



# **The Texas Board of Pardons and Paroles**

***Annual Statistical Report  
FY 2021***

# MISSION STATEMENT

THE MISSION OF THE TEXAS BOARD OF PARDONS AND PAROLES is to perform its duties as imposed by Article 4, Section 11, of the Texas Constitution and:

- Determine which prisoners are to be released on parole or discretionary mandatory supervision;
- Determine conditions of parole and mandatory supervision;
- Determine revocation of parole and mandatory supervision; and
- Recommend the resolution of clemency matters to the Governor.

# VISION STATEMENT

THE TEXAS BOARD OF PARDONS AND PAROLES, guided by sound application of the discretionary authority vested by the Constitution of the State of Texas, shall:

- Render just determination in regard to parole release and revocations, thereby maximizing the restoration of human potential while restraining the growth of prison and jail populations;
- Impose reasonable and prudent conditions of release consistent with the goal of structured reintegration of the releasee into the community; and
- Resolutely administer the clemency process with recommendations to the Governor fully commensurate with public safety and due consideration.

*In accordance with Section 508.036(a)(5), Government Code, the Presiding Officer shall report at least annually to the Governor and the Legislature on the activities of the Board and Parole Commissioners.*

*The information in this report was obtained from the Texas Department of Criminal Justice, which is responsible for maintaining and providing statistical information relating to parole and mandatory supervision pursuant to Section 508.313(b), Government Code.*

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## REPORT OVERVIEW

The Texas Board of Pardons and Paroles (Board), a constitutionally created agency, decides whether to parole eligible offenders, the terms of parole supervision, and whether to revoke parole if terms are violated. The Board also recommends clemency to the Governor.

The Board consists of seven members appointed for six-year terms by the Governor with the advice and consent of the Senate. Board Members must be representative of the general public and have lived in Texas the two years before appointment. The Presiding Officer reports directly to the Governor and serves as the administrative head of the agency.

The Board sets policy for parole and mandatory supervision consideration, votes special cases requiring a full Board vote, and votes clemency matters.

The Board uses research-based parole guidelines to assess each offender's likelihood for a successful parole against the risk to society.

In deciding whether to revoke parole, the Board uses a graduated sanctions approach. Depending on the seriousness of the violation, the Board may continue parole, impose additional conditions, place the offender in an Intermediate Sanction Facility, or use other alternatives to revoking parole and sending the offender back to prison.

Fourteen Parole Commissioners are hired by the Presiding Officer to assist the Board in deciding parole release and revocation by serving as voting members on parole panels.



**David Gutiérrez**  
Presiding Officer



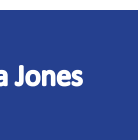
**A. D'Wayne Jernigan**



**Carmella Jones**



**James LaFavers**



**Brian Long**



**Linda Molina**



**Ed Robertson**



**Fred Solis**



BOARD MEMBERS	APPOINTED	TERM EXPIRES OR EXPIRED	OFFICE
David Gutiérrez	09/14/2009	02/01/2027	Gatesville
A. D'Wayne Jernigan	01/08/2019	02/01/2025	Huntsville
Carmella Jones	06/14/2018	02/01/2025	Angleton
James LaFavers	07/01/2011	02/01/2023	Amarillo
Brian Long	09/27/2017	02/01/2023	Palestine
Linda Molina*	03/25/2022	02/01/2027	San Antonio
Ed Robertson	08/31/2015	02/01/2027	Austin
Fred Solis**	04/21/2015	02/01/2021	San Antonio

\*Linda Molina served as a Board Member from April 5, 2021, through August 31, 2021.

\*\*Fred Solis served as a Board Member through April 2, 2021.

The central agency headquarters is in Austin, with offices at:

Price Daniel Building  
209 W. 14th St., Suite 500  
Austin, Texas 78701

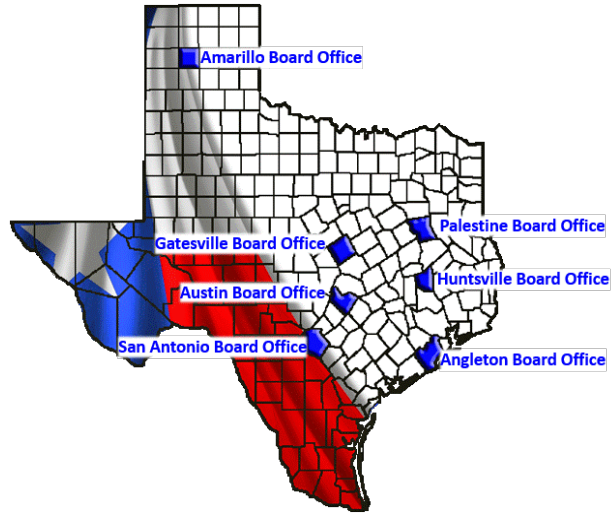
8610 Shoal Creek Boulevard  
Austin, Texas 78757

For general information, call: 512-406-5452 or  
email: [bpp\\_pio@tdcj.texas.gov](mailto:bpp_pio@tdcj.texas.gov).

The agency's mailing address is:

Texas Board of Pardons and Paroles  
P.O. Box 13401  
Austin, TX 78711-3401

Each of the seven Board offices is supervised by a Board Member and includes two Parole Commissioners. Board offices are in:



PAROLE COMMISSIONERS	OFFICE
Elodia Brito	Amarillo
Lee Anne Eck-Massingill	Gatesville
Ira Evans	Angleton
Mary Farley	Huntsville
Troy Fox	Austin
Roy (Tony) Garcia*	Huntsville
Raymond Gonzalez	Angleton
James Paul Kiel	Palestine

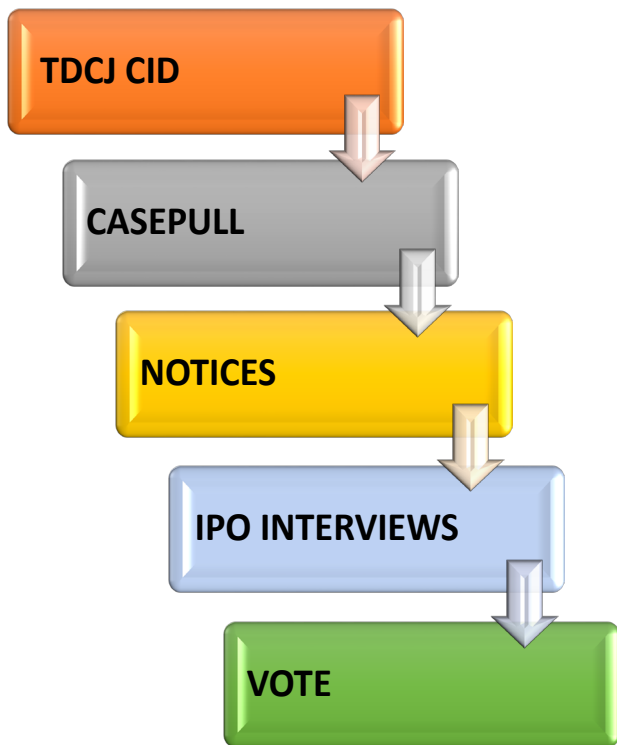


PAROLE COMMISSIONERS	OFFICE
Tracy Long	Huntsville
Jeffrey Marton**	Amarillo
Marsha Moberley	Austin
Anthony Ramirez	San Antonio
Wanda Saliagas	Palestine
Charles Speier	San Antonio
Roel Tejada	Gatesville

\*Roy (Tony) Garcia served as a Parole Commissioner through May 31, 2021.

\*\*Jeffrey Marton served as a Parole Commissioner from June 1, 2021 through August 31, 2021.

# PAROLE REVIEW PROCESS



The parole review process entails an exhaustive review and consideration of an offender’s case, including, but not limited to, conviction offense, medical and psychological history, and how the offender has adjusted and behaved in prison. Case files arrive regularly in each Board office or are sent as an electronic file through the Offender Information Management System (OIMS). Each parole panel of the Board reviews files and interviews victims upon request as required in Section 508.153, Government Code. Interviews with offenders and other individuals in support or protest of an offender are at the discretion of the parole panel’s lead voter.

## **Parole Panels**

A parole panel is composed of one Board Member and two Parole Commissioners who make decisions by majority vote concerning parole and discretionary mandatory release, revocation, and imposing conditions of supervision. For offenders convicted of certain offenses, the law requires a vote of two-thirds of the Board Members to grant parole (Section 508.046, Government Code).

## **Parole Review**

All offenders sentenced to a term of incarceration in the Texas Department of Criminal Justice Correctional Institutions Division (TDCJ CID) are eligible for release on parole, except those sentenced to death or life imprisonment without parole.

If an offender is denied parole, the Board is required to set a future date for parole reconsideration. If the offender is not convicted of an offense listed in Section 508.149(a), Government Code, this date must be set as soon as practical after the first anniversary of the denial date. If the offender is serving a sentence for an offense listed in Section 508.149(a), Government Code, or an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code, the date may be set up to five years from the denial date. If the offender is serving a sentence under Section 22.021, Penal Code, or a life sentence for a capital felony, the date may be set up to ten years from the denial date.

## **Board Activity Report**

The Board was established by the Texas Constitution to make decisions concerning parole and to recommend clemency to the Governor. The tables in this section of the annual report detail the activities of the Board Members and Parole Commissioners, including votes for and against parole and discretionary mandatory supervision, revocation and non-revocation decisions, the number of hearings conducted and waivers reviewed, and the number of clemency cases reviewed by the Board Members.

## **Parole Considerations**

The overall parole approval rate for FY 2021 was 38.47 percent (*see table on page 5*). Parole considerations in the following table are separated into violent and non-violent and aggravated sexual and aggravated non-sexual cases. An example of a violent offense is murder and a non-violent offense is credit-debit card fraud. The sexual and non-sexual categories are self-explanatory.

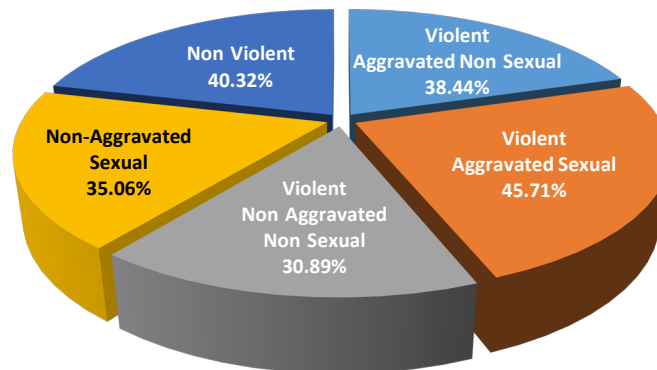
Additional tables in this section provide a history of the overall parole approval rates, approval and denial rates for each Board Member, approval rate by type, and other related parole tables by designated categories, i.e., Consecutive Sentences, Parole in Absentia, Medically Recommended Intensive Supervision (MRIS), and Special Review.

