

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-3.2.6

DATE: 08/19/09

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SUPERSEDES: N/A

SUBJECT: SPECIAL CONDITIONS REQUIRING PROGRAM REFERRAL

AUTHORITY: TEX. GOV'T CODE 508.0441, 508.221

POLICY: To establish procedures for special conditions requiring a program referral to include eligibility criteria, enrollment criteria, excused criteria, referral timeframes, criteria to satisfy special conditions, staffing requirements and the Offender Information Management System (OIMS) program referral process.

PROCEDURE:

I. The following specialized programs and/or special conditions require a program referral:

A. District Reentry Centers (DRC)

1. Anger Control Training/Counseling (O.19)
2. Participation in Battering Intervention and Prevention Program (BIPP) or Domestic Violence Counseling (O.20)
3. DRC Program (O.21)
4. Participation in Cognitive Skills Classes (O.38)
5. Participation in Parenting Classes or Similar Program (O.39)
6. Participation in the SVORI Aftercare Program (O.48)

B. Project Cope

1. Basic Educational/Vocational Training (E)
2. Demonstrate 6th Grade Educational Level (O.02)

C. Community Service (O.07)

D. Sex Offender Program

1. Evaluation for Sex Offender Counseling (O.33)
2. Sex Offender Program (X)

E. Substance Abuse Program (S)

1. Substance Abuse Counseling Program (SACP) - Level I and Level II, to include community-based 12 step or recovery support groups (S)
2. Drug/Alcohol Continuum of Care (O.05)
3. Substance Abuse Treatment Program (O.15)
4. Substance Abuse Counseling (O.16)
5. DWI Repeat Offender Program (O.45)
6. Substance Abuse Support Group - attend three (3) times per week for 180 days (O.44)
7. Attend Gamblers Anonymous Meetings (O.49)

F. Special Needs Offender Program (SNOP) (P)

G. Project RIO (O - Maintain full time/stable employment)

II. Program Referral Timeframes

A. All program referrals, including excused program referrals, shall be completed during the initial office visit or no later than five (5) business days of the offender's initial report day or special condition imposition.

1. In the event the program referral requires a disclosure form (to include substance abuse, medical, etc.) the Parole Officer shall complete in full the form(s) and obtain the offender's signature. The disclosure form shall be scanned into OIMS imaging under certificates, demographics, and the disclosure/consent forms folder.
2. The Parole Officer shall provide the offender with specific written program appointment instructions, including date, time, and location.

B. The Parole Officer shall update OIMS entries within three (3) business days of the referral.

III. Excused Program Criteria – In order for an offender to be excused there must be written documentation that the offender does not maintain the mental capacity to attend (i.e., nursing home, coma, etc.), cannot physically or medically attend, is receiving priority treatment/programming for stabilization, or services are not available.

IV. Special Conditions Programs Completion Criteria

A. District Reentry Centers (DRC)

1. Anger Control Training/Counseling (O.19) – These TDCJ-Parole Division approved curriculums (i.e. Anger Management, “Beyond Anger” and/or Substance Abuse & Mental Health Services Administration (SAMHSA) curriculum) for use in District Reentry Centers (DRC) and non-DRC sites or by community organizations, to include

counseling programs and mental health centers, are the approved programs for addressing special condition “O.19”. Placement in an anger management program for Special Condition “O.20” is not appropriate and will not satisfy Special Condition requirements.

This special condition may be satisfied as follows:

- a. TDCJ-Parole Division, Anger Management curriculum: Upon satisfactory completion of this 12 week curriculum held at the DRC, Special Condition “O.19” may be satisfied.
 - b. “Beyond Anger”: Upon satisfactory completion of this 12 week curriculum, utilizing group or individual sessions, Special Condition “O.19” may be satisfied.
 - c. “Anger Management for Substance Abuse and Mental Health Clients”: Upon satisfactory completion of this 12 week curriculum, utilizing group or individual counseling, Special Condition “O.19” may be satisfied.
2. Participate in BIPP or Domestic Violence Counseling (O.20) - Upon satisfactory completion of BIPP or Domestic Violence Counseling, and with favorable recommendation from approved BIPP provider, the Parole Officer shall submit a transmittal requesting withdrawal of Special Condition “O.20” to the board panel.
 3. DRC Program (O.21) - Upon satisfactory completion of all required DRC components to include “Turning Point for Parole” (cognitive intervention), victim impact panel programming, any other assigned Core program objectives, while maintaining a positive adjustment under supervision, to include the offender’s ability to maintain compliance with the conditions of release, and when the supervising officer and DRC Unit Supervisor concur that the offender has satisfactorily accomplished DRC program objectives, then the Parole Officer shall submit a transmittal requesting withdrawal of Special Condition “O.21” to the board panel.
 4. Participate in Cognitive Skills Classes (O.38) – Upon satisfactory completion of the TDCJ-Parole Division approved curriculum (i.e. “Turning Point for Parole”) as determined by the instructor, the Parole Officer shall satisfy Special Condition “O.38” in OIMS.
 5. Participate in Parenting Classes or Similar Program (O.39) – Upon receipt of written documentation from volunteer and/or community based provider stating offender successfully met program objectives, the Parole Officer shall satisfy Special Condition “O.39” in OIMS.
 6. Participate in the SVORI Aftercare Program (O.48) – Upon satisfactory completion of all required DRC components to include at a minimum “Turning Point for Parole” (cognitive intervention), victim impact panel programming and any other assigned Core programming, the Parole Officer shall submit a transmittal via OIMS to the Board panel requesting withdrawal of Special Condition “O.48”.

