



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-POL. 145.260**

**Date: January 17, 2019**

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**Supersedes: July 16, 2015**

## **BOARD POLICY**

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**SUBJECT: SPECIAL CONDITION SISP (SUPER INTENSIVE SUPERVISION PROGRAM)**

**PURPOSE:** To establish Special Condition SISP (Super Intensive Supervision Program) as a special condition of parole or mandatory supervision and to establish a procedure for imposing super intensive supervision restrictions as a condition of parole or mandatory supervision.

**AUTHORITY:** Texas Government Code Sections 508.0441, 508.045, and 508.317  
Code of Criminal Procedure Articles 42A.301(b)(16) and 56.11(a-1)

**DISCUSSION:** “The legislature intends by this measure, and by related appropriations, to enhance existing parole programs and to provide appropriate supervision, including electronic monitoring, under existing and future law for dangerous offenders released from the Texas Department of Criminal Justice. It is the legislature’s intention that the scope of allowable supervision under this measure and related statutes be construed in the broadest possible manner consistent with constitutional restraints.” *H.B. 2918*

The Texas Board of Pardons and Paroles (Board) determines conditions of parole and mandatory supervision. Except in special circumstances, Board Members and Parole Commissioners act in panels comprised of three persons, and panel decisions are made by majority vote. The Presiding Officer designates the composition of the parole panels. Special conditions are conditions 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.

**POLICY:** Special Condition SISP represents a cooperative effort between the Board and the Texas Department of Criminal Justice (TDCJ) Parole Division (Division) to minimize the threat to the community from dangerous offenders released on parole or mandatory supervision.

At any time Special Condition SISP is in effect, the offender shall fully comply with state laws governing the Super Intensive Supervision Program as well as Board and Division policies.

**DEFINITIONS:** Bodily Injury - physical pain, illness, or any impairment of physical condition.

IMPOSE-SISP - vote by SISP panel to impose Special Condition SISP.

REFER-SISP - a parole panel recommendation for super intensive supervision.

REFER-SISP/PER CRITERIA - a recommendation from the Director of the Parole Division for super intensive supervision as per criteria only.

RWD-SISP/DIRECTOR - a recommendation from the Director of the Parole Division for withdrawal of Special Condition SISP.

Serious Bodily Injury - bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

SISP - Super Intensive Supervision Program.

SISP Panel - the parole panel which will determine imposition, withdrawal, or violations of Special Condition SISP.

Victim - a person who is the victim of the offense of sexual assault, kidnapping, aggravated robbery, trafficking of persons, or injury to a child, elderly individual, or disabled individual or who has suffered personal injury or death as a result of the criminal conduct of another.

WITHDRAW-SISP - vote by SISP panel to withdraw Special Condition SISP.

**COMPONENTS:** *Mandatory*

Special Condition SISP – At any time this condition is in effect, unless modified or withdrawn by the SISP panel, an offender shall:

- A. submit to electronic monitoring;
- B. comply with a daily activity schedule;
- C. not travel within or beyond county of residence without approval of supervising Parole Officer;
- D. not unlawfully use drugs, narcotics or controlled substances;
- E. not use intoxicating inhalants;
- F. not consume alcoholic beverages;
- G. submit to urinalysis testing; and
- H. obey all driving restrictions.

***Discretionary***

In addition, at any time Special Condition SISP is imposed, and to the extent directed in writing by the offender's supervising Parole Officer, an offender shall:

- A. reside in a community residential facility (halfway house) designated by the Division and comply with all facility rules and regulations in effect during their period of residence at the facility;
- B. attend adult basic education program;
- C. attend District Reentry Center (DRC) programming;
- D. actively seek employment;
- E. not enter an establishment where the primary function is the sale and dispensing of alcoholic beverages for on-premises consumption;
- F. submit to alcohol use testing;
- G. attend substance abuse counseling sessions;
- H. participate in substance abuse (alcohol/narcotics) treatment program;
- I. attend and participate in the Special Needs Offender Program;
- J. take prescribed medication as directed;
- K. participate in anger management or counseling program;
- L. participate in family counseling program;
- M. not contact, or cause to be contacted, in person, by telephone, correspondence, video or audio device, third person, media, or by any electronic means, the victim, or guardian of the victim of instant offense;
- N. pay restitution as instructed; or
- O. inform any prospective employer of supervision status.