## SUMMARY OF BOARD ACTIVITY

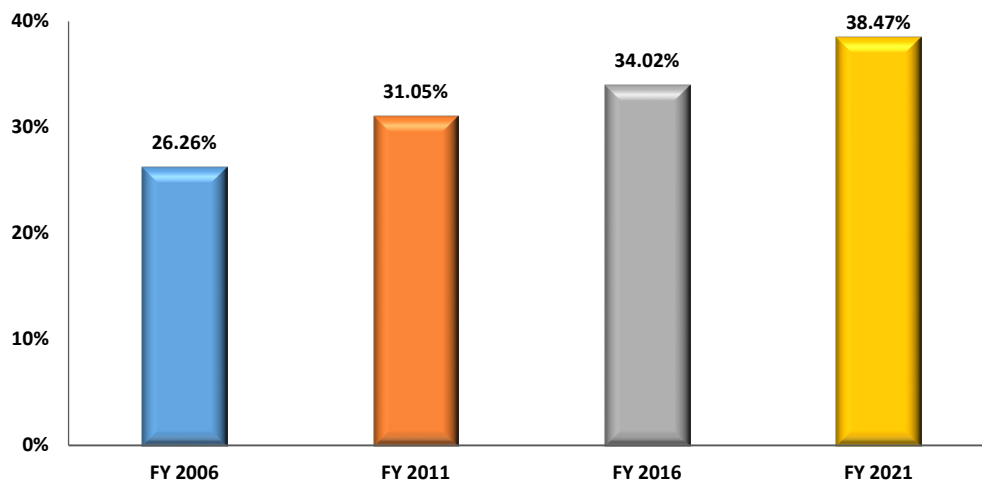
### Parole Considerations and Approval Rates by Offense Type

	CASES CONSIDERED	CASES APPROVED	APPROVAL RATE
Violent Aggravated Non-Sexual	11,661	4,482	38.44%
Violent Aggravated Sexual	3,975	1,817	45.71%
Violent Non-Aggravated Non-Sexual	11,606	3,585	30.89%
Non-Aggravated Sexual	2,165	759	35.06%
Non-Violent	36,081	14,547	40.32%
<b>TOTALS</b>	<b>65,488</b>	<b>25,190</b>	<b>38.47%</b>

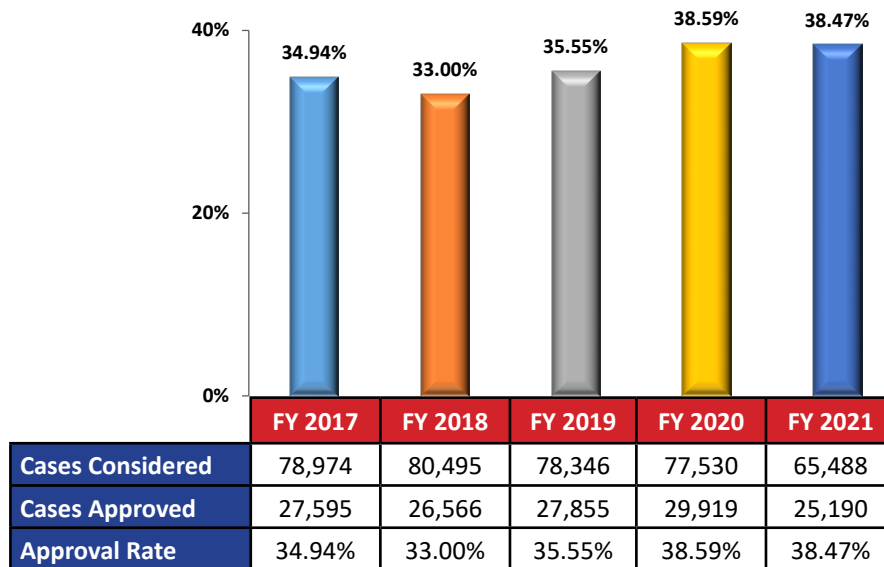
### Parole Approval Rates by Offense Type



### Parole Approval Rates 15-Year Trend



## Parole Considerations and Approval Rates History FY 2017 - FY 2021



	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Cases Considered	78,974	80,495	78,346	77,530	65,488
Cases Approved	27,595	26,566	27,855	29,919	25,190
Approval Rate	34.94%	33.00%	35.55%	38.59%	38.47%

## Parole Considerations by Board Members and Parole Commissioners in FY 2021

	TOTAL VOTES	NUMBER APPROVED	APPROVAL RATE	DENIAL RATE
Brito, E.	6,574	2,649	40.30%	59.70%
Eck-Massingill, L.	9,199	3,926	42.68%	57.32%
Evans, I.	7,645	3,146	41.15%	58.85%
Farley, M.	6,533	2,624	40.17%	59.83%
Fox, T.	4,964	1,910	38.48%	61.52%
Garcia, R.	4,954	1,657	33.45%	66.55%
Gonzalez, R.	6,839	3,028	44.28%	55.72%
Gutierrez, D.	2,283	1,677	73.46%	26.54%
Jernigan, D.	8,497	3,229	38.00%	62.00%
Jones, C.	8,712	4,304	49.40%	50.60%
Kiel, J.	5,854	2,178	37.21%	62.79%
LaFavers, J.	8,592	4,059	47.24%	52.76%
Long, B.	8,358	3,633	43.47%	56.53%
Long, T.	6,237	2,040	32.71%	67.29%
Marton, J.	1,264	430	34.02%	65.98%
Moberley, M.	4,924	2,002	40.66%	59.34%
Molina, L.	3,917	1,681	42.92%	57.08%
Ramirez, A.	5,967	1,912	32.04%	67.96%
Robertson, E.	7,444	3,323	44.64%	55.36%
Saliagas, W.	5,532	1,678	30.33%	69.67%
Solis, F.	4,475	1,790	40.00%	60.00%
Speier, C.	5,762	2,062	35.79%	64.21%
Tejada, R.	8,960	3,910	43.64%	56.36%
<b>TOTAL</b>	<b>143,486</b>	<b>58,848</b>	<b>41.01%</b>	<b>58.99%</b>

*Voting members include 8 Board Members and 15 Parole Commissioners.*



## Parole Approvals by Voting Options

	VOTING OPTION	TOTAL VOTES	PERCENT
FI-1	Release the offender when eligible.	5,919	23.50%
FI-2 (Mo/Yr)	Release on a specified future date.	4,550	18.06%
FI-3R (Mo/Yr)*	Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than three months from specified date. Such TDCJ program may include either CHANGES/Lifeskills, Voyager, Segovia Pre-Release Center (Segovia PRC), or any other approved tier program.	3,947	15.67%
FI-4R (Mo/Yr)*	Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than four months from specified date. Such TDCJ program shall be the Sex offender Education Program (SOEP).	815	3.24%
FI-5	Transfer to In-Prison Therapeutic Community Program (IPTC). Release to aftercare component only after completion of IPTC.	2,900	11.51%
FI-6	Transfer to a DWI Program and release to a continuum of care program.	937	3.72%
FI-6R (Mo/Yr)*	Transfer to a TDCJ rehabilitation program. Release to parole only after completion and no earlier than six months from specified date. Such TDCJ program may include the Pre-Release Therapeutic Community (PRTC), Pre-Release Substance Abuse Program (PRSAP), or In-Prison Therapeutic Community Program (IPTC), or any other approved tier program.	4,413	17.52%
FI-7R (Mo/Yr)*	Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than seven months from the specified date. Such TDCJ program shall be the Serious and Violent Offender Reentry Initiative (SVORI).	102	0.40%
FI-9R (Mo/Yr)*	Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than nine months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-9).	1,202	4.77%
FI-18R (Mo/Yr)*	Transfer to a TDCJ rehabilitation treatment program. Release to parole only after program completion and no earlier than 18 months from specified date. Such TDCJ program shall be either the Sex Offender Treatment Program (SOTP-18) or the InnerChange Freedom Initiative (IFI).	122	0.48%
CU/FI (Mo/Yr Cause No)	Designate the date on which the offender serving consecutive sentences would have been eligible for release on parole if the offender had been sentenced to serve a single sentence. This date shall be within a three-year incarceration period following the panel decision.	283	1.12%
<b>TOTAL FI VOTES</b>		<b>25,190</b>	<b>100.00%</b>
<b>TOTAL TIER VOTES ONLY</b>		<b>10,601</b>	<b>42.08%</b>

\* Rehabilitation tier voting options include various programs within TDCJ CID that must be completed before offenders are released on parole. These rehabilitation programs are designed to help offenders prepare for their return to the community and facilitate their successful reentry into society.

\*\* The 42.08 percent represents the actual percentage of Rehabilitation Tier Votes (FI-3R, FI-4R, FI-6R, FI-7R, FI-9R, and FI-18R) of the total 25,190 FI votes.

## Consecutive Sentences

An offender who has two or more convictions and is serving consecutive sentences will serve each conviction one after the other. An offender who has two or more convictions and is serving concurrent sentences will serve each conviction at the same time. The court of conviction determines if sentences will be served consecutively or concurrently.

- If all offenses in the series of consecutive sentences occurred on or after September 1, 1987, then each sentence must be considered separately from the other consecutive sentences in the series.
- If approved for parole on the current sentence, the offender will begin serving the next sentence on the date designated by the parole panel.
- On the last and final sentence, the offender is reviewed in the same manner as any offender sentenced to serve a single sentence.
- Offenders are not released until parole is granted or the mandatory release date is reached for the last sentence in the series.

### Parole Considerations for Offenders Serving Consecutive Sentences

	PAROLE FROM CID	PIA	TOTALS
Considered	1,142	14	1,156
Approved	279	4	283
Approval Rate	24.43%	28.57%	24.48%

## Parole in Absentia (Parole Review and Mandatory Supervision for Offenders Not in Actual Physical Custody of TDCJ CID)

Parole in Absentia (PIA) refers to offenders sentenced to confinement in TDCJ CID but released on Texas parole while incarcerated in a county jail, a facility in another state, or a federal facility.

### PIA County of Release

	PAROLE	MS	DMS	TOTALS	PERCENT
Federal Jurisdiction	103	4	72	179	26.28%
Other TDCJ Custody	0	0	0	0	0.00%
Other State Jurisdiction	7	3	20	30	4.41%
Harris County Jail	20	0	43	63	9.25%
Dallas County Jail	5	0	31	36	5.29%
Tarrant County Jail	13	0	20	33	4.85%
Bexar County Jail	4	1	25	30	4.41%
Brazoria County jail	12	0	16	28	4.11%
Other *	106	2	174	282	41.41%
<b>TOTALS</b>	<b>270</b>	<b>10</b>	<b>401</b>	<b>681</b>	<b>100.00%</b>

\* The remainder of county jails and unspecified release sites, each of which had less than 17 PIA releases in FY 2021.

