



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR. 145.305

Date: October 14, 2022

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Supersedes: September 1, 2021

BOARD DIRECTIVE

SUBJECT: FI-6 DWI PROGRAM

PURPOSE: To establish procedures for a further investigation vote to transfer offenders to the Driving While Intoxicated program.

AUTHORITY: Texas Government Code Sections 508.035(d), 508.0441, 508.045, 508.046, and 508.152
Texas Administrative Code Title 37, Part 5, Chapter 145, Sections 145.12(4)(F) and 145.16

DISCUSSION: To adequately address the scope of needs within the Texas Department of Criminal Justice (TDCJ) In-Prison Driving While Intoxicated (DWI) Recovery Program, the best practice approach utilizes a multimodal design, which will accommodate the diversity of needs presented in the population to maximize the potential for success for each offender (reference TDCJ Rehabilitation Division In-Prison Driving While Intoxicated (DWI) Recovery Program Operations Manual DWI 02.01 Overview of the In-Prison DWI Recovery Program).

The multimodal In-Prison DWI Recovery Program shall contain a variety of educational modules and treatment activities, to include group and individual therapy. A Comprehensive Treatment Plan shall be developed for each offender based on the results of an evaluation battery designed to assess offender needs and risk of recidivating. A schedule of appropriate interventions shall be included on the plan. Treatment staff shall encourage offenders to take an active role in their own recovery (reference TDCJ Rehabilitation Division In-Prison Driving While Intoxicated (DWI) Recovery Program Operations Manual DWI 02.01 Overview of the In-Prison DWI Recovery Program).

An Individual Progress Summary shall be completed for each offender enrolled in the In-Prison DWI Recovery Program upon completion of the program. The purpose of the Individual Progress Summary is to document evaluation results, comments concerning the offender's level of participation, and quality of completion in the In-Prison DWI Recovery Program (reference TDCJ Rehabilitation Division In-Prison Driving While Intoxicated (DWI) Recovery Program Operations Manual DWI 02.09 Individual Progress Summary).

DEFINITIONS: DWI – driving while intoxicated.

DWI program – a TDCJ in-prison driving while intoxicated recovery program.

PROCEDURE:

I. Eligibility Criteria

A. The Offender must have the following:

1. A DWI conviction with a sentence to the TDCJ;
2. A classification level of Outside Trusty, General Population Level 1 or 2 (G1, G2), or Not Yet Classified;
3. A minimum of 12 months prior to their projected release date or maximum discharge date; and
4. A TCUDS/ASI score of 3 or greater (see Attachment A).

B. The Offender may not:

1. Have a violent offense based on the electronic screening of data (expired offenses or offenses where a significant amount of time has passed may be considered on a case by case basis);
2. Have an active Immigration and Customs Enforcement (ICE) detainer or felony detainer;
3. Have a major disciplinary action resulting in loss of time or class in the past six months (not computer screened);
4. Be currently enrolled in vocational or college courses; or
5. Be under discretionary mandatory supervision review (HB 1433) prior to program completion.

II. Transmittals – When TDCJ becomes aware of one of the following circumstances, TDCJ will immediately forward a transmittal to the original panel to reconsider their FI vote pursuant to Section 145.16 of the Texas Administrative Code.

A. Ineligible to Participate – An offender may be ineligible to participate in the program recommended by the parole panel due to:

1. Classification resulting from disciplinary actions; or

2. A change in their projected release or discharge date which results in a projected release or discharge date less than twelve months after enrollment.
- B. Program Refusal – An offender may initially agree to participate in the program but later refuse, or may initially refuse to participate in the program.
- C. Program Termination – An offender may be eligible and placed in the program but due to unforeseen circumstances, is removed from the program. An offender may be removed due to:
1. A major disciplinary action;
 2. A release on a bench warrant; or
 3. An active felony detainer for a new offense from county or federal law enforcement.

SIGNED THIS, THE 14TH DAY OF OCTOBER, 2022.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*

DWI PROGRAM – FI-6

LOCATING THE TCUDS/ASI SCORE

The TCUDS/ASI score is located on the Texas Department of Criminal (TDCJ) mainframe computer database. To locate the score:

1. At the TDCJ ID Main Menu, enter “UCR” for the Unit Classifications Review Inquiry screen.
2. Enter the number “12” for Individualized Treatment Plan (ITP) and the offender’s TDCJ number.
3. At the Individualized Treatment Plan (TP) screen, locate the SCR field which is the screening type. It is the fifth line from the top on the far right side of the screen.
4. The SCO field is the score which is located next to the SCR type.