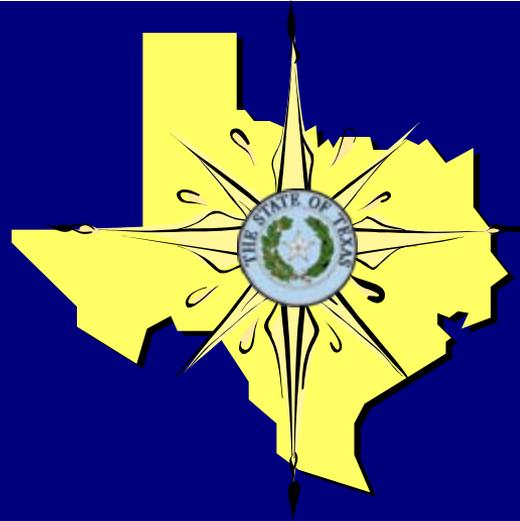


Texas Department of Criminal Justice – Parole Division



*Ivy Anderson-York
Region I Director, Parole Division
March 25, 2011*

TDCJ Parole Division

- **TDCJ Parole Division** is responsible for pre-release planning and for supervising parolees and mandatory supervision offenders once they are released to the community. The mission of the Parole Division is to promote public safety and positive offender change through effective supervision, programs, and services.

TDCJ Parole Division Cont.

- **Field Supervision** includes staff in numerous District Parole Offices distributed throughout the state who provide direct supervision of parolees and mandatory supervision offenders. Parole officers and other field staff are responsible for investigating release plans prior to an offender's release, for assessment and classification of the offender after release, for development of a supervision plan based on the needs of the offender, and for making appropriate referrals. In addition, they ensure that conditions of release are met and initiate intervention procedures when necessary.
- **Review and Release Processing** provides the Board of Pardons and Paroles with the information necessary for a parole panel to conduct parole reviews and performs the administrative activities necessary to release offenders to parole or mandatory supervision.
- **Specialized Programs** develops, administers, and coordinates therapeutic, rehabilitative, and resource intervention programs, as well as provides internal review and training.

The Specialized Programs Section administers a wide range of rehabilitative, therapeutic, and resource programs. These programs were created to help the Parole Division accomplish its mission of enhancing public safety by successfully reintegrating offenders. The programs are designed for offenders at various points in the criminal justice process and for those with special needs. The Parole Division contracts with private vendors for various therapeutic services. Programs are designed to assist pre-release and post-release offenders in adapting themselves to more productive experiences, environments, and opportunities for self-improvement.

Initial Interview

- The initial interview is to establish requirements for the Parole Officer's first contact with the offender after release, it is an opportunity for the Parole Officer to familiarize themselves with the offender, the offenders conditions of release, and the requirements of supervision. During this interview, the Parole Officer will review file material that is located in the Offender Information Management System (OIMS), case summaries, admission summaries, pre-sentence investigation reports, offense reports, etc. Parole officers also read and discuss HIV/AIDS information and provide written HIV/AIDS information for the offender's reference and make the necessary referrals. Most parole offices and those 12 offices that have the District Reentry Centers conduct a New Arrival Orientation for newly released offenders at the district offices and invite community based organizations to come to the orientations to discuss what resources are available to newly released offenders in their respective communities which include HIV/AIDS organizations that provide information on HIV education, prevention and testing. Community organizations can also make presentations to Parole Division staff during monthly office meetings.