## Discretionary Mandatory Supervision (DMS)

For offenses committed on or after September 1, 1996, a parole panel is required to approve an offender's release to mandatory supervision. A parole panel may deny an offender's release to mandatory supervision when it determines that an offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation and the offender's release would endanger the public.

Prior to DMS, certain offenders were released to mandatory supervision according to the statutory requirements without a parole panel vote.

Offenders excluded from the mandatory supervision law are those serving a sentence for or previously convicted of any of the following offenses:

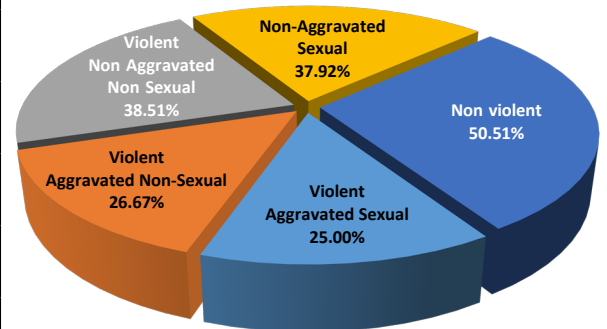
- Aggravated Assault, 1st or 2nd Degree
- Aggravated Kidnapping, 1st or 2nd Degree
- Aggravated Robbery, 1st Degree
- Aggravated Sexual Assault, 1st Degree
- Any Offense with an Affirmative Finding of a Deadly Weapon
- Arson, 1st Degree
- Burglary, 1st Degree
- Capital Murder
- Compelling Prostitution
- Continuous Sexual Abuse of Young Child or Children
- Indecency with a Child
- Injury to a Child, Elderly, or Disabled Individual, 1st Degree
- Murder, 1st or 2nd Degree
- Robbery, 2nd Degree
- Sexual Assault
- Sexual Performance by a Child
- Trafficking of Persons
- A Felony Increased Under Health and Safety Code (Drug-Free Zones or Use of Child in Commission of Offense)

### DMS Considerations

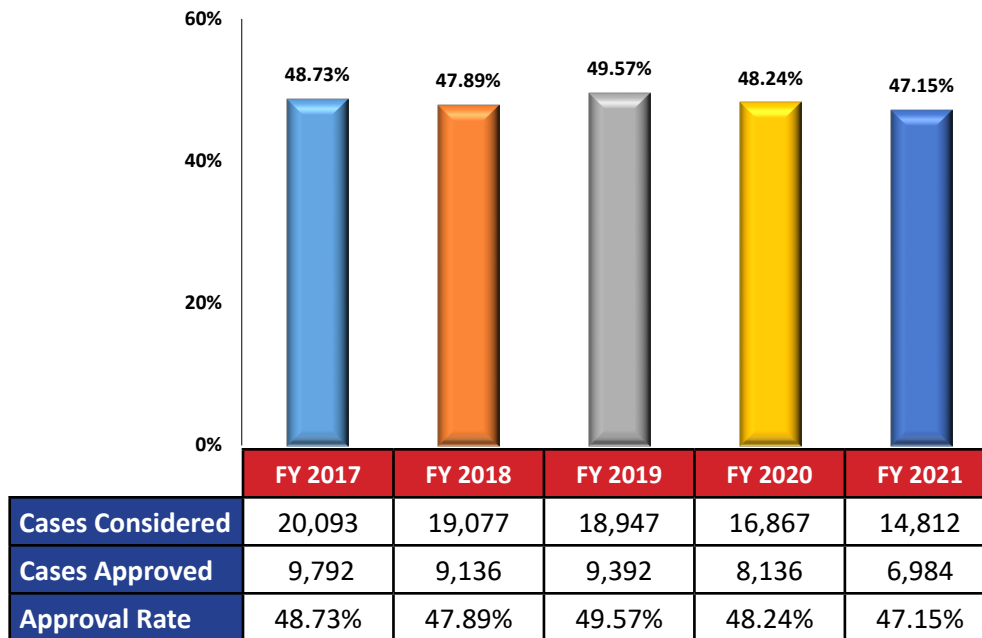
The overall DMS approval rate is 47.15 percent. DMS votes are listed by considerations and approval rates by offense type, considerations and approval rates history, and considerations by each voting member.

### DMS Considerations and Approval Rates by Offense Type

	CASES CONSIDERED	CASES APPROVED	APPROVAL RATE
Violent Aggravated Non-Sexual	15	4	26.67%
Violent Aggravated Sexual	4	1	25.00%
Violent Non-Aggravated Non-Sexual	3,830	1,475	38.51%
Non-Aggravated Sexual	269	102	37.92%
Non-Violent	10,694	5,402	50.51%
<b>TOTALS</b>	<b>14,812</b>	<b>6,984</b>	<b>47.15%</b>



## DMS Considerations and Approval Rates History FY 2017 - FY 2021



## DMS Considerations by Board Members and Parole Commissioners

	TOTAL VOTES	NUMBER APPROVED	APPROVAL RATE	DENIAL RATE
Brito, E.	1,402	594	42.37%	57.63%
Eck-Massingill, L.	2,229	836	37.51%	62.49%
Evans, I.	1,405	751	53.45%	46.55%
Farley, M.	1,276	468	36.68%	63.32%
Fox, T.	1,431	776	54.23%	45.77%
Garcia, R.	1,077	525	48.75%	51.25%
Gonzalez, R.	1,224	663	54.17%	45.83%
Gutierrez, D.	175	101	57.71%	42.29%
Jernigan, D.	1,228	563	45.85%	54.15%
Jones, C.	1,219	635	52.09%	47.91%
Kiel, J.	970	540	55.67%	44.33%
LaFavers, J.	1,287	615	47.79%	52.21%
Long, B.	1,059	598	56.47%	43.53%
Long, T.	1,314	488	37.14%	62.86%
Marton, J.	310	125	40.32%	59.68%
Moberley, M.	1,415	776	54.84%	45.16%
Molina, L.	1,055	558	52.89%	47.11%
Ramirez, A.	2,215	878	39.64%	60.36%
Robertson, E.	1,501	769	51.23%	48.77%
Saliagas, W.	981	440	44.85%	55.15%
Solis, F.	1,271	550	43.27%	56.73%
Speier, C.	2,170	1,140	52.53%	47.47%
Tejada, R.	2,156	882	40.91%	59.09%
<b>Total</b>	<b>30,370</b>	<b>14,271</b>	<b>46.99%</b>	<b>53.01%</b>

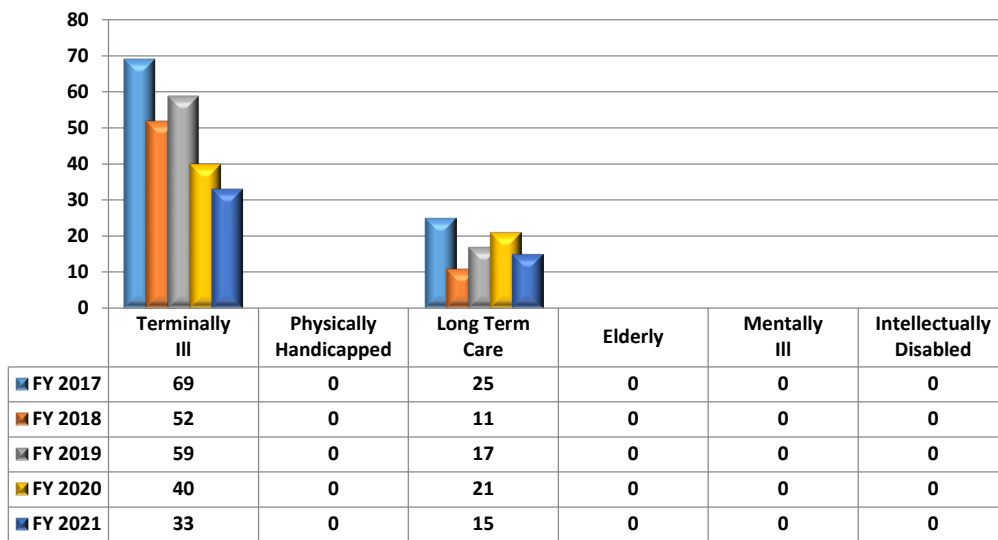
# MEDICALLY RECOMMENDED INTENSIVE SUPERVISION (MRIS)

Medically Recommended Intensive Supervision (MRIS) represents a cooperative effort between the Board, Texas Correctional Office for Offenders with Medical or Mental Impairments (TCOOMMI), Correctional Managed Health Care providers, and TDCJ Parole Division to identify offenders with serious impairments. Provided a release does not constitute a threat to public safety, collaborative decisions are made to release these offenders to a more appropriate environment with supervision.

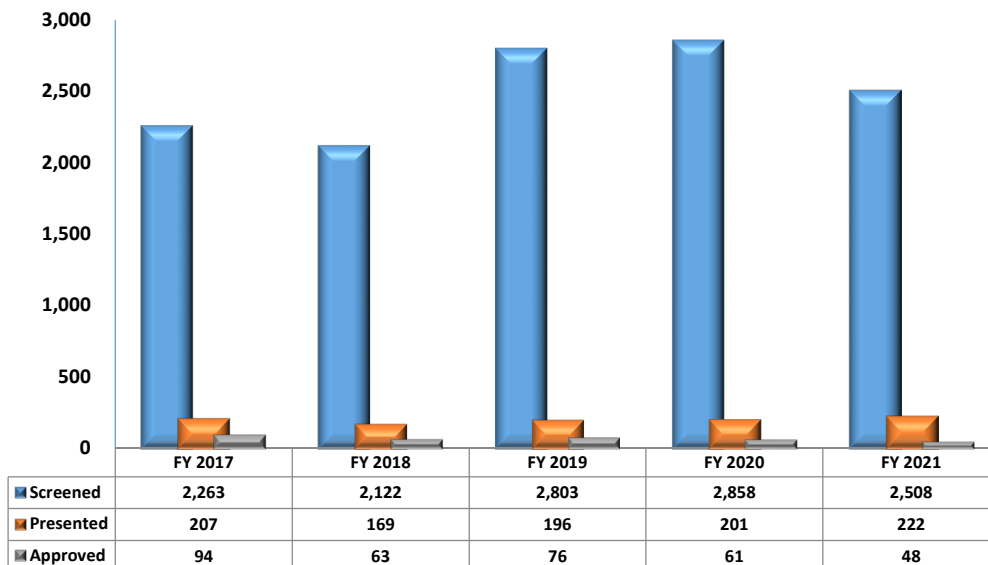
If an offender qualifies for release to MRIS, the MRIS panel bases its decisions on the offender's medical condition and prognosis, and whether the offender constitutes a threat to public safety.

