

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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SUBJECT: RELEASE FROM THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE -
CORRECTIONAL INSTITUTIONS DIVISION

AUTHORITY: TEX. GOV'T CODE ANN. §§ 493.029, 501.015, 508.146

PURPOSE: To establish guidelines for the Huntsville Placement and Release Unit (HPRU) for printing, tracking, processing release certificates and for releasing offenders from Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID) custody.

DEFINITIONS:

Regional Release Facility – TDCJ-CID units established to release offenders at sites located near their approved reporting instructions. Offenders are released from the following six (6) units: Bill Clements, Robertson, McConnell, Hutchins State Jail, Huntsville and Gatesville. The following types of offenders require release from the Huntsville Unit: offenders identified as Sex Offenders in accordance with TDCJ-Administrative Directive (AD-04.09), offenders with active detainers, offenders with Electronic Monitoring (EM) or Super Intensive Supervision Program (SISP) conditions imposed, offenders with significant special needs, offenders approved for Release to Mandatory Supervision (RMS), and offenders in Administrative Segregation status.

Legacy Case – A case with a physical Texas Board of Pardons and Paroles (BPP) file created and maintained until the individual offender discharges Texas Department of Criminal Justice (TDCJ) supervision.

Offender Information Management System (OIMS) Case – A case with an electronic file created and maintained in OIMS until the individual offender discharges TDCJ supervision.

PROCEDURE:

I. CERTIFICATE ISSUANCE

- A. The HPRU staff shall print the certificate copies, applicable attachments, and a copy of the release plan of each offender.
 - 1. The batch sheet, certificates and any certificate attachments shall be reviewed to ensure

that all are printed and there are no errors.

2. Texas Department of Criminal Justice-Information Technology Division (TDCJ-ITD) staff shall be contacted for any batch errors noted and the Review and Release Processing Section (RRP) program supervisor I (PSI) who issued the certificate shall be contacted for any certificate errors noted. Once corrected, the certificate shall be reprinted.
 3. The certificates and attachments shall be assembled and stapled together. Each offender will have at least 4 copies of the certificate to include a Releasee copy, BPP copy, district parole officer (DPO) copy and a TDCJ-CID copy. There will also be a Department of Public Safety (DPS) copy for all offenders that are released to a Detainer or Parole in Absentia (PIA). A Notice to Offenders is attached to the Releasee copy which provides the offender with information concerning voting rights and protective orders. If an offender is a Sex Offender all copies of the certificate will have a Sex Offender Notice attached which provides the offender with a list of sex offender treatment providers in his area. Finally a copy of the release plan is attached at the back of the certificates.
- B. HPRU staff shall enter the Legacy Case generated certificate information into the HPRU Releasing database including the offender's name, State Identification (SID) number, type of certificate, reporting instructions, detainer information and the date the certificate worksheet will be sent to the TDCJ-CID Classification and Records Office. HPRU staff shall batch, alphabetize and send the certificate worksheets to the TDCJ-CID Classification and Records Office twice daily (morning and afternoon).
- C. The TDCJ-CID Classification and Records Office checks for any major disciplinary cases since certificate issuance. In addition, the TDCJ-CID Classification and Records Office calculates release eligibility and check administrative segregation status, detainer status, and bench warrant status that have occurred after the BPP vote.
1. The TDCJ-CID Classification and Records Office notes in the certificate worksheet the reason that release shall be delayed, which may include:
 - a. Disciplinary action which resulted in a reduction in classification status below the entry level or a loss of good conduct time following the BPP vote.
 - b. Administrative segregation status.
 - c. Detainer discrepancies.
 - d. New commitment information received following the BPP vote.
 2. The TDCJ-CID Classification and Records Office returns the certificate worksheets to HPRU.
 3. Offenders shall not be processed for release until the TDCJ-CID Classification and Records Office has verified that the offender is statutorily eligible for release to parole or mandatory supervision.

- D. When the certificate worksheets are received from TDCJ-CID Classification and Records Office, HPRU staff shall update the Releasing database with the information and refer the information to the RRP PSI who issued the certificate as well as the HPRU releasing supervisor for review.
 - 1. HPRU staff shall update the HPRU Releasing database with the date the certificate worksheet was returned by TDCJ-CID Classification and Records Office and the reason for the delay of an offender's release.
 - 2. If a release is delayed, a hold shall be placