



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 145.267

Date: January 17, 2019

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Supersedes: January 19, 2017

BOARD POLICY

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

PURPOSE: To establish Special Condition “ISF” (Intermediate Sanction Facility) as a special condition of parole or mandatory supervision and to establish a procedure for imposing confinement to an Intermediate Sanction Facility as a condition of parole or mandatory supervision.

AUTHORITY: Texas Government Code Sections 508.0441, 508.045, 508.221, 508.281, 508.2811, and 508.283
Texas Administrative Code Title 37, Part 5, Chapter 146

DISCUSSION: 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 “ISF” represents a cooperative effort between the Board, the Texas Department of Criminal Justice Parole Division (Division), the Texas Department of Criminal Justice Corrections Institutional Division, and private vendors to assist the offender with successful reintegration into society.

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 policy and the Division’s policies and procedures following a hearing or proceeding concerning alleged violations under Chapter 146 of the Board Rules.

The goal of the parole panel when imposing 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, an offender 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 the alleged violations.

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 or significant medical or intellectual disabilities who have violated the conditions of release to parole or mandatory supervision.

Special Condition “ISF” – a special condition imposed by a parole panel that will serve to punish, rehabilitate, or reform an offender in response to a violation of a condition of release to parole or mandatory supervision following a hearing or proceeding 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 and no greater than 180 days. The ISF term shall begin on the date the special condition is imposed by the parole panel following a hearing or proceeding when an offender is in custody on a warrant issued by the Division. The ISF term shall begin on the date an offender reports to the ISF after a hearing is held pursuant to a summons issued by the Division. If an offender fails to report to the ISF as instructed and a warrant is issued, the ISF term shall begin on the date the warrant is executed.

ISF Until Discharge – 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 proceeding concerning alleged violations under Chapter 146 of the Board Rules.
 - B. An offender shall have the right to a hearing under Chapter 146 of the Board Rules prior to the imposition of Special Condition “ISF,” unless the 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 proceeding 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 an offender until successful completion of the ISF term, at which point the offender shall return to active supervision.
 - B. Upon request of the Division, 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 those covered by other Board policies.
 - D. Special Condition “ISF” shall terminate in the event an offender reaches their maximum expiration date during the course of their ISF term.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 17TH DAY OF JANUARY, 2019.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*