Offender Activities and Compliance with the Conditions of Supervision

- Each month, Parole Officers shall monitor the offender's activities and verify compliance with the conditions of supervision and record verification in the Offender Information Management System (OIMS).
Parole Officers shall use the following general methods to monitor offender activities and offender compliance as appropriate.
 1. Contact with offenders in person and by telephone;
 2. Contact with persons who are knowledgeable of the offender's activities;
 3. Review of documents and reports concerning the offender;
 4. Criminal history and/or law enforcement checks;
 5. Testing for use of alcohol or illegal substances
- Parole Officers shall use the following specific methods to monitor offender activities and verify compliance:
 - 1. Residence**
 - a. Contact with the offender and other persons at the residence;
 - b. Review of lease or mortgage records (if applicable) and rent receipts;
 - c. Review of utility records, e.g., electric, gas, water, and telephone, as applicable.
 - 2. Employment**
 - a. Contact with the employer;
 - b. Review of employment or payroll records;
 - c. Parole Officers shall refer unemployment and under employed offenders who do not have a verified medical disability to the Texas Workforce Commission (TWC) – Project Reintegration of Offenders (RIO) in accordance with PD/POP 3.3.1. Offenders may be instructed to maintain a continuous listing of job search contacts for review by the Parole Officer as applicable.
- If an offender changes his or her place of employment, the Parole Officer shall contact the offender's previous employer within seven days to ascertain the reason.

Offender Activities and Compliance with the Conditions of Supervision Cont.

3. Medical

- a. Contact with the treatment provider or social services agency;
- b. Review of medical records;
- c. Review of disability records;
- d. Contact with the offender.

- Parole Officers will collaborate with community providers who provide ongoing services to effectively monitor offenders' responses to referrals and treatment and review case summaries and care plans and refer offenders to appropriate parole and community programs. Officers shall have the offender sign a Consent of Disclosure form (PSV-33) prior to gathering any medical information with treatment providers, physicians, or other entities who are privy to offender's medical conditions or treatment information.

4. Counseling

- a. Contact with the treatment provider;
- b. Review of progress reports or attendance records;
- c. Contact with the offender at the counseling site;

5. Drug and Alcohol Abstinence

- a. Alcohol and urinalysis testing;
- b. Contact with treatment provider or instructor;
- c. Contact with others associated with the offender, including family members, employers, etc.;
- d. Unscheduled contact with the offender;
- e. Law enforcement checks.

6. Special Conditions

- a. Contact with the treatment provider, or instructors;
- b. Review of progress reports or attendance records;
- c. Contact with the offender at the counseling site;
- d. Alcohol and urinalysis testing;
- e. Contact with others associated with the offender;
- f. Contact with victim, if applicable;

- Unscheduled contact with the offender, as appropriate.

Offender Releases and Notification of Other Agencies

- Each offender who is released from custody in the TDCJ shall be tested for HIV prior to release. It is the responsibility of the unit of assignment prior to release to perform the test. The test may be done as early as six (6) months prior to release, but should ideally be done in the last month of incarceration. All offenders shall receive pre-test counseling that includes information about the test, the meaning of test results and information about reducing the risk of transmitting HIV.
- Offenders with a positive HIV result shall receive post-test counseling. Partner elicitation with emphasis on expected partners after release shall be done and reported to the Office of Preventive Medicine.
- The Office of Preventive Medicine shall report the HIV infected offender and partner information to the DSHS for partner notification. This should happen prior to the offender's release.
- If it is likely the offender shall be released before the HIV result is available, information that shall be necessary to contact the offender after release must be collected and reported to the Office of Preventive Medicine. If the result is positive, the Office of Preventive Medicine shall immediately report the positive test result and locating information to the DSHS, which shall arrange for notification of results, post-test counseling and partner elicitation and notification.

Care Plans

- An offender with known HIV infection who is being released, shall have an aftercare plan prepared and given to the offender, and shall receive information about accessing community resources, according to the procedures established by the TDCJ Field Services and the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMI).
- Special Needs offenders are released with Care Plans, which contain information regarding an offender's current diagnosis, prescribed medications, and consent for release of CID medical records. Offenders who are receiving prescription medication are given a 10-day supply of medication by CID when released to parole or mandatory supervision. Officers shall maintain an awareness of Parole and community resources in order to refer offenders to appropriate service providers. Under no circumstances, shall any officer request additional prescribed medication from CID. The officer shall give priority to ensuring that the offender obtains necessary services to receive prescribed medications prior to the medication being exhausted.
- **CONTINUITY OF CARE**
The SNOP caseload officer shall provide a continuity of care and aid in the provision of uninterrupted essential services to offenders placed on the SNOP caseload. These offenders have been assessed and identified by TCOOMMI while incarcerated and provided referrals to appropriate community resources prior to release.
- **SPECIAL NEEDS OFFENDER PROGRAM CATEGORIES AND ELIGIBILITY CRITERIA**
To be eligible for the SNOP caseload, an offender shall meet the placement criteria in at least one (1) of the specified categories. Offenders with special needs identified by TCOOMMI prior to release and provided pre-release care plans have already met the criteria listed and shall be placed on the SNOP caseload. These include offenders released due to MRIS.

