

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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SUPERSEDES: 08/16/05

SUBJECT: IMPOSITION AND WITHDRAWAL OF SPECIAL CONDITIONS THROUGH OFFENDER INFORMATION MANAGEMENT SYSTEM (OIMS)

AUTHORITY: TEX. GOV'T CODE §508.221

PURPOSE: To establish policy and procedures for withdrawing and imposing special conditions during supervised release.

PROCEDURES:

I. IMPOSING, WITHDRAWING, AND UPDATING SPECIAL CONDITIONS

- A. Special conditions are imposed by the Texas Board of Pardons and Paroles (Board) prior to the release of an offender from Texas Department of Criminal Justice-Correctional Institutions Division. Statutorily mandated conditions are imposed when the Release Analyst authorizes the printing of the release certificate. Special conditions can be modified by the Board while the offender is on supervision. Requests for imposing, withdrawing, or updating a special condition is submitted to the Board by the supervising officer through the OIMS. The parole supervisor has ultimate management oversight responsibility prior to the submission of the request to the Board.
- B. Once the action has been approved by the Board, the supervising officer shall:
 - 1. Notify the offender of the approval within five (5) business days after imposition;
 - 2. Complete a Notice of Special Conditions;
 - 3. Obtain the offender's signature on the Notice of Special Conditions; and
 - 4. Update in OIMS the date the offender was notified.
- C. Requests for Intermediate Sanction Facility (ISF) and Substance Abuse Felony Punishment Facility (SAFPF) can only be imposed by the Board after a hearing or waiver.

II. DATE-SATISFIED SPECIAL CONDITIONS

A. Withdrawal of a special condition shall not be necessary if the condition has been satisfactorily completed. Successful completion of the special condition shall be verified and documented by the supervising officer in OIMS. The special conditions that may be satisfied in this manner through OIMS are:

1. D - Release to detainer only
2. E - Basic education/vocational training
3. ISF - Intermediate sanction facility
4. L - Maximum level of supervision
5. R - Restitution
6. SAFP - Substance Abuse felony punishment facility
7. O.02 - Demonstrate 6th grade educational skill level
8. O.04 - Post-Secondary Education Reimbursement
9. O.07 - Community service
10. O.19 - Anger control training/counseling
11. O.38 - Participate in cognitive skills classes
12. O.39 - Participate in parenting classes or similar program

B. The following special conditions shall not be withdrawn and are unable to be satisfied in OIMS:

1. S – Substance abuse treatment
2. P – Mental health / mental retardation
3. X – Sex offender program – without approval from the sex offender program specialist
4. O – Must follow prescribed chemical dependency program
5. M – Sex offender registration (if imposed based on offender’s statutory obligation to register)
6. N – Prohibition on internet access for certain sex offenders
7. V1 – Victim of stalking
8. V2 – Victim (“victim” has the meaning assigned by Article 56.01(3), Texas Code of Criminal Procedure; and such victim can petition the Board to allow contact with the offender)
9. O.01 – Reside in legal county of residence
10. O.03 – Alcohol / controlled substance testing
11. O.05 – Drug / alcohol continuum of care
12. O.09 – Not use drugs, narcotics or controlled substances
13. O.10 – Not use inhalants
14. O.22 – Gainful employment

15. O.24 – No program involvement with person <17 years (Not operate, cause to operate, participate in or attend any program that includes as participants or recipients persons who are 17 years of age or younger and that regularly provides athletic, civic or cultural activities; or go in, on or within 500 feet of a premise where children commonly gather, including a school, day care facility, play ground, public or private youth center, public swimming pool, or video arcade facility.)
 16. O.33 – Evaluate for sex offender counseling – unless special condition “X” has been imposed or the offender has completed the Notice and Opportunity to Respond process and the Board did not impose special condition “X”.
- C. Withdrawal of special condition SISP shall be completed outside of OIMS and in accordance with PD/POP-3.15.1 *Super-Intensive Supervision Program (SISP) – Administrative Guidelines*.
- D. All other special condition withdrawal requests must be submitted in OIMS.

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