Offenders must comply with the terms and conditions of the MRIS program and abide by a TCOOMMI-approved release plan. Offenders remain under the care of a physician and in a medically suitable placement.

## MRIS Data Comparison Approval by Diagnosis FY 2017 - FY 2021



## MRIS Considerations and Approval Rates History FY 2017 - FY 2021



*(MRIS Data Comparison and Approval Rates by Diagnosis statistics are provided by TCOOMMI.)*

## SPECIAL REVIEW

Special Review provides a forum for a case to be considered by a Special Review parole panel when it is determined that there is information that was not previously available to the parole panel. If the panel based its decision upon erroneous information or an administrative file processing error, the case may be returned to the original panel to reconsider the decision. Requests for Special Review are considered in the following circumstances:

- A parole panel member who voted with the majority desires to have the decision reconsidered prior to the Next Review (NR) date; or
- A written request on behalf of an offender is received which cites information not previously available to the parole panel; or
- Both parole panel members who voted with the majority are no longer active Board Members or Parole Commissioners and the Presiding Officer places the decision in the Special Review process to be reconsidered prior to the NR date.

In FY 2021, the Board considered a total of 222 Special Review cases. The chart below reflects the disposition of the cases.

### Parole Panel Votes after Approval for Special Review

	NUMBER	PERCENT
FI-1 (Parole when Eligible)	28	12.61%
FI-2 (Parole on Specified Date)	17	7.66%
FI-3R (CHANGES)	6	2.70%
FI-4R (SOEP)	3	1.35%
FI-5 (IPTC)	8	3.60%
FI-6 (DWI)	2	0.90%
FI-6R (PRTC, PRSAP)	16	7.21%
FI-7R (SVORI)	0	0.00%
FI-9R (SOTP-9)	8	3.60%
FI-18R (SOTP-18, IFI)	3	1.35%
NR (Set Off)	93	41.89%
CU/NR Vote	1	0.45%
CU/FI Vote	1	0.45%
CU/SA Vote	1	0.45%
SA (Required to Serve All)	9	4.05%
RMS (Release to Mandatory Supervision)	10	4.50%
DMS (Deny Mandatory Supervision)	16	7.21%
<b>TOTALS</b>	<b>222</b>	<b>100%</b>

## OTHER VOTES AND ACTIVITIES

Transmittals are submitted to parole panels by the Parole Division requesting imposition or withdrawal of special conditions. The total number of transmittal votes was 98,569.

OTHER VOTES	NUMBER
Transmittal Votes	98,569

Board Members and Parole Commissioners conduct victim, offender, attorney, and family interviews via in-person, telephone, or video conference; and educate offenders, victims, and other members of the public regarding the parole process through presentations.

OTHER ACTIVITIES	NUMBER
Office Interviews	1,066
Telephone Interviews	8,103
Correspondence Responses	20,178
Unit Interviews	459
Video Interviews	495
Public Presentations	21
<b>TOTAL</b>	<b>30,322</b>

## SUPER INTENSIVE SUPERVISION PROGRAM (SISP)

The Presiding Officer designates regular parole panels and alternate panels. The Super Intensive Supervision Program (SISP) panel considers offenders known to have:

- Committed or threatened to commit an act resulting in a victim; caused bodily injury or serious bodily injury; or placed an individual in danger of bodily injury or serious bodily injury; or
- Had problematic institutional adjustment, such that their accrued good conduct time is not an accurate reflection of their potential for rehabilitation and their release would endanger the public; or identified by TDCJ as a member of an organized prison gang.

### Parole Panel Considerations FY 2021

	PAROLE	MS	TOTALS
Considerations	8,066	1,305	<b>9,371</b>
Imposed	992	150	<b>1,142</b>
Percent Imposed	12.30%	11.49%	<b>12.19%</b>

### SISP Removal History

	REMOVED	DECEASED	DISCHARGED	REVOKED	OTHER REASON	TOTALS
Parole	517	1	234	62	1	<b>815</b>
MS	82	2	38	23	0	<b>145</b>
TOTALS	<b>599</b>	<b>3</b>	<b>272</b>	<b>85</b>	<b>1</b>	<b>960</b>

### Revocations for Offenders on SISP

	ALLEGATIONS	
	TOTALS	PERCENT
New Conviction	52	54.74%
Law Violation No New Conviction	0	0.00%
Both Law and Technical Violations	10	10.53%
Technical Only	33	34.74%
Totals	95	100.00%

*NOTE: A "Technical Only" violation is a violation of one or more conditions of release, not including the commission of a new offense. "New Offense" includes offenders who have pending felony or misdemeanor charges and possible technical violations at the time of revocation.*



## INSTITUTIONAL PAROLE ACTIVITY

The Institutional Parole Operations (IPO) performs a variety of functions for the Board. A primary IPO responsibility is interviewing offenders and preparing case summaries for review by a parole panel. The information in the case summary assists the parole panel in making parole or release decisions. In FY 2021, there were 63,529 parole case summaries and 14,036 DMS summaries completed. Additionally, 10 summaries were prepared for clemency reviews on death penalty cases.

### Summaries Prepared

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>Parole Case Summaries</b>	79,723	78,287	76,658	74,538	63,529
<b>DMS Summaries</b>	19,810	18,184	18,452	16,319	14,036
<b>Clemency Case Summaries</b>	15	19	18	11	10
<b>TOTAL</b>	<b>99,548</b>	<b>96,490</b>	<b>95,128</b>	<b>90,868</b>	<b>77,575</b>

Upon a decision being rendered by a voting panel, the IPO is responsible for notifying the offender of the release decision along with the approval or denial reason(s). In FY 2021, the IPO provided notification via status letters to 66,967 offenders.

### Offender Notifications

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>Status Letters Provided to Offenders</b>	<b>84,798</b>	<b>84,606</b>	<b>83,524</b>	<b>78,681</b>	<b>66,967</b>

The IPO also provides status information to the family members, victims, and the public concerning offender release decisions. In FY 2021, the IPO responded to 6,055 public phone inquiries and 137,276 offender requests.

## HEARING/WAIVER ACTIVITY

Offenders released on supervision are required to comply with both general and any special conditions of release that have been imposed by the Board. In the event an offender is alleged to have violated one or more of the conditions of release, prior to the Board revoking an offender’s parole/mandatory supervision, the offender must be afforded an opportunity of a hearing to determine if sufficient evidence exists to show that one or more violations have occurred. An offender can elect to waive such hearing(s).

### Hearing/Waiver Disposition

Texas Government Code Section 508.282 relates to the time allowed for disposition of alleged violations of parole by a parole panel where the alleged violation occurred. The statutory timeframe from warrant execution of an administrative violation of a release condition to the date of a panel disposition is 41 days. A continuance of a hearing extends the time frame by 15 days.

*The offender is entitled to due process in the revocation hearing. These requirements are outlined in Morrissey v. Brewer, 408 U.S. 471, 33L.Ed2d 484, 494 (1972).*

There were 20,289 total hearings held in FY 2021, of which 7,201 were subject to statutory timeframes. Cases subject to statutory timeframes where the offender was entitled to a preliminary hearing averaged 20.98 days; those entitled to a revocation hearing averaged 24.29 days; and those cases entitled to both a preliminary and revocation hearing averaged 31.5.

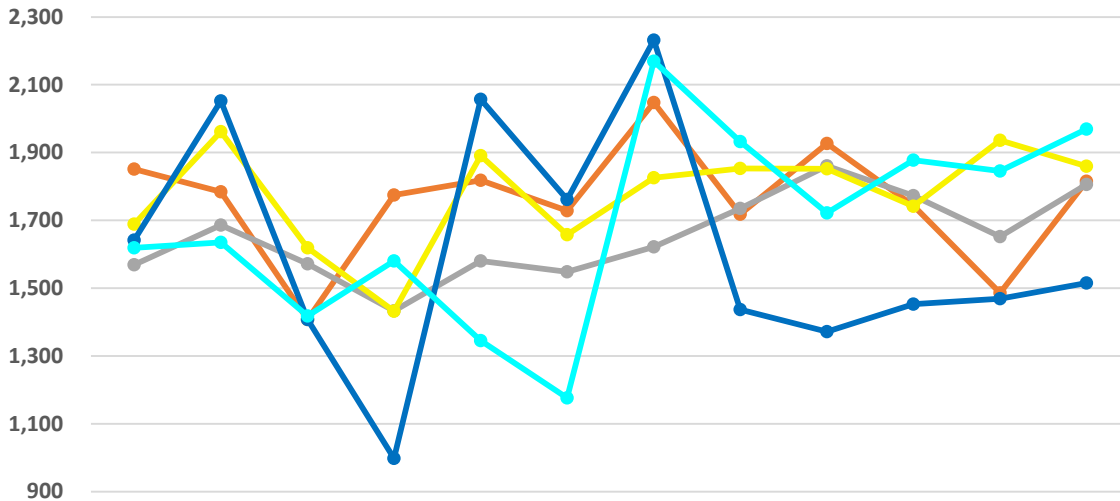
### Hearings and Waivers – Average Processing Time in Days \*

	PRELIMINARY	REVOCATION	PRELIMINARY & REVOCATION
AVERAGE	20.98	24.29	31.50

\*Start date to parole panel disposition.

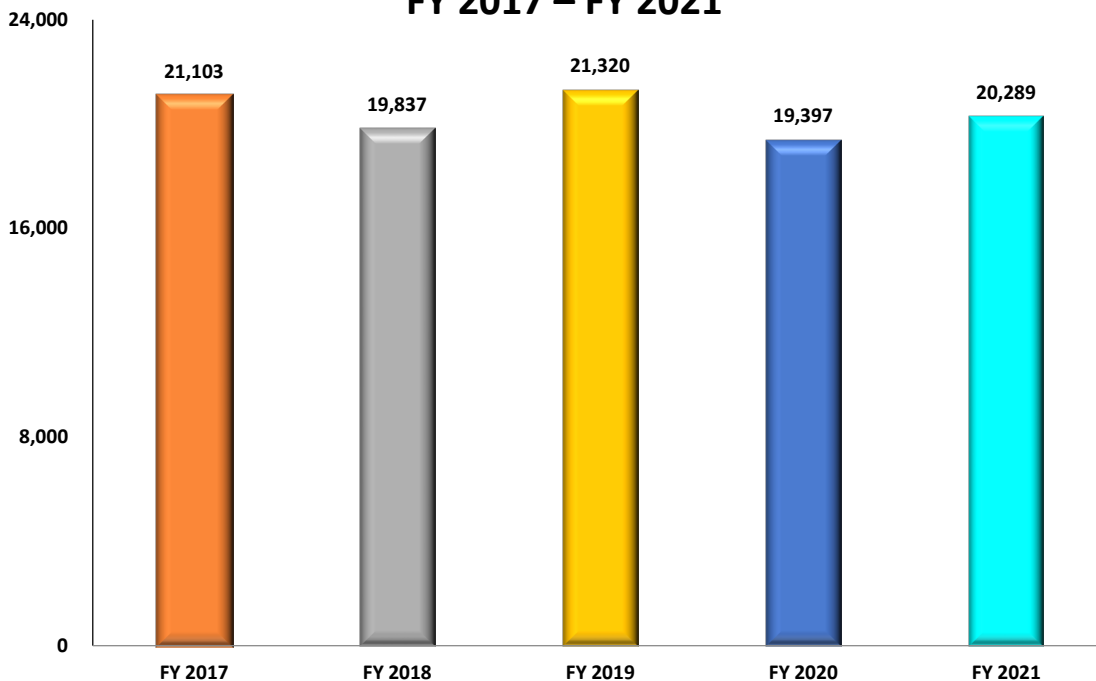
## Hearings Conducted by Hearing Officers FY 2017 – FY 2021

The annual total of hearings illustrates the cumulative workload of the Board’s Hearing Officers. In addition to their regular workload, Hearing Officers participate in trainings. Since laws, court decisions, and Board policies change or are reinterpreted over time, the hearing process is constantly changing. The annual training seminar keeps Hearing Officers informed of changes that affect their decision-making responsibilities and the hearing process.