Mentally Impaired, Mentally Retarded, Terminally Ill or Physically Handicapped Offenders

- To be placed on the SNOP caseload as being TI/PH, offenders shall meet one or more of the criteria listed below:
 - a. Have documentation of a terminal illness that is incurable and will inevitably result in death within one year or less, regardless of the use of life-sustaining treatment.
 - b. Have a medical condition requiring 24-hour nursing care or specialized medical support services. Medical conditions must have progressed and resulted in substantial functional limitations in major life activities.
 - c. Have a severe and chronic disabling physical handicap defined as any medical condition that results in significant limitations in functional abilities such as serious heart, lung, liver, and kidney conditions; amputations with or without prosthesis; spinal cord injury; neuromuscular or musculoskeletal conditions; significant visual or hearing impairments; closed or open head injury brain damage; or any condition such that a wheelchair, crutches, cane, or orthotic device is required for ambulation. The physically handicapping condition must result in substantial functional limitations in major life activities.

Mentally Impaired, Mentally Retarded, Terminally Ill or Physically Handicapped Offenders Cont.

- **The Special Needs Offender Program (SNOP)**

Caseload supervises offenders that are Mentally Impaired, Mentally Retarded, Terminally Ill, or Physically Handicapped. One of the goals of SNOP is to provide a continuity of care for offenders with special needs. These offenders are assessed while in TDCJ-CID and are referred to appropriated community resources prior to release. SNOP officers identifies, coordinates, and develops support systems that provide the offender with educational, vocational, financial, residential, and counseling support services in the community. The SNOP officers also facilitate resources for offenders that were not previously identified by Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI).

- **Terminally Ill/Physically Handicapped (TI/PH)**

The TI/PH category of the SNOP caseload is designed to provide appropriate supervision to offenders with a documented terminal illness or a severely disabling physical handicap. The SNOP officer utilizes a network of community providers and support systems including, but not limited to, nursing homes, hospitals, intermediate care facilities, hospice agencies, advocacy groups, and Texas Department of Aging and Disability Services case managers.

Medically Recommended Intensive Supervision (MRIS) Offenders

In 1991, the Texas Legislature authorized the early parole review of offenders who are mentally impaired, mentally retarded, elderly, terminally ill, long term care or physically handicapped. With approval from a parole panel, such offenders may be released to an MRIS program.

All MRIS applicants are carefully screened by the Texas Correctional Office for Offenders with Medial or Mental Impairments (TCOOMMI) and, prior to release, a parole panel must determine that the offender is no longer a threat to public safety and poses no risk of committing future offenses due to his or her medical and/or psychiatric condition. An offender, other than an offender who is serving a sentence of death or an offender who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, may be released on MRIS on a date designated by a parole panel, except that an offender with an instant offense that is an offense described in Section 3g, Article 42.12, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed.

Medically Recommended Intensive Supervision (MRIS) Offenders

- For all potential MRIS offender, TCOOMMI ensures that the parole plan provides intensive case management, appropriate supervision by specialized parole officers, and a suitable placement in the community. Services for this special population are provided via TCOOMMI contracts with the Department of Human Services and TCOOMMI/TDCJ local Mental Health/Mental Retardation centers Department of Aging and Disability Services (DADS).
- Individuals released on MRIS, are mentally ill, mentally retarded, elderly, terminally ill, long term care, or physically handicapped. The program was established in 1991 and allows for the early parole review of certain categories of offenders.
- Specialized officers receive training related to mental retardation, mental illness, terminal illness, physical impairments, substance abuse, and community resources. These officers utilize a community network of services, make appropriate referrals, and ensure that there is intensive follow-up for the treatment needs of their caseload.

