



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 04-06.02

Date: June 16, 2004

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Supersedes: BPP-POL. 04-01.06

BOARD POLICY

SUBJECT: SPECIAL CONDITION “ISF” (INTERMEDIATE SANCTION FACILITY)

PURPOSE: To establish “ISF”—Intermediate Sanction Facility—as a special condition of parole or mandatory supervision and establish a procedure for imposing special condition “ISF” as a condition of parole or mandatory supervision, following a hearing or proceedings concerning alleged violations under Chapter 146 of the board Rules.

AUTHORITY: §§508.0441, 508.045, 508.221, 508.281, 508.2811, and 508.283, Government Code

POLICY: Members of the Texas Board of Pardons and Paroles and parole commissioners determine conditions of parole and mandatory supervision. Members and commissioners act in panels comprised of three persons, and panel decisions are made by majority vote. The board presiding officer (chair) designates the composition of the respective panels. Special conditions are imposed in addition to the standard conditions of parole or mandatory supervision. Unless otherwise provided, any condition may be imposed before or after release and shall remain in effect until specifically removed by a parole panel.

COMPONENTS: SPECIAL CONDITION “ISF” (INTERMEDIATE SANCTION FACILITY)

Special condition “ISF” is intended to afford a sanction for an offender who fails to comply with the terms and conditions of release to parole or mandatory supervision. The sanction shall be in the form of a period of confinement in a facility under the terms and conditions provided by this and the division’s policy and procedures following a hearing or proceedings concerning alleged violations under Chapter 146 of the board Rules.

The goal of the parole panel imposed special condition “ISF” is to provide a sanction that will serve to punish, rehabilitate or reform an offender for a violation of the conditions of release to parole or mandatory supervision. The ISF sanction shall result in a period of confinement under the terms and conditions outlined in this policy. An offender shall return to active supervision upon successful completion of special condition “ISF.”

At any time this condition is in effect, and to the extent directed in writing, a releasee shall comply with the terms and conditions of the ISF confinement. Failure to abide by the rules and regulations of an ISF during the period of confinement may result in a subsequent review by a parole panel and further action as warranted following a hearing or proceedings concerning alleged violations under Chapter 146 of the board Rules.

DEFINITIONS:

Intermediate Sanction Facility (ISF): a facility under contract with or operated by the Texas Department of Criminal Justice. An ISF is used to confine low risk offenders under active supervision with no pending charges who have violated the conditions of release to parole or mandatory supervision.

Special Condition “ISF”: a parole panel imposed special condition that will serve to punish, rehabilitate or reform an offender in response to a violation of a condition or release to parole or mandatory supervision following a hearing or proceedings concerning alleged violations under Chapter 146 of the board Rules.

ISF Term: a period of confinement in an ISF imposed by a parole panel, provided the term is no less than 60 days nor greater than 180 days. The ISF term shall begin on the date the special condition is imposed by the parole panel pursuant to the revocation hearing process. The ISF term shall begin on the date the special condition is imposed by the parole panel pursuant to the summons process and the offender is placed in custody at the completion of the summons. If an offender is not placed in custody at the completion of the summons, the ISF term shall begin at time of warrant execution.

ISF Until Discharged: confinement of an offender in an ISF until sentence expiration provided the maximum discharge date is no greater than 180 days from imposition. An offender may not be held in an ISF beyond the discharge date under the authority of this provision.

PROCEDURE:

- I. Imposition of Special Condition “ISF”
 - A. A parole panel, upon majority vote, may impose special condition “ISF” as a condition of parole or mandatory supervision, following a hearing or proceedings concerning alleged violations under Chapter 146 of the board Rules.
 - B. Offender shall have the right to a hearing under Chapter 146 of the board rules prior to the imposition of Special Condition “ISF,” unless offender waives the right to a revocation hearing under Board Rules 146.4 and 146.5.
 - C. Upon imposition of special condition “ISF,” an offender must comply with the rules and regulations of the ISF for the duration of the ISF term.
 - D. Special condition “ISF” shall remain in effect until successful completion of the ISF term.
 - E. Failure to abide by the rules and regulations of the ISF during an ISF term may result in a subsequent review by a parole panel and further action as warranted, following a hearing or proceedings concerning alleged violations under Chapter 146 of the board Rules.

- II. Withdrawal of Special Condition “ISF”
 - A. Once imposed, special condition “ISF” shall continue to govern the offender until successful completion of the ISF term, at which point the offender shall return to active supervision.
 - B. A parole panel, upon majority vote, may withdraw special condition “ISF” as a special condition of parole or mandatory supervision.
 - C. A request to withdraw special condition “ISF” shall be returned to the original voting panel with the only exceptions being that covered by other board policy.
 - D. Special condition “ISF” shall terminate in the event an offender reaches the maximum expiration date during the course of an ISF term

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 16TH DAY OF JUNE, 2004.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*