	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	TOTAL
<b>FY 2017</b>	1,851	1,784	1,408	1,775	1,818	1,729	2,048	1,718	1,927	1,744	1,486	1,815	<b>21,103</b>
<b>FY 2018</b>	1,569	1,686	1,572	1,433	1,580	1,548	1,622	1,735	1,861	1,773	1,652	1,806	<b>19,837</b>
<b>FY 2019</b>	1,689	1,962	1,619	1,432	1,891	1,658	1,826	1,853	1,852	1,742	1,936	1,860	<b>21,320</b>
<b>FY 2020</b>	1,642	2,052	1,408	998	2,057	1,762	2,232	1,437	1,372	1,453	1,469	1,515	<b>19,397</b>
<b>FY 2021</b>	1,619	1,635	1,418	1,580	1,345	1,176	2,169	1,932	1,722	1,878	1,846	1,969	<b>20,289</b>

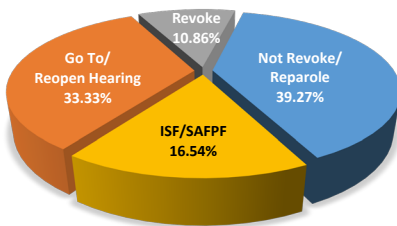
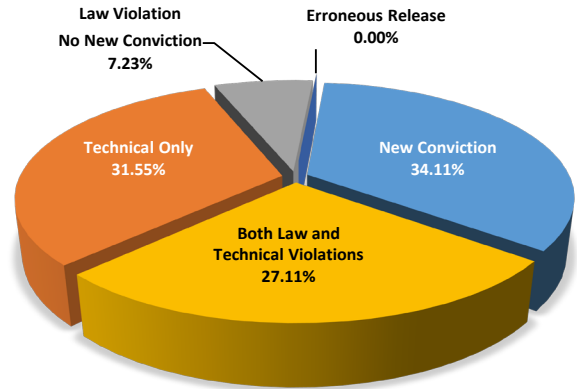
## Hearings Conducted by Hearing Officers FY 2017 – FY 2021



# Allegations Presented for Administrative Decisions

## By Allegation (Hearings and Waivers)

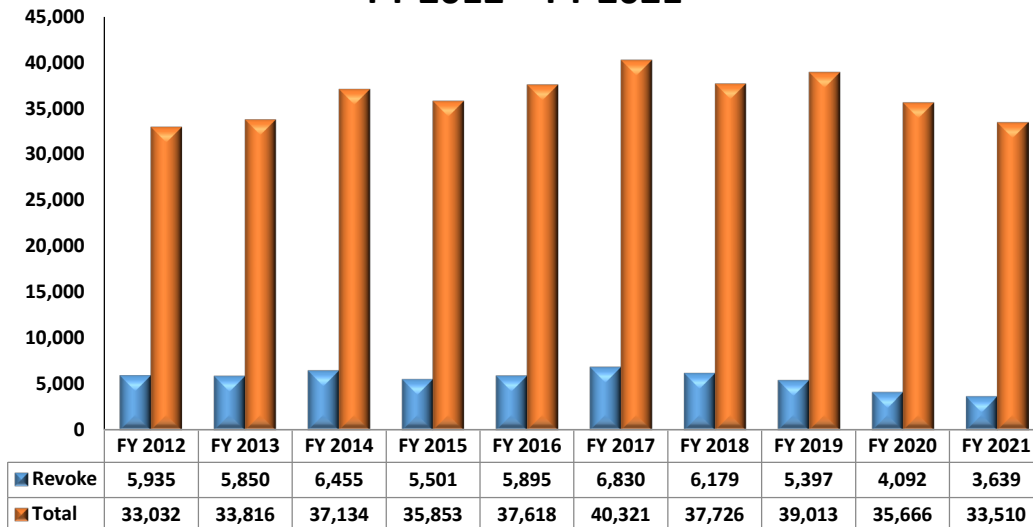
	NUMBER
New Conviction	11,429
Law Violation No New Conviction	2,423
Both Law and Technical Violations	9,086
Technical Only	10,572
Erroneous Release	0
<b>TOTAL</b>	<b>33,510</b>



## By Decision

	NON REVOCATION				GO TO HEARING	REOPEN HEARING	PLACE IN NORMAL REVIEW	REVOKE	TOTAL ACTIONS
	CONTINUE SUPERVISION	TRANSFER TO ISF FACILITY	REPAROLE	SAFPF					
<b>FY 2017</b>	13,000	8,888	0	817	10,748	34	4	6,830	<b>40,321</b>
	<b>32.24%</b>	<b>22.04%</b>	<b>0.00%</b>	<b>2.03%</b>	<b>26.66%</b>	<b>0.08%</b>	<b>0.01%</b>	<b>16.94%</b>	
<b>FY 2018</b>	11,805	8,278	1	849	10,574	37	3	6,179	<b>37,726</b>
	<b>31.29%</b>	<b>21.94%</b>	<b>0.00%</b>	<b>2.25%</b>	<b>28.03%</b>	<b>0.10%</b>	<b>0.01%</b>	<b>16.38%</b>	
<b>FY 2019</b>	14,444	7,537	0	753	10,824	54	4	5,397	<b>39,013</b>
	<b>37.02%</b>	<b>19.32%</b>	<b>0.00%</b>	<b>1.93%</b>	<b>27.74%</b>	<b>0.14%</b>	<b>0.01%</b>	<b>13.83%</b>	
<b>FY 2020</b>	13,615	6,569	0	558	10,760	72	0	4,092	<b>35,666</b>
	<b>38.17%</b>	<b>18.42%</b>	<b>0.00%</b>	<b>1.56%</b>	<b>30.17%</b>	<b>0.20%</b>	<b>0.00%</b>	<b>11.47%</b>	
<b>FY 2021</b>	13,159	5,255	0	289	11,145	23	0	3,639	<b>33,510</b>
	<b>39.27%</b>	<b>15.68%</b>	<b>0.00%</b>	<b>0.86%</b>	<b>33.26%</b>	<b>0.07%</b>	<b>0.00%</b>	<b>10.86%</b>	

## Revocations Compared to Hearings and Waivers FY 2012 – FY 2021



## Administrative Decisions by Board Members and Parole Commissioners

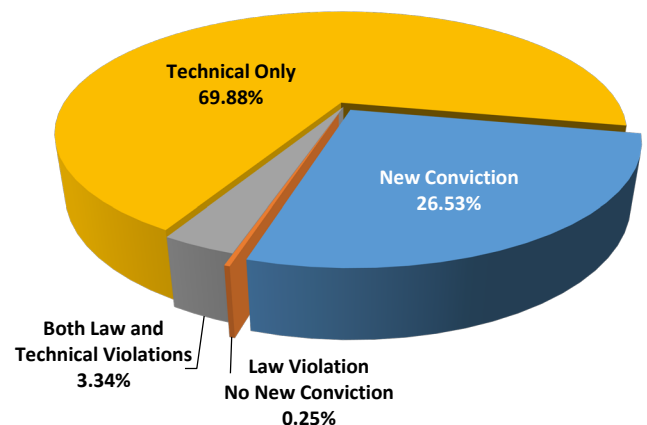
	NON REVOCATION				GO TO HEARING	REOPEN HEARING	PLACE IN NORMAL REVIEW	REVOKE	TOTAL ACTIONS
	CONTINUE SUPERVISION	TRANSFER TO ISF FACILITY	SAFPF	REPAROLE					
Brito, E.	1,501	860	59	0	60	6	0	485	2,971
Eck-Massingill, L.	2,316	810	62	0	16	0	0	462	3,666
Evans, I.	1,134	324	27	0	5	1	0	443	1,934
Farley, M.	1,451	793	33	0	39	2	0	478	2,796
Fox, T.	1,328	613	27	0	3	1	0	366	2,338
Garcia, R.	893	227	7	0	14	0	0	250	1,391
Gonzalez, R.	1,128	352	31	0	6	2	0	315	1,834
Gutierrez, D.	134	95	21	0	0	0	0	44	294
Jernigan, D.	1,183	450	8	0	9	0	0	305	1,955
Jones, C.	1,045	307	26	0	6	1	0	275	1,660
Kiel, J.	1,353	337	12	0	32	6	0	350	2,090
LaFavers, J.	1,460	848	50	0	60	6	0	493	2,917
Long, B.	1,387	315	14	0	32	4	0	322	2,074
Long, T.	1,296	480	10	0	18	0	0	360	2,164
Marton, J.	295	239	27	0	10	2	0	111	684
Moberley, M.	1,278	586	33	0	5	1	0	351	2,254
Molina, L.	358	251	10	0	2	3	0	152	776
Ramirez, A.	777	462	23	0	5	7	0	276	1,550
Robertson, E.	1,292	596	28	0	2	0	0	398	2,316
Saliagas, W.	1,308	336	16	0	57	2	0	381	2,100
Solis, F.	538	289	10	0	5	0	0	127	969
Speier, C.	809	492	23	0	1	2	0	253	1,580
Tejada, R.	2,345	716	36	0	16	0	0	468	3,581
<b>TOTALS</b>	<b>26,609</b>	<b>10,778</b>	<b>593</b>	<b>0</b>	<b>403</b>	<b>46</b>	<b>0</b>	<b>7,465</b>	<b>45,894</b>

Parole Panels have various options in the revocation process such as sending the offender to an Intermediate Sanction Facility (ISF) or Substance Abuse Felony Punishment Facility (SAFPF).

