a special condition of parole or mandatory supervision.
- B. Unless otherwise directed, any condition of parole or mandatory supervision imposed is effective on the date of the parole panel decision.
- C. At any time that Special Condition “C” is in effect, an offender’s supervising officer may require the offender to comply with any or all special condition “C” components to the extent directed in writing by the offender’s supervising parole officer, provided that an acknowledgement form is executed every time compliance requisites are imposed or modified.

II. Withdrawal of Special Condition

- A. Once imposed, special condition “C” shall continue to govern the offender for the duration of the supervision period.
- B. The Board, by Procedure I.C. intends to afford the offender’s supervising officer the flexibility to remove the components according to supervision needs.
- C. A parole panel, upon majority vote, may withdraw special condition “C” as a special condition of parole or mandatory supervision.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 8th DAY OF JANUARY, 2004.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*