



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-DIR. 145.305**

**Date: February 6, 2020**

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**Supersedes: October 20, 2014**

## **BOARD DIRECTIVE**

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**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:** The following eligibility criteria shall be utilized by the parole panel for the selection of offenders to participate in the DWI program.

**DEFINITIONS:** DWI – driving while intoxicated.

DWI program – a Texas Department of Criminal Justice in-prison driving while intoxicated recovery program.

**PROCEDURE:**

I. Eligibility Criteria

A. The Offender must have the following:

1. An active DWI conviction with a sentence to the Texas Department of Criminal Justice (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 three (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 Texas Administrative Code Section 145.16.

- 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 6<sup>TH</sup> DAY OF FEBRUARY, 2020.**

**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.