

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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SUPERSEDES: 03/29/2006

SUBJECT: PUBLIC CONCERN AND OFFENDER RELEASE/SUPERVISION

AUTHORITY: N/A

PURPOSE: To describe procedures for identifying and processing offenders under the jurisdiction of the Texas Department of Criminal (TDCJ) that requires the Parole Division to be highly responsive to public concern about the offender's release and supervision. Offenders are classified into three (3) separate Special Bulletin classifications: Sexually Deviant Offender, High Profile Offender or Special Interest Offender.

PROCEDURE:

I. Special Bulletin – Sexually Deviant Offender

- A.** Offenders who meet the first three (3) of the following criteria shall be referred to the attention of Review and Release Processing (RRP) section director (SD) and classified as a Special Bulletin – Sexually Deviant Offender:
1. The Risk Assessment Review Committee has referred the offender for a psychological assessment due to the offender having a minimum of two (2) sexual offense convictions.
 2. The offender has been diagnosed with a moderate high or high sexual recidivist possibility on the psychological assessment and is scored a high level of risk on the static 99.
 3. The offender was previously classified as a Special Bulletin – Sexually Deviant Offender and/or was previously civilly committed.
- B.** If the offender is identified and approved by the RRP SD as a Special Bulletin – Sexually Deviant Offender the offender shall be processed as outlined in Section IV.

II. Special Bulletin – High Profile Offender

- A.** Offenders who meet two or more of the following criteria shall be referred to the attention of

the RRP SD on the High Profile Offender Form (attachment A) and classified as a High Profile Prospect:

1. Pre or post-incarceration media attention;
 2. Media attention during incarceration;
 3. High number of concerned citizen and/or victim requests for notification;
 4. Conviction for multiple murders, sex offenses involving children, murder of children, or ex-death row cases;
 5. High number of protests from trial officials or victims; and/or;
 6. Mental instability resulting in aggressive behavior or aggressive correspondence.
- B. Any Parole Division or other agency employee who becomes aware that an offender meets two or more of the noted criteria in Section II.A shall notify the RRP section director (SD) by submitting the High Profile Offender Form through the appropriate channels. The employee may be a member of any division, section or branch of the Texas Department of Criminal Justice (Parole Division, Correctional Institutions Division, Board of Pardons and Paroles, etc.). The High Profile Offender Form shall be completed and shall indicate the reason for the referral.
- C. RRP staff shall identify a case as High Profile Prospect while processing for release to parole or mandatory supervision.
- D. The High Profile Offender Form shall be routed through and reviewed by the RRP program supervisor I (PS I), program supervisor II (PS II), and the assistant section director to ensure the offender meets the High Profile criteria and shall make a recommendation to the RRP SD. The High Profile Offender Form, along with the legacy file or the information presented from the Offender Information Management System (OIMS) file, shall be forwarded to the section director for final approval.
- E. If the offender is identified and approved by the RRP SD as a Special Bulletin – High Profile Offender, the offender shall be processed as outlined in Section IV of this policy.

III. Special Bulletin – Special Interest Offender

- A. Offenders who meet one (1) or more of the following criteria shall be referred to the attention of the RRP SD by interoffice memorandum (IOC) and classified as a Special Interest Prospect:
1. The offender threatened, verbally or in writing, to cause bodily harm or death to an agency employee. The employee may be a member of any division, section or branch of the Texas Department of Criminal Justice (Parole Division, Correctional Institutions Division, Board of Pardons and Paroles, etc.).
 2. The offender threatened, verbally or in writing, to cause bodily harm or death to a court

official or law enforcement officer. A court official is defined as a district judge, county judge, municipal judge, justice of the peace, prosecuting attorney, sheriff, or chief of police.

3. Based on the offender's criminal history, institutional adjustment or warrants notification to Parole Division personnel for supervision purposes.
- B. Any Parole Division or other agency employee who becomes aware that an offender meets one (1) or more of these criteria shall notify the RRP SD by IOC through the appropriate channels. The employee may be a member of any division, section or branch of the Texas Department of Criminal Justice (Parole Division, Correctional Institutions Division, Board of Pardons and Paroles, etc.). The IOC shall be titled "Special Interest Offender" and shall indicate the offender's name, TDCJ number and SID# as well as support documentation outlining the reason for the offender's referral.
 - C. RRP staff shall identify a case as Special Interest Offender while processing for release to parole or mandatory supervision.
 - D. The IOC will be processed by the RRP PSII who will ensure the offender meets the Special Interest criteria and shall make a recommendation to the RRP SD. The Special Interest Offender IOC, along with the legacy file or information presented from the OIMS file, will be forwarded to the SD for final approval.
 - E. If the offender is identified and approved by the RRP SD as a Special Bulletin – Special Interest Offender the offender shall be processed as outlined in Section IV.

