

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND OPERATING
PROCEDURE**

NUMBER: PD/POP-3.11.9

DATE: 7/25/97

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SUPERSEDES: 1/8/96; PD/AD-3.11.6

SUBJECT: CASE PROCESSING

AUTHORITY: N/A

POLICY: To establish procedures for processing offenders referred to the community service program.

PROCEDURE:

- I. Supervising parole offices shall recommend an offender for exclusion from the community service program for reasons that include the following:
 - A. The offender is physically or mentally incapable of participating;
 - B. Participation in community service will cause a hardship on the offender or the offender's dependents;
 - C. Other good cause is shown, such as:
 1. The offender has a history of assault or violence;
 2. The offender has severe emotional or mental problems; and/or
 3. The offender exhibits hostile, aggressive or belligerent behavior at the program orientation or at the placement site.
- II. Community service shall be imposed as a special condition of release by the Board of Pardons and Paroles (BPP).
- III. Community service shall not be used as a graduated sanction.

Exception: Community service may be recommended to BPP as a graduated sanction for chronically unemployed offenders.

- IV. When a special condition for community service has been imposed by BPP and the offender has not been screened by the PD, the supervising officer shall screen the offender using the established criteria. Parole officers shall also screen offenders they wish to refer to BPP for implementation of the special condition for community service in accordance with PD/AD-3.2.7
- V. Following screening, the parole officer shall contact the person designated by the Regional Director as responsible for community service placements in that office and an appropriate organization or agency shall be selected for the offender.
- VI. The supervising officer shall complete a memorandum to that officer's Unit Supervisor. In cases where BPP has already imposed a special condition for community service, but the offender has not been screened, the memorandum shall indicate whether the offender is recommended for the community service program or should be recommended for exclusion from the program based on the screening criteria. In those cases where the parole officer is making an initial recommendation to BPP for imposition of a special condition for community service, the same process shall be followed, but cases excluded by screening need not be forwarded to the Unit Supervisor.
- VII. State statute requires that the special condition for community service reflect:
 - A. The total number of hours of community service required, and
 - B. The name of the entity for which the releasee will be required to work. Transmittals from PD to BPP shall reflect the range of community service hours appropriate for each offender, based on state statute. The Panel then shall establish the total number of hours of community service appropriate for each offender and that information shall be included on the special condition of release.
- VIII. The special condition of release shall incorporate the following language: "Impose a special condition of release requiring (*insert number*) hours of community service to be performed at (*insert name of organization*)."
- IX. On approval of the special condition for community service by BPP, appropriate forms associated with the implementation of special conditions shall be completed in accordance with PD/AD-3.2.7.
- X. The supervising officer shall obtain reporting instructions for the offender to the participating organization or agency from the PD community service coordinator. The parole officer shall complete the orientation of the offender to the community service program and direct the offender to report to the contact person at the participating program for interview and assignment to a community service project.

- XI. A Community Service Referral Form, as well as Periodic Report Forms, shall be provided to the participating organization or agency. The Community Service Referral Form shall be completed by the supervising parole officer and provided to the contact person at the participating organization, after imposition of the special condition for community service and before the offender reports to the organization or agency.
- XII. In order to recommend an appropriate number of hours per week of community service for the offender, the supervising parole officer should try to balance the offender's needs, PD requirements, and the needs of the participating organization. The supervising parole officer shall be responsible for monitoring the offender's participation in community service. Routine monitoring will be accomplished through the Periodic Community Service Report provided by the participating organization or agency.
- XIII. As soon as the offender has completed the required number of hours of community service work, the special condition of release shall expire and a notation will be made in the chronological records of the parole officer's file. An offender's failure to comply with the community service condition shall be treated in the same way as failure to comply with other similar special conditions. Graduated sanctions, appropriate to each situation, shall be applied.

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