**PROCEDURE:**

- I. Criteria for Referral
  - A. Except as provided in Section II.C. of this policy, an offender recommended for super intensive supervision shall have a release to parole date or a release to mandatory supervision date later than the date of the recommendation; and
  - B. That offender must be known to have committed an act which resulted in a victim; or

- C. That offender must be known to have committed an act which caused bodily injury or serious bodily injury or placed an individual in danger of bodily injury or serious bodily injury; or
- D. That offender has threatened to commit an act that can result in a victim, bodily injury, or serious bodily injury; or
- E. That offender has had problematic institutional adjustment, such that their accrued good conduct time is not an accurate reflection of their potential for rehabilitation and their release would endanger the public.
- F. An offender may be referred for possible SISP placement if TDCJ determines that he or she is a member of an organized prison gang and meets any of the following criteria:
  - 1. the offender has received a disciplinary hearing related to gang activity including, but not limited to, drug trafficking, assault on another offender, or possession of contraband;
  - 2. the offender is a ranking or “influential” member of the identified gang; or
  - 3. the offender has been involved in gang recruitment or activity as evidenced by correspondence.

## II. Referral Process

- A. A parole panel, upon a majority vote, may recommend an offender for super intensive supervision provided that the recommendation is reflected as a REFER-SISP vote on the minute sheets of the offender’s file.
- B. The Director of the Division, or a designee of the Director, may recommend an offender for super intensive supervision provided that the offender meets the criteria.
- C. An offender whose release to parole date or release to mandatory supervision date precedes the date recommended for super intensive supervision can be recommended for super intensive supervision only on the recommendation of the Board’s Presiding Officer and the Director of the Division.
- D. All files of offenders in release processing mode whose pre-release minute sheets reflect a REFER-SISP vote or REFER-SISP/PER CRITERIA recommendation and the files of offenders recommended for SISP pursuant to II.C. of this section shall be referred to the SISP panel.
- E. The SISP panel shall consider all recommendations for Special Condition SISP referred in accordance with this policy.

Upon considering a case for Special Condition SISP, the SISP panel, upon majority vote, may:

1. impose Special Condition SISP as a condition of parole or mandatory supervision; or
  2. continue action in effect.
- F. Unless otherwise directed, any conditions of parole or mandatory supervision imposed, withdrawn, or modified becomes effective on the date of the parole panel decision.
- G. At any time that Special Condition SISP is in effect, an offender's supervising Parole Officer may require the offender to comply with any or all special condition SISP components to the extent directed in writing by the offender's supervising Parole Officer, provided that an acknowledgment form is properly executed each time compliance requisites are imposed, withdrawn, or modified.

**III. Withdrawal of Special Condition SISP**

- A. The Director of the Division, or a designee of the Director, may recommend the withdrawal of Special Condition SISP, provided that the recommendation is reflected as RWD-SISP/DIRECTOR on the minute sheets of the offender's file.
- B. The SISP panel shall consider all recommendations for withdrawal of Special Condition SISP.

Upon considering a case for withdrawal of Special Condition SISP, upon majority vote, the SISP panel, may:

1. withdraw Special Condition SISP as a condition of parole or mandatory supervision;
  2. continue action in effect; or
  3. impose any other special condition the panel deems appropriate.
- C. When the parole panel withdraws Special Condition SISP, which includes electronic monitoring, the Division shall notify the victim in accordance with Texas Code of Criminal Procedure Article 56.11(a-1), which references 56.11(c).

**IV. Revocation for Violations of Special Condition SISP**

- A. All hearing matters involving violations of Special Condition SISP shall be presented to the SISP panel.
- B. The SISP panel shall determine all hearing matters involving violations of Special Condition SISP.
- C. Revocation of parole or release to mandatory supervision for any violation shall constitute withdrawal of Special Condition SISP.

**ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 17<sup>TH</sup> DAY OF JANUARY, 2019.**

**DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)**

*\*Signature on file.*

[\*Pages 7-11 of this policy contain a copy of the SISP Imposition/Withdrawal and Acknowledgment form and instructions. To obtain this information, please contact the Board.]

**SPECIAL CONDITION "SISP"  
IMPOSITION/WITHDRAWAL AND ACKNOWLEDGEMENT FORM**

**Section A:** Name: \_\_\_\_\_  
TDCJ \_\_\_\_\_

**Section B:** (Initial Applicable Action)

\_\_\_\_\_ The requirements initialed below are **IMPOSED** as components of special condition "SISP" as authorized by the SISP Parole Panel.

\_\_\_\_\_ The requirements initialed below are **WITHDRAWN** as components of special condition "SISP" as authorized by the SISP Parole Panel.