### Decisions to Send Offender to ISF or SAFP

	NUMBER OF CASES	PERCENT
New Conviction	1,471	26.53%
Law Violation No New Conviction	14	0.25%
Both Law and Technical Violations	185	3.34%
Technical Only	3,874	69.88%
<b>TOTALS</b>	<b>5,544</b>	<b>100.00%</b>

### Disposition to ISF/SAFPF



The parole panel that reviews a revocation case decides whether the offender will continue on supervision, with or without modification of conditions of release. In the case of Erroneous Release, the panel can recommend that the offender be placed in the normal parole review process upon return to TDCJ CID, parole if eligible (FI-1), or continue on the existing release certificate.

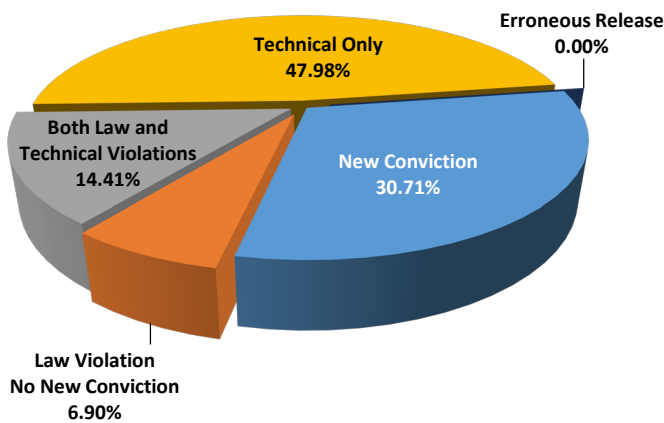
### Decisions to Continue Supervision or Reparole

	CASES	PERCENT
New Conviction	4,041	30.71%
Law Violation No New Conviction	908	6.90%
Both Law and Technical Violations	1,896	14.41%
Technical Only	6,314	47.98%
Erroneous Release	0	0.00%
<b>TOTALS</b>	<b>13,159</b>	<b>100.00%</b>

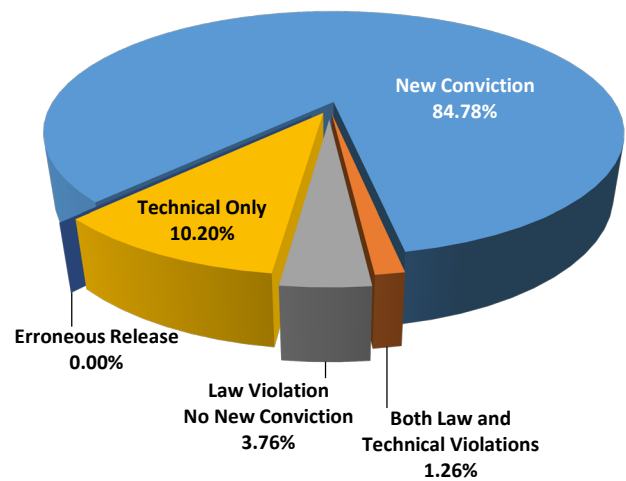
### Decisions to Revoke or Place in Normal Review

	CASES	PERCENT
New Conviction	3,085	84.78%
Law Violation No New Conviction	46	1.26%
Both Law and Technical Violations	137	3.76%
Technical Only	371	10.20%
Erroneous Release	0	0.00%
<b>TOTALS</b>	<b>3,639</b>	<b>100.00%</b>

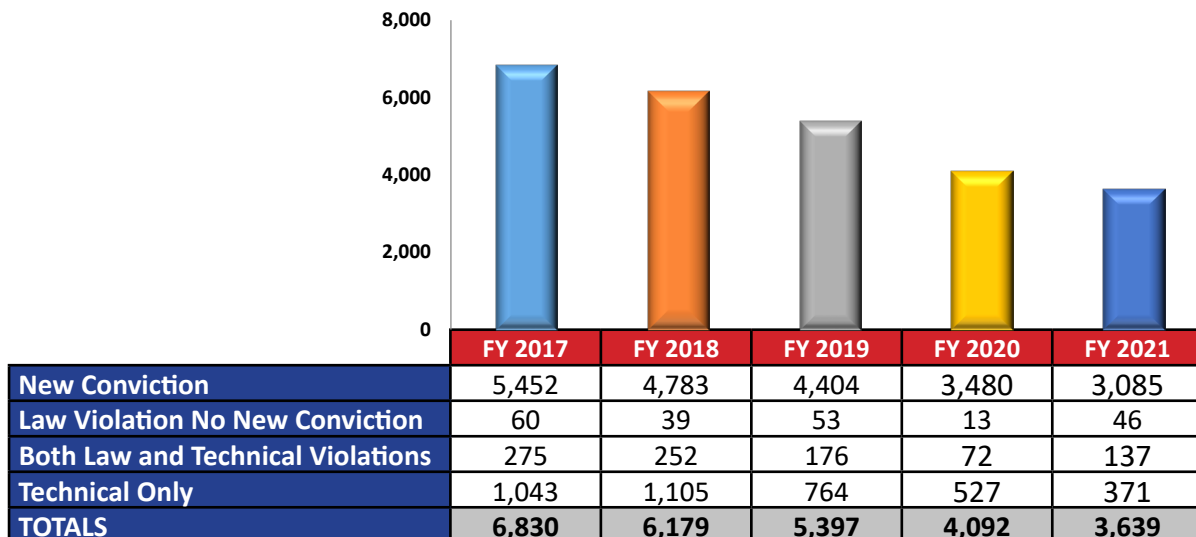
### Disposition to Continue Supervision or Reparole



### Disposition to Revoke or Place in Normal Review

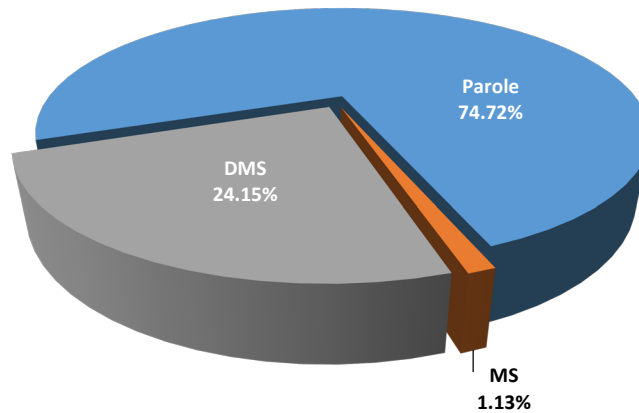


### History of Offenders Revoked by Grounds for Revocation FY 2017 - FY 2021



## FY 2021 Revocations by Release Type Parole/Mandatory Supervision Monthly Totals

	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	TOTAL
<b>Parole</b>	230	198	180	232	156	144	258	259	262	236	257	307	<b>2,719</b>
<b>MS</b>	1	6	3	4	1	3	6	1	4	4	4	4	<b>41</b>
<b>DMS</b>	72	70	73	59	56	36	79	100	74	84	87	89	<b>879</b>
<b>TOTALS</b>	303	274	256	295	213	183	343	360	340	324	348	400	<b>3,639</b>



### Decisions (Waivers/Hearings Processed)

	PREL	REV ONLY	PREL & REV SIMULTANEOUSLY	TRANSMITTALS	TOTALS
<b>Total Waivers Processed *</b>	5,719	10,902	122	N/A	<b>16,743</b>
<b>Total Hearings Processed **</b>	7,280	9,109	N/A	N/A	<b>16,389</b>
<b>Transmittals ***</b>	N/A	N/A	N/A	631	<b>631</b>
<b>TOTAL WAIVERS/HEARINGS/TRANSMITTALS</b>	<b>12,999</b>	<b>20,011</b>	<b>122</b>	<b>631</b>	<b>33,763</b>

\* 5,389 Waivers were subject to statutory timeframes.

\*\* 7,201 Hearings were subject to statutory timeframes.

\*\*\* Cases transmitted to a parole panel for reconsideration subsequent to a decision resulting from a hearing or waiver.

# EXECUTIVE CLEMENCY

The authority for the Governor to grant executive clemency is in Article 4, Section 11, of the Texas Constitution. In all criminal cases, except treason and impeachment, the Governor may grant clemency upon written recommendation of a majority of the Board after a conviction or successful completion of a term of deferred adjudication community supervision. The Constitution authorizes the Governor to grant pardons, reprieves, and commutations of sentence. The Board, pursuant to Section 508.036(b)(1), Government Code, adopted rules governing the clemency process for noncapital and capital cases.

## *Clemency Process*

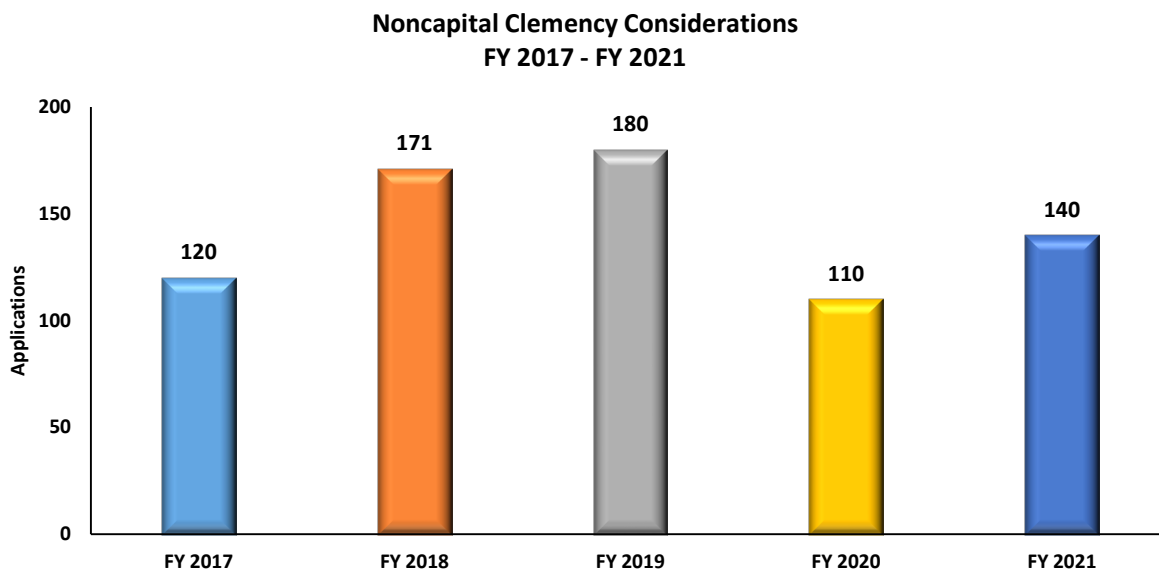
The process begins when an individual or their representative submits an application along with the appropriate documents. The process includes notification of the trial officials identified in Section 508.115, Government Code, and the victim, if one is identified.

