

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-2.2.6

DATE: 7/31/19

PAGE: 1 of 3

SUPERSEDES: 11/25/14

SUBJECT: SUPER-INTENSIVE SUPERVISION PROGRAM REFERRAL PROCESS

AUTHORITY: TEXAS GOVERNMENT CODE §499.027; §508.227; §508.317

PURPOSE: To establish guidelines for referring cases to the Texas Board of Pardons and Paroles (BPP) for review for imposition of a special condition for the Super-Intensive Supervision Program (SISP).

PROCEDURES:

- I. Review and Release Processing (RRP) staff shall review legacy cases eligible for release to mandatory supervision or parole to identify those that meet SISP referral criteria.
- II. Cases processed through the Offender Information Management System (OIMS) are reviewed during the parole review process by the Institutional Parole Officer (IPO). In the event the IPO did not review and mark the case for SISP referral, and the offender meets referable criteria, the RRP Program Supervisor I (PS I) shall submit an e-transmittal to the BPP requesting an SISP condition.
- III. An SISP referral shall be made for any offender currently serving a sentence in the Texas Department of Criminal Justice–Correctional Institutions Division (TDCJ-CID) for a present adult conviction or for any offender who is a Texas Juvenile Justice Department (TJJD) transfer to Parole Division supervision for any felony offense listed on the following page.

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| 1. Aggravated assault | 14. Indecency with a child |
| 2. Aggravated kidnapping | 15. Injury to child, elderly, or disabled individual |
| 3. Aggravated promotion of prostitution | 16. Kidnapping |
| 4. Aggravated online promotion of prostitution | 17. Manslaughter |
| 5. Aggravated robbery | 18. Murder |
| 6. Aggravated sexual assault | 19. Prohibited sexual conduct |
| 7. Arson | 20. Robbery |
| 8. Burglary (1 st degree) | 21. Sale or purchase of a child |
| 9. Capital Murder | 22. Sexual Assault |
| 10. Compelling prostitution | 23. Sexual performance by a child |
| 11. Continuous sexual abuse of child(ren) | 24. Trafficking of persons |
| 12. Continuous trafficking of persons | 25. Sale, distribution, or display of harmful material to minor |
| 13. Deadly weapon in a penal institution | |

Note: Any criminal attempt, criminal conspiracy, or criminal solicitation of these offenses also qualifies for SISF referral, as well as any current comparable out-of-state felony charges for which the offender is still serving a sentence.

IV. An SISF referral shall also be made for any offender who:

1. Has been identified as a member of a criminal street gang in the Texas Gang database that is maintained by the Texas Department of Public Safety; and
2. Has three or more felony convictions (at least one must have an offense date on or after 09/01/09).

V. An SISF referral shall also be completed for any offender that meets one of the following criteria:

1. The judgment for the current offense contains an affirmative finding of a deadly weapon as defined in Section 3g(a)(2), Article 42.12, Code of Criminal Procedure;
2. The current offense is a first degree felony under the Health and Safety Code, Section 481.134 (Drug-Free Zones) or Section 481.140 (Use of Child in Commission of Offense) with a sentence of more than five (5) years or a fine in excess of \$10,000;
3. The offender meets criteria to be a High Profile Special Bulletin in accordance with PD/POP 1.1.8, *Public Concern and Offender Release/Supervision*; or

4. The offender is referred at the discretion of the Parole Division Director or the Chair of the BPP.

- VI. An SISP Referral Checklist shall be completed on all cases reviewed by RRP staff. When a case is identified as meeting the requirements for an SISP referral, RRP staff shall prepare an SISP transmittal and forward it to the designated SISP Board Panel for review/decision. If criteria for the SISP referral are not met, staff shall mark the checklist accordingly.

- VII. Should the original BPP Panel designate a case for the SISP review during the parole review process that does not meet the approved criteria, the case shall be forwarded to the SISP Board Panel for consideration/review.

- VIII. After the SISP Board Panel completes the review, the cases are routed to the appropriate RRP staff to initiate the release plan and/or proceed with certificate issuance.

- IX. All release plans shall be requested by RRP staff in accordance with PD/POP 2.1.13, *Case File Material Processing For Release*. The release plan investigation request shall include notice to the investigating officer that the BPP has imposed SISP. If the SISP condition is added after the release plan investigation has been completed, RRP staff shall notify the assigned district parole office that the release plan needs to be reinvestigated, and the Electronic Monitoring Program Householder Memorandum of Agreement (PSV-162) must be signed and noted on the Parole Plan Update (PPU) screen.

- X. Upon receipt of an approved release plan or residential reentry center placement, the certificate, with all appropriate special conditions to include SISP, shall be issued and processed in accordance with PD/POP 2.4.1, *Release From the Texas Department of Criminal Justice–Correctional Institutions Division*.

- XI. The HPRU staff shall coordinate the assignment and installation of an electronic monitoring device as outlined in PD/POP 3.15.1, *Super-Intensive Supervision Program (SISP)–Administrative Guidelines*.

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