TYPES OF RELEASE

- **Parole:** The release of an offender, by decision of a parole panel, to serve the remainder of his or her sentence under supervision in the community. Offenders may only be paroled if they receive approval from a parole panel and if they have served enough of their sentence to be eligible by law for parole. Parole is a privilege, not a right.
- **Mandatory Supervision Release:** Certain offenders may accrue enough combined “calendar time” and “good time” to qualify by law for mandatory supervision release prior to completion of their entire sentence. Mandatory offenders, like parolees, are subject to conditions of release as determined by a parole panel and are obligated to complete the remaining portion of their sentences under TDCJ Parole Division supervision in the community.
- **Direct Discharge:** Offenders who are not granted parole and who are not eligible for mandatory supervision release must remain in the prison system until they have served their entire court-ordered sentence and are discharged from state custody. No post-release supervision requirements can be imposed on such discharged offenders.

A parole release becomes effective when the offender signs his or her release certificate. The certificate orders the release and tells the offender in clear and understandable language where to report and to whom. The certificate lists the conditions of release and gives the date on which the offender will discharge his or her sentence and be free from supervision. The certificate also includes a waiver of extradition. The parole certificate must be signed by the offender.

Offenders released on mandatory supervision are given release certificates that provide parole office information and release conditions. Mandatory supervision offenders are not required to sign their release certificates, but they nevertheless must obey the rules and conditions of supervision and are subject to revocation if they violate the rules or conditions.

Specialized Caseloads and Programs

Specialized Caseloads and Programs - When an offender is released on supervision he/she may be placed on one of several specialized caseloads. The following are some of these caseloads and programs

- **Super-Intensive Supervision Program (SISP)** is the highest level of supervision. It is designed for the most dangerous and/or high profile offenders that are being released from the Institutional Division. The offender remains in the program for the duration of his/her supervision or until they are removed by the Board of Pardons and Paroles. These offenders are monitored 24 hours a day 7 days a week by some form of electronic monitoring.
- **Mental Impairments/ Mental Retardation/ Terminal Illness/ Physically Handicapped Programs** maximize the supervision and treatment of offenders diagnosed with mental impairments, mental retardation, terminal illness and physical impairments by providing specialized supervision at a lower offender officer ratio than a regular caseload. The goal is to maximize the potential of the offender by developing and coordinating a support system for them that can include education, vocational, financial, residential and counseling. For the terminally ill and physically handicapped offenders this support system may also include nursing homes, hospitals and hospice.
- **Sex Offender Caseload** – These offenders must have a current conviction or history of convictions involving a sexual offense, admission by the offender of having committed sexually deviant behavior, or have a special condition imposed by the Board to be on the caseload.
- **Substance Abuse Aftercare Treatment Program** – The program administers and coordinates interrelated programs for substance abuse treatment for offenders. The program makes use of the case management system and drug and alcohol testing. There are two substance abuse programs within the Parole Division. The first is the Therapeutic Community programs, which targets those offenders who have participated in the In-Prison Therapeutic Community or Substance Abuse Punishment (SAFP) programs. The program has three phases in order to ensure a seamless continuum of care. The second program is the Field Referral program which targets offenders who have not been through IPTC or SAFP but have a substance abuse problem. This program uses a combination of detoxification, inpatient care and outpatient services to accommodate the offender.
- **Electronic Monitoring (EM)** – Electronic Monitoring is designed to provide the offender with structure and accountability, 24 hours a day, 7 days a week. The program requires offenders to follow a daily home confinement schedule pre-approved by the supervising parole officer.
- **District Reentry Center Program**
The DRC is a program designed to respond to the needs of offenders through organized programming conducted within approved district parole offices. The focus of DRC programming is to address the reentry needs of the offender by providing a continuum of care in programming. Core elements of reentry programming include cognitive intervention, substance abuse education, anger management, victim impact panel classes, and pre-employment preparation classes for unemployed offenders. Not all offenders will be required to complete all programming available but will be referred based on determination of individual needs and special conditions.