## *Clemency Decision*

The Governor makes the final decision to grant clemency. The Board may only recommend or not recommend that the Governor grant clemency.

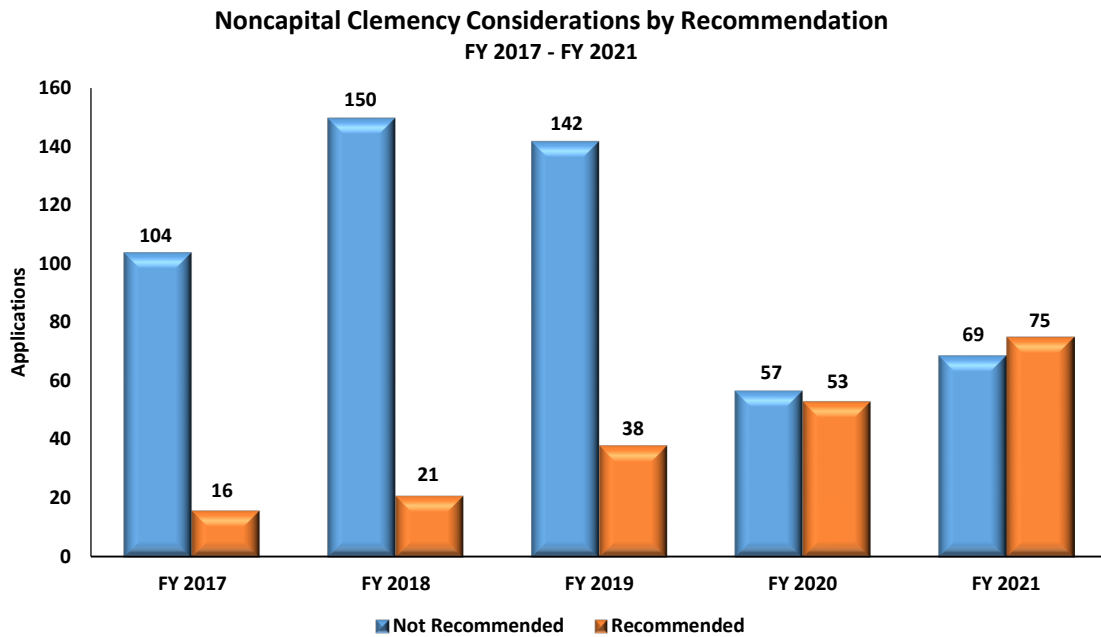
## Board Actions on Noncapital Cases

In noncapital cases, the Board considers applications for full pardons and restoration of rights of citizenship, pardons for innocence, conditional pardons, reprieves, commutations of sentence, remissions of fines and forfeitures, restoration of firearm rights and civil rights of a federal or military offense, and restoration of driver's licenses. In FY 2021, the Board considered 140 noncapital cases (see table below).





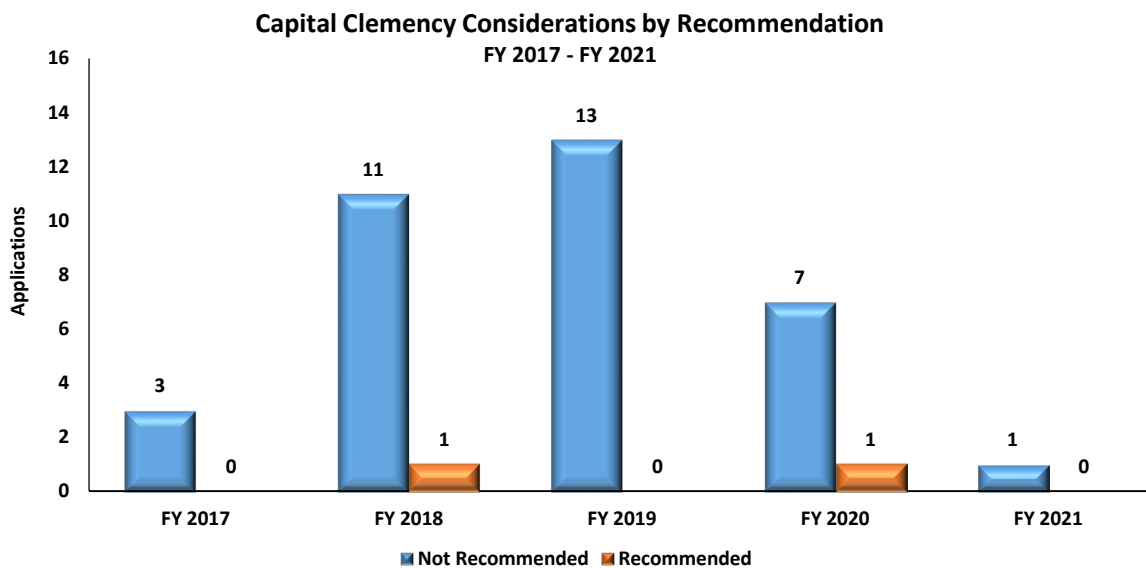
In FY 2021, the Board recommended that the Governor grant 75 noncapital clemency requests out of 140 applications considered, or 54% of the applications considered (see table below).



*NOTE: The number of cases considered may differ from the number of cases voted when cases are referred to the Board for consideration during one fiscal year and voted on during the following fiscal year.*

### Board Actions on Capital Cases

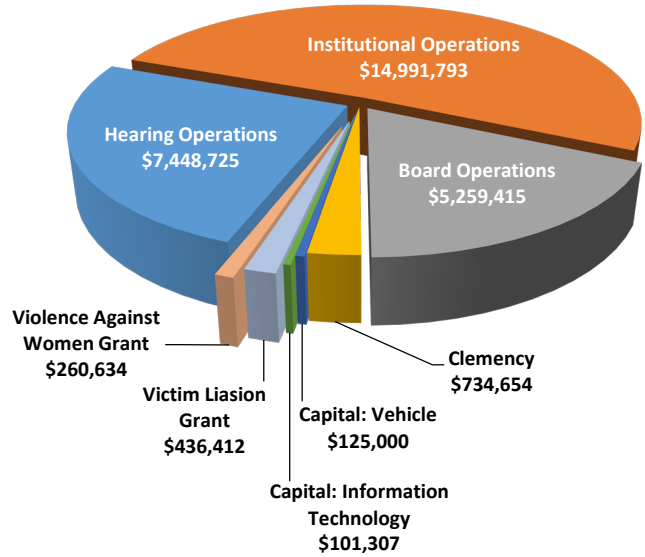
In capital cases, the Board considers applications for commutation of death sentence to lesser penalty and a reprieve of execution. Upon request, the Board may conduct an interview with the offender. The Governor may also grant a one-time 30-day reprieve of execution without a recommendation from the Board. In FY 2021, five applications were received which requested a commutation of sentence. Of the five applications, four also included a request for a reprieve. Four of the applicants received stays of execution prior to consideration by the Board. In FY 2021, the Board conducted one interview, considered one application for clemency, and did not recommend clemency (see table below).



# AGENCY EXPENDITURES

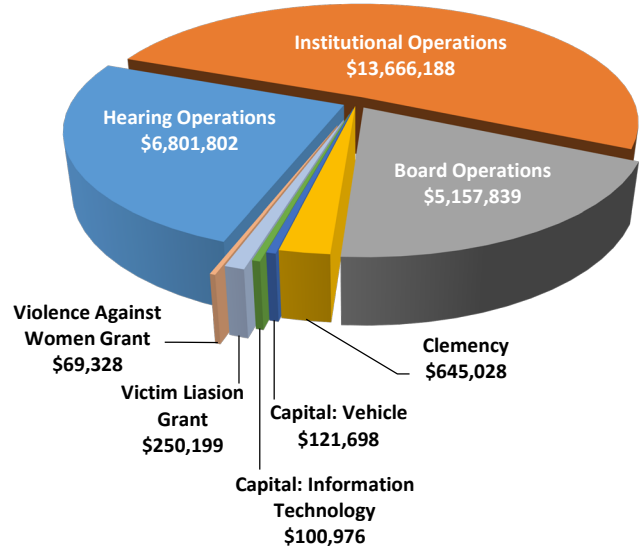
## FY 2021 BUDGET

<b>FY 2021 Budget Total</b>	<b>\$ 29,357,941</b>
Hearing Operations	\$ 7,448,725
Institutional Operations	\$ 14,991,793
Board Operations	\$ 5,259,415
Clemency	\$ 734,654
Capital: Vehicle	\$ 125,000
Capital: Information Technology	\$ 101,307
Victim Liaison Grant	\$ 436,412
Violence Against Women Grant	\$ 260,634



## FY 2021 EXPENDITURES (ACTUAL)

<b>FY 2021 Expenditure Total</b>	<b>\$ 26,813,058</b>
Hearing Operations	\$ 6,801,802
Institutional Operations	\$ 13,666,188
Board Operations	\$ 5,157,839
Clemency	\$ 645,028
Capital: Vehicle	\$ 121,698
Capital: Information Technology	\$ 100,976
Victim Liaison Grant	\$ 250,199
Violence Against Women Grant	\$ 69,328



NOTE: Board Operations includes expenditure and budget received from the Victim Liaison Grant and the Domestic Violence and Human Trafficking Restorative Justice Program Grant.

# GLOSSARY OF TERMS

## **Administrative Violation**

A violation of one or more of the rules of parole or mandatory supervision, not including commission of a new criminal offense. This is also known as a technical violation.

## **Board**

Refers to the Texas Board of Pardons and Paroles.

## **Clemency**

The power of the governor to grant a full or conditional pardon, reprieve of execution of a death sentence, commutation of a sentence, commutation of a death sentence, emergency reprieve for medical reasons, reprieve to attend civil court proceedings, or a reprieve of jail sentence. Clemency must be recommended in writing by a majority of the Board and approved by the Governor.

## **Commutation of Sentence**

A reduction of the penalty assessed by the court. Under Board Rules, a commutation of sentence must be supported by a majority of the applicant's trial officials, recommended in writing by a majority vote of the Board, and granted by the Governor.

## **Conditional Pardon**

A pardon that releases the offender from confinement, subject to certain conditions. A conditional pardon may be used to request the release of an offender to another country or to immigration officials for deportation. A conditional pardon does not restore civil rights or the rights of citizenship and can be revoked by the Board if any conditions imposed were violated.

## **Correctional Institutions Division (CID)**

The Correctional Institutions Division (CID) of the Texas Department of Criminal Justice is responsible for the confinement of adult felony offenders who are sentenced to prison.

## **CU/FI**

Designates the date on which an offender serving consecutive or cumulative sentences will satisfy the current sentence and begin to serve the next sentence in the series. The cause number on the approved sentence will be indicated in the vote.

