



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 145.200

Date: August 20, 2026

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Supersedes: October 30, 2025

BOARD POLICY

SUBJECT: EXTRAORDINARY VOTE

PURPOSE: To establish a policy and provide procedures for Members of the Texas Board of Pardons and Paroles to vote Extraordinary Vote cases eligible for an Extraordinary Vote.

AUTHORITY: Texas Government Code Sections 508.0441, 508.045, 508.046, 508.141(g) and (g-1), and 508.221
Texas Administrative Code Title 37, Part 5, Chapter 145, Section 145.15

POLICY: It is the policy of the Texas Board of Pardons and Paroles (Board) to consider cases for Extraordinary Vote in accordance with Title 37, Part 5, Chapter 145, Administrative Code. Board Members will review, make release decisions, and impose special conditions. Use of the full range of voting options is ineffective in determining whether two-thirds of the Board considers the offender ready for release.

DISCUSSION: In accordance with Section 508.046, Government Code, a two-thirds majority vote of the Board is necessary for parole release decisions involving certain offenses.

This policy applies to any offender convicted of or serving a sentence for a capital felony other than a life sentence, or a capital felony with a life sentence, who is eligible for parole, or an offense under Section 20A.03 Continuous Trafficking of Persons, Section 21.02 Continuous Sexual Abuse of Young Child or Children, Section 21.11(a)(1) Indecency with a Child, or 22.021, Aggravated Sexual Assault, Penal Code, or persons required under Section 508.145(c), Government Code, to serve 35 calendar years before becoming eligible for release on parole.

DEFINITIONS: Two-thirds majority vote: five (5) of the current seven (7) Board votes.

FI-1: Release the offender when eligible.

FI-4R (month/year): Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than four (4) months from specified date. Such TDCJ program shall be the Sex Offender Education Program (SOEP).

FI-9R (month/year): Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than nine (9) months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-9).

FI-18R (month/year): Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and no earlier than 18 months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-18).

NR: For offenders convicted of or serving a sentence for a capital felony, other than a life sentence, or an offense under Sections 20A.03, 21.02, or 21.11(a)(1), Penal Code, or who are required under Section 508.145(c), Government Code to serve 35 calendar years before becoming eligible: Deny release and set the next review date for 36 or 60 months following the panel decision.

For offenders convicted of or serving a sentence for a capital felony with a life sentence, who are eligible for parole, or an offense under Section 22.021, Penal Code: Deny release and set the next review date for 36, 60, 84, or 120 months following the panel decision date.

SA: “serve-all,” a decision to deny parole with no regular subsequent reviews.

For offenders convicted of or serving a sentence for a capital felony, other than a life sentence, or an offense under Sections 20A.03, 21.02, or 21.11(a)(1), Penal Code, or who are required under Section 508.145(c), Government Code to serve 35 calendar years before becoming eligible: If their minimum or maximum expiration date is less than 60 months away, they will continue to serve their sentence until that date.

For offenders convicted of or serving a sentence for a capital felony with a life sentence, who are eligible for parole, or an offense under Section 22.021, Penal Code: If their minimum or maximum expiration date is less than 120 months away, they will continue to serve their sentence until that date.

PROCEDURE:

- I. The voting options for the Board to consider cases for parole that are subject to Section 508.046, Government Code, shall be FI-1, FI-4R, FI-9R, FI-18R, NR or, in the event the minimum or maximum expiration date is less than 60 months away, or less than 120 months away, SA.
- II. Board Members may impose special conditions of parole and mandatory supervision. Unless otherwise provided, any special condition may be imposed by a parole panel before or after release and shall remain in effect until specifically removed by a parole panel.

ADOPTED BY A MAJORITY OF THE BOARD ON THE 20TH DAY OF AUGUST, 2026.

MARSHA MOBERLEY, PRESIDING OFFICER (CHAIR)

**Signature on file*