Levels of Supervision

- The number of required visits with a parole officer depends on the level of supervision that has been imposed. Basic guidelines follow, but these do not apply to offenders on intensive, super intensive, or specialized caseloads.

- **Minimum level**
 - One contact with the offender each month
 - Verification of employment and/or counseling monthly
 - Collateral contacts (any significant contact with a person other than the offender) as appropriate
 - Residence verification within 30 days of change of address

- **Medium level**
 - One office contact each month
 - Offender contact at home or field every other month
 - Verification of employment and/or counseling monthly
 - Collateral contacts (any significant contact with a person other than the offender) as appropriate
 - Residence verification with 30 days of change in address

- **Maximum level**
 - One office contact each month
 - Offender contact at home or field each month
 - Verification of employment and/or counseling monthly
 - Collateral contacts (any significant contact with a person other than the offender) as appropriate
 - Residence verification within 30 days of change in address

Levels of Supervision Cont.

■ Quarterly Reporting

Offenders meeting the following criteria may be allowed to report in person for an office visit once each quarter as approved by the Unit Supervisor of their supervising parole officer. Offenders have to meet and maintain these criteria for Quarterly Report status. Offenders must:

Have been on supervision a minimum of five years;

Have Instant offense(s) or prior convictions(s) that do not include a 3(g) or sex offense;

Have a reassessment score of minimum supervision status;

Be current on fees, which continue to be due for payment each month unless paid in advance;

Be current and remain current on restitution;

Be in compliance with all special conditions; and

Have had no warrant issued during the current period of supervision. This does not apply to a warrant issued for which a subsequent investigation or administrative review did not sustain a violation.

■ Annual Reporting

Offenders meeting the criteria may be allowed to report in person for a office visit once per year.

Offenders with current or past felony conviction, including juvenile convictions, for committing or attempting any of the following offenses are ineligible for Annual Report Status.

Aggravated Assault, Aggravated Kidnapping, Aggravated Robbery, Aggravated Sexual Assault, Arson, any offense with Affirmative Finding of Deadly Weapon, Burglary (1st degree with injury) Capital Murder, Criminal Solicitation of a Capital Offense, Deadly Conduct, Drug Free Zone offenses, Indecency with a Child, Injury to Child, Elderly, or Disabled Individual, Intoxication Assault, Manslaughter , Kidnapping, Murder, Possession/Promotion of Child Pornography, Retaliation, Robbery, Sexual Assault, Sexual Performance by a Child, Solicitation of a Child, Stalking, Use of a Child in Commission of a offense.

Satisfactory completion of one year on Quarterly Report status;

Court cost, fines, and related fees are paid in full; and

Court mandated restitution and Post Secondary Education Reimbursement are paid in full;

Current on Supervision fees.

Levels of Supervision Cont.

■ **Early Release from Parole Supervision**

Offenders who meet this criteria may be allowed to serve the remainder of their sentence without being required to report to a Parole Officer:

Been on supervision for at least one half of the time that remained on their sentence when released from prison;

During the preceding two year period has not committed any violation of rules or conditions of release as indicated on their parole/mandatory release certificates;

Have been classified as a minimum supervision case for two years at the time of the review;

No warrants issued during the current period of supervision.

Court cost, fines, and related fees are paid in full;

Court mandated restitution and Post Secondary Education Reimbursement are paid in full;

Supervision fees are current;

Current offense(s), or prior convictions including juvenile convictions, did not include 3(g) or sex offenses.

TDCJ – Parole Division

- For more information regarding TDCJ-Parole Division offices and Parole in Texas publication, visit the website at:

www.tdcj.state.tx.us