- B. Project Cope (E - O.02) – Upon receipt of written documentation from education provider confirming offender successfully met educational/vocational objectives, the Parole Officer shall satisfy Special Condition “O.02” in OIMS.
- C. Community Service (O.07) - Upon receipt of written documentation from community service provider stating offender successfully met required community service hours, the Parole Officer shall satisfy Special Condition “O.07” in OIMS.
- D. Sex Offender Program
 - 1. Evaluation for Sex Offender Counseling (O.33)
 - a. This condition shall not be satisfied or withdrawn if the offender has a sex offense conviction, adjudication or deferred adjudication and Special Condition “X” is not in effect. In the event Special Condition “X” is imposed, the parole officer shall satisfy Special Condition “O.33”.
 - b. This condition shall be satisfied or withdrawn for those offenders who **do not** have a sex offense conviction, adjudication or deferred adjudication and have completed the notice and opportunity to respond process and Special Condition “X” is imposed or denied.
 - 2. Sex Offender Program (X) – This Special Condition shall not be submitted for withdrawal unless the Program Specialist III, Specialized Programs, has reviewed and approved the request for withdrawal. Upon obtained approval from Specialized Programs, the Parole Officer shall submit a transmittal requesting withdrawal of “Sex Offender Program” to the board panel.
- E. Substance Abuse Program (S)
 - 1. The special condition “S” shall not be satisfied or withdrawn. Once imposed, this special condition should continue to govern the offender for the duration of the supervision period in accordance with *BPP-POL. 04-06.01- Special Condition “S” (Substance Abuse)*.
 - 2. After six (6) months, the Parole Officer may decrease attendance to one (1) support group per week if the offender has not tested positive on any drug or alcohol test during that time. After twelve (12) months and the offender has not tested positive for any drug or alcohol during that time frame, the Parole Officer may use officer discretion regarding further attendance of 12 step or recovery support groups.
 - 3. Level I, Relapse Prevention Education group, consists of a four-hour group facilitated by a Licensed Chemical Dependency Counselor (LCDC) employed by the Parole Division as a Parole Division Counselor (PDC). Upon verification of completion of Level I services, the officer shall close the referral in OIMS.

4. Offenders that violate Special Condition “S” by submitting a confirmed positive urinalysis specimen, admit using, or request treatment may be referred to SACP Level II services within five (5) business days.
 - a. The offender’s community-based 12 step or recovery support group attendance is increased to three (3) groups per week, while the offender is receiving Level II SACP services.
 - b. Level II services include four (4) individual sessions and two (2) hours per week of group counseling provided by a contracted vendor or the PDC. Level II Counseling shall not exceed 90 days, unless an extension approval is obtained. Upon verification of completion of Level II services, the officer shall close the referral in OIMS.
 - c. Continuous violations of condition “S” by refusing to attend treatment or testing positive on a drug test may result in interventions in accordance with PD/POP 4.1.1- *Process Violations of Rules and Conditions of Release*.
- F. Special Needs Offender Program (SNOP) (P) – Special Condition “P” shall not be satisfied or withdrawn. It remains in effect until discharge or death.
- G. Project Rio (O - Maintain full time/stable employment) - Special Condition “O” shall not be satisfied or withdrawn. It remains in effect until discharge or death.

V. Staffing Supervisory Requirements (Program Referrals)

- A. Excused criteria require written documentation (as applicable) and requires the Parole Officer to staff the case with the Unit Supervisor. Upon the Unit Supervisor’s review, the request shall be approved, disapproved or returned for correction. The following excused criteria identified in OIMS program referral screen includes:
 1. Offender does not maintain the mental capacity to attend.
 2. Offender cannot physically or medically attend.
 3. Offender receiving priority treatment/programming for stabilization.
 4. Services were not available.
- B. Excused enrollment shall be reviewed every six (6) months, with any extension(s) beyond the initial six (6) months period requiring subsequent excused referral requested and approval by the Unit Supervisor.
- C. All excused enrollments shall be documented in OIMS.

VI. OIMS Entries

- A. The Program Referral screen of OIMS identifies specific services or programs available to an offender.
- B. The Parole Officer shall ensure proper entries are made in OIMS within three (3) business days of the offender program referral. The officer shall use the *All Program Referrals* screen:
 - 1. To view the referral history for an offender, and
 - 2. To add new referrals, or edit existing referrals.
- C. Upon receipt of offender's attendance in a program, the program attendance screen in OIMS shall be updated within three (3) business days.
- D. Special Conditions and Program Referrals identified in this policy that can be satisfied shall be properly documented in OIMS, appropriately closing out the referral screen within three (3) business days of special condition being satisfied or withdrawn.

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