## **Deny Mandatory Supervision**

A parole panel decision to deny mandatory supervision release when the panel concludes that the accrued good time is not an accurate reflection of the offender's potential for rehabilitation and that release would endanger the public. It applies to those offenders with mandatory release-eligible offenses committed on or after September 1, 1996.

## **Discretionary Mandatory Supervision (DMS)**

A form of release that applies to certain offenders who are incarcerated for an offense committed on or after September 1, 1996, and are eligible for release on mandatory supervision. Those offenders must be approved by a parole panel for mandatory supervision release. See also *HB 1433*.

## **Emergency Reprieve**

A form of executive clemency allowing an offender temporary release from prison for a specific reason, including but not limited to the medical condition of the offender or a family member. A reprieve must be recommended by a majority of the Board and approved by the Governor.

## **Fiscal Year (FY)**

The Board's fiscal year runs from September 1 of one year through August 31 of the following year.

## **Full Pardon**

A restoration of certain citizenship rights forfeited by law upon criminal conviction. Citizenship rights can include the right to vote, the right to serve on a jury, and the right to hold public office.

In Texas and many states, voting rights are automatically restored when an offender discharges a felony sentence, even without a pardon, provided that the offender is eligible to register. A full pardon will remove barriers to some but not all types of employment and professional licensing, but licenses are granted at the discretion of each profession's state licensing board. A pardon will not restore eligibility to become a licensed peace officer in Texas. A full pardon does not expunge a criminal record.

**Further Investigation (FI)**

An initial determination by a parole panel favorable to the parole release of an offender, pending further investigation. Favorable voting options are: FI-1, FI-2, FI-3R, FI-4R, FI-5, FI-6, FI-6R, FI-7R, FI-9R, FI-18R, and CU/FI.

**House Bill 1433 (HB 1433)**

The law passed during the 74th Legislature that requires parole panels to review scheduled mandatory supervision releases if offenses were committed on or after September 1, 1996. Specifically, HB 1433 authorizes a parole panel to review and deny mandatory supervision releases on a case-by-case basis when it determines that an offender's good conduct time does not accurately reflect the potential for rehabilitation and that the offender's release would endanger the public. See also *Discretionary Mandatory Supervision*.

**In-Prison Therapeutic Community (IPTC)**

An intensive substance abuse treatment program housed in various TDCJ CID units. As a condition of release from an IPTC, an offender is required to participate in an Aftercare Program at a Transitional Treatment Center (TTC).

**Intermediate Sanction Facility (ISF)**

A secure facility under contract with or operated by TDCJ that serves as a confinement alternative for offenders under active supervision who have violated one or more release conditions but have no pending charges. An ISF provides an effective addition to the range of sanctions available for parole supervision.

**Mandatory Supervision (MS)**

The release by law of an eligible offender when calendar time served plus good conduct time credit equals the length of the sentence. The amount of good conduct time credits determines the length of time the offender serves under the supervision of the TDCJ Parole Division.

**Medically Recommended Intensive Supervision (MRIS) Program**

Under this program, offenders who are mentally ill, mentally retarded, elderly, terminally ill, physically handicapped, or require long-term care are considered for release by a parole panel.

The panel, based on the offender's condition and medical evaluation, may release an offender who does not constitute a threat to public safety or a threat to commit an offense.

**Next Review (NR) Date**

Deny parole and set a new date for the next review.

**Offender**

A person incarcerated in the prison system, other penal institution or jail, or a person released to parole or mandatory supervision.

**Pardon**

A form of executive clemency that absolves an individual from the legal consequences of their crime and conviction. A pardon must be recommended in writing by the majority of the Board and granted by the Governor.

**Pardon for Innocence**

A pardon based on innocence granted by the governor upon the written recommendation of a majority of the Board.

**Parole**

The discretionary and conditional release of an eligible offender to serve the remainder of the sentence under the supervision of the TDCJ Parole Division.

**Parole in Absentia (PIA)**

The release of an offender, eligible for parole or mandatory supervision, serving a Texas sentence in an institution other than a Texas state prison, i.e., an out-of-state prison, federal facility, or municipal or county jail.

### **Parole Panel**

A three-member panel consisting of at least one Board Member and any combination of Board Members and Parole Commissioners.

### **Release to Mandatory Supervision (RMS)**

A decision by a parole panel to release an offender to mandatory supervision under the provisions of HB 1433 (discretionary mandatory supervision law).

### **Reprieve**

A delay or temporary suspension of punishment. Offenders who are terminally ill or require medical treatment unavailable within TDCJ but ineligible for MRIS may seek an emergency medical reprieve. Offenders also may seek a family medical reprieve to attend to critically ill relatives. As with other forms of clemency, a reprieve requires a written recommendation from a majority of the Board and approval from the Governor. When the time allowed on reprieve has elapsed, the offender must return to prison unless an additional reprieve is granted. Emergency reprieve requests to attend funerals or visit critically ill relatives are not handled through the executive clemency process, since prison officials have authority to grant eligible offenders short-term furloughs for such situations. In death penalty cases, the Governor may grant a reprieve for any period of time (in 30-day increments) upon recommendation of a majority of the Board. Under the Texas Constitution, the Governor has the power to grant a one-time, 30-day reprieve without the recommendation of the Board.

### **Restoration of Civil Rights**

A form of pardon that restores all civil rights under Texas law that an offender forfeits when convicted of a federal offense, except as specifically provided in the certificate of restoration (Texas Code of Criminal Procedure Section 48.05 - Restoration of Civil Rights). An offender may apply for restoration of civil rights after completing their sentence if they were convicted three or more years before the date of application, and if they have no other conviction under the laws of Texas, another state, or the United States.

### **Revocation**

A parole panel decision to return an offender to the custody of the TDCJ CID because the offender has violated the terms or conditions of release, committed a new crime, or both.

### **Serve-All (SA)**

Deny parole with no subsequent review, requiring offender to serve balance of sentence, unless eligible for mandatory supervision consideration.

### **Sex Offender**

Offenders who have been convicted of or transferred from juvenile parole or commitment to adult parole or prison for an offense in Chapter 21, Penal Code; required to register pursuant to Chapter 62, Code of Criminal Procedure; or constituted a threat to society by reason of lack of sexual control. This definition does not apply to those defendants who are currently on or discharged a deferred adjudication community supervision.

### **Substance Abuse Felony Punishment Facility (SAFPF)**

A secure chemical-dependence treatment facility under contract with the TDCJ for non-violent offenders. An offender may be placed in a SAFPf by a parole panel as a condition of parole or mandatory supervision following a hearing.

### **Super Intensive Supervision Program (SISP)**

The highest level of supervision and offender accountability under the TDCJ Parole Division, created by the 75th Legislature for potentially dangerous offenders released on parole or mandatory supervision.

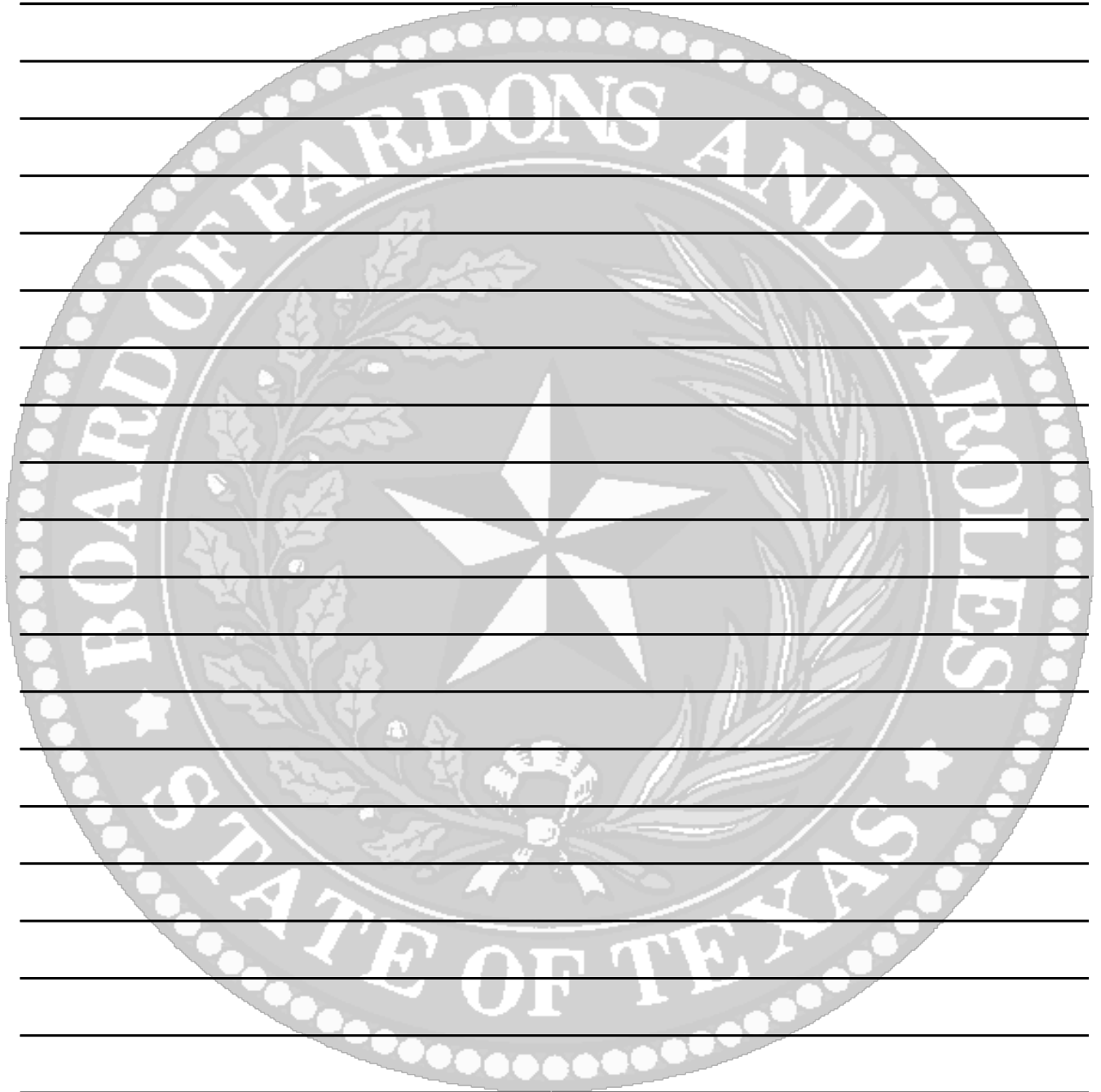
### **Technical Violation**

A violation of one or more of the rules of parole or mandatory supervision, not including a new criminal offense. This is also known as an administrative violation.

### **Texas Department of Criminal Justice (TDCJ)**

An umbrella agency that includes the Community Justice Assistance Division, the Correctional Institutions Division, and the Parole Division.

# NOTES





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