

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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DATE: 09/01/09

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SUPERSEDES: N/A

SUBJECT: PROGRAMS AND SERVICES FOR WRONGFULLY IMPRISONED PERSONS WHO ARE DISCHARGED

AUTHORITY: TEX. GOV'T CODE § 501.091; TEX. GOV'T CODE CHAPTER 508, SUBCHAPTERS F & G

PURPOSE: To establish procedures for ensuring the same programs and services that are available to individuals released on parole or mandatory supervision are available to individuals who have been wrongfully imprisoned and have been discharged.

DEFINITION: A “wrongfully imprisoned person” is any person who has served in whole or in part a sentence in a facility operated by or under contract with the Texas Department of Criminal Justice (TDCJ); has received a pardon for innocence for the crime for which the person was sentenced; or otherwise been granted relief on the basis of actual innocence of the crime for which the person was sentenced.

PROCEDURE:

- I. The TDCJ, Parole Division shall ensure that the same programs and services available or required for parole or mandatory supervision offenders, including programs and services offered or required under Texas Government Code 508, Subchapter F or G, are available to a wrongfully imprisoned person when the person is discharged from the department.
 - A. The Texas Comptroller’s Office shall certify an individual as a Wrongfully Imprisoned Person and will notify the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) upon certification. The Director of Specialized Programs, upon receiving notification of an identified wrongfully imprisoned person from TCOOMMI, shall notify the Regional Director or designee in the region where the wrongfully imprisoned person is currently residing, or will be residing upon release.
 - B. Upon receipt of the notification from the Director of Specialized Programs that a wrongfully imprisoned person is residing within the specific region, the Regional Director or designee shall:
 1. Make a reasonable effort to contact the wrongfully imprisoned person and ensure that he/she is provided information about any program and/or service available to him/her within 30 days of notification. Reasonable efforts shall include:

- a. a certified letter to the identified individual providing contact information;
and
 - b. contact telephonically or in person for the purpose of informing the identified individual of available services and making appropriate referrals.
2. Contact Specialized Programs, Special Needs Offender Program (SNOP) Program Specialist III, for any assistance in referrals as this person shall be the division's Wrongfully Imprisoned Person's Program point of contact.
- C. The Regional Director or designee shall immediately provide referral and attendance information that pertains to a wrongfully imprisoned person to the Specialized Programs, SNOP Program Specialist III. The Specialized Programs section shall maintain a database of all wrongfully imprisoned persons located throughout the state to reflect referrals made, attendance, or services declined by a wrongfully imprisoned person.
- D. Services shall be provided to the wrongfully imprisoned person whenever they are requested and for as long as they are requested by the individual.

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