**Section C:**

SISP Program – At any time this condition is in effect, unless modified or withdrawn by the SISP panel, an offender shall:

- I shall be placed and remain on radio frequency electronic monitoring, voice monitoring, or any other monitoring system utilized by the Parole Division for the duration of my term of super intensive supervision. I shall comply with all terms and conditions of such monitoring program.
- I shall comply with my daily activity schedule, as directed and documented by my parole officer, twenty-four (24) hours a day, seven (7) days a week.
- I shall not unlawfully use drugs, narcotics or controlled substances.
- I shall not use intoxicating inhalants.
- I shall not consume alcoholic beverages.
- I shall submit to urinalysis testing.
- I will obey the following driving restrictions:

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**Section D: (Initial applicable components)**

- |     | <b>Offender's<br/>Initials</b> | <b>Officer's<br/>Initials</b> |  |
|-----|--------------------------------|-------------------------------|--|
| 1.  | _____                          | _____                         | I shall reside at and abide by all the rules of the community residential facility that I have been assigned.  |
| 2.  | _____                          | _____                         | I shall not leave the community residential facility except as approved by my parole officer.  |
| 3.  | _____                          | _____                         | I shall pay 25% of my gross income to the community residential facility during my stay in the facility and comply with the terms and conditions of my financial obligations as specified in my contractual agreement with the community residential facility. |
| 4.  | _____                          | _____                         | I shall obtain the approval of my parole officer for all travel within the county of residence, and beyond the county of residence for any reason shall be requested in advance and must be approved in writing by my parole officer and his/her supervisor.   |
| 5.  | _____                          | _____                         | I shall attend and participate in an adult basic education program.  |
| 6.  | _____                          | _____                         | I shall attend and participate in District Reentry Center (DRC) programming as directed by my parole officer.  |
| 7.  | _____                          | _____                         | I shall actively seek employment and furnish proof of such job search to my parole officer on a weekly basis.  |
| 8.  | _____                          | _____                         | I shall not enter an establishment where the primary function is the sale and dispensing of alcoholic beverages for on-premises consumption.   |
| 9.  | _____                          | _____                         | I shall submit to alcohol use testing.   |
| 10. | _____                          | _____                         | I shall attend the following substance abuse counseling sessions.  |

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11. \_\_\_\_\_ I shall participate in the following substance abuse (alcohol/narcotics) treatment program:

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12. \_\_\_\_\_ I shall attend and participate in the special needs offender program as directed by my parole officer.

13. \_\_\_\_\_ I shall take prescribed medication as directed by my attending physician.

14. \_\_\_\_\_ I shall attend and participate in the following anger management or similar counseling programs:

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15. \_\_\_\_\_ I shall attend and participate in the following family counseling:

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16. \_\_\_\_\_ I shall not contact, or cause to be contacted, in person, by telephone, correspondence, video or audio device, third person, media or by any electronic means, the victim or guardian of the victim of my instant offense.

17. \_\_\_\_\_ I shall pay restitution in accordance with my parole supervision plan.

18. \_\_\_\_\_ I shall inform any prospective employer of my parole or mandatory supervision status and the nature of the offense(s) for which I am under supervision.

**Section E.**

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section F.**

I, \_\_\_\_\_(releasee), understand and agree to abide by the above components of Special Condition "SISP" as imposed or modified by my parole officer and as authorized by a parole panel. I further understand that even if I refuse to sign this form, these components are still in effect.

Signed:

\_\_\_\_\_  
(Releasee)

Date: \_\_\_\_\_

**Section G.**

Submitted by:

Approved by:

\_\_\_\_\_  
(Parole Officer)

\_\_\_\_\_  
(Parole Supervisor)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Dist: Central File  
District Releasee File  
Releasee

This form may be filled out by hand

PSV-S  
Revised: July 16, 2015

**IMPOSITION/WITHDRAWAL AND ACKNOWLEDGMENT FORM (PSV-SISP)**

**COMPLETION INSTRUCTIONS:**

1. This form is used to impose and withdraw components of Special Condition “SISP” (Super Intensive Supervision Program), and serves as an acknowledgement to the releasee of said components.
2. Section A. Enter the releasee’s name and TDCJ or SID number.
3. Section B. The user indicates whether he is imposing or withdrawing components of special condition “SISP” by initialing the block appearing before the appropriate paragraph.
4. Section C. Offender shall abide by the mandatory components which are applicable to all offenders with Special Condition SISP.
5. Section D. The user indicates which special condition components he is imposing or withdrawing by initialing the appropriate condition under the “Parole Officer” column and acquiring the releasee’s initials in the “Releasee” column.
6. Section E. Comments: The Comments section is used to justify imposition and withdrawal of program components. The officer should be brief.
7. Section F. The releasee’s name shall immediately follow “I”. The releasee signs the acknowledgement section, which has been designated for that purpose. The releasee’s signature denotes that he is aware of, and fully understands the special condition components that have been imposed and/or modified.
8. Section G. Submitted and approved by: The supervising officer submits the form and signs in the “submitted by” space. The officer’s parole supervisor shall, upon concurring with the action taken, sign in the “approved by” space.
9. Distribution: This form is kept in the releasee’s district file and a copy is sent to Regular Supervision/Central for inclusion in the releasee’s file.