IV. Processing of Special Bulletins

- A. The designated PS I shall verify information presented is placed in the offender's Board of Pardons and Paroles (Board) central file and ensure that the Legacy file is appropriately labeled with a "Special Bulletin" sticker, which shall be placed on the outside/front of the offender's file by RRP staff.
- B. The offender's demographic information and justification for the Special Bulletin shall be entered and tracked in the Special Bulletin database by the designated RRP PS I. If an offender has been civilly committed and the case has not been voted, the order of civil commitment shall be imaged into OIMS and placed in the offender's Board central file. If the Board central file is located at the Institutional Parole Office, the civil commitment order shall be imaged into OIMS and faxed to the appropriate institutional parole officer (IPO) for inclusion in the Board central file.
- C. Offender files that have been identified as Special Bulletins shall be processed in accordance with *PD/POP-2.1.13 Case File Material Processing for Release*.
- D. All three (3) classifications of Special Bulletins and psychological assessments, if applicable, for offenders who are being released on supervision shall be imaged into OIMS. The Special Bulletin or psychological assessment, if applicable, for offenders that are releasing as a flat

discharge, will not be imaged into OIMS.

- E. By the 5th business day of each month the RRP assistant section director shall distribute the Special Bulletin Release Roster to the Parole Division director, Parole Division deputy directors, region directors, section directors, and Huntsville Placement and Release Unit (HPRU) program supervisor III. The Special Bulletin Roster shall contain all categories of Special Bulletin Offenders scheduled for release in the succeeding two (2) months. The roster shall contain the offender's name, TDCJ #, state identification (SID) #, date of release, legal county of residence (LCOR) and release plan.
- F. The deputy director of Field Operations will determine if the offender will be monitored by passive or active global positioning system (GPS) in accordance with PD/POP-3.15.1 *Super-Intensive Supervision Program (SISP) Administrative Guidelines*.
 - 1. If the offender is civilly committed Active GPS will automatically be imposed.
 - 2. If the offender's Static 99 has a risk score of six (6) or higher and SISP or special condition O.58-GPS has been imposed, the offender will automatically be supervised on Active GPS.
 - 3. If the offender's Static 99 has a risk score of six (6) or higher and SISP or special condition O.58-GPS has not been imposed, the designated RRP PS I shall request the Special Condition "SISP" be imposed via transmittal to the Board.
 - 4. If the offender is not designated as Active GPS, as described above, the case shall be forwarded to the deputy director of Field Operations for GPS determination.

The RRP shall coordinate all phases in the offender's release process, to include transportation arrangements. HPRU shall coordinate the transportation with the appropriate entities, i.e. district parole offices or residential reentry centers.

- G. The Special Bulletin is prepared utilizing the appropriate Special Bulletin Form (attachments B, C, or D). Upon completion of the Special Bulletin by the designated RRP PS I the Special Bulletin shall be routed for approval through the chain of command. The chain of command is as follows: RRP PS II, RRP assistance section director, RRP SD, and the final signature by the deputy director of Support Operations.
- H. Five (5) business days prior to the offender's release the approved Sexually Deviant Offender and High Profile Offender Special Bulletin Release Notice shall be distributed, via Lotus Notes, to the established mailing list including but not limited to: TDCJ-Executive Administration, Parole Division Executive Administration, appropriate Parole Division section directors and region directors. The Special Interest Offender Special Bulletin Release Notice shall only be distributed to Parole Division staff listed above.
- I. The approved Sexually Deviant Offender and High Profile Offender Special Bulletin Release Notice shall be distributed to law enforcement in the county of conviction and the county of release. This shall be completed by support staff via fax or email five (5) business days prior to the offender's release. The Special Interest Offender Special Bulletin Release Notice shall not be distributed to law enforcement.

V. Post Release

- A. The Warrant Section shall flag all Special Bulletin offenders upon release to supervision of the Parole Division in order to identify the case upon warrant issuance.
- B. If a pre-revocation warrant is issued on a Special Bulletin offender the Warrant Section shall notify the RRP SD, via email, so the warrant information can be entered into the Special Bulletin database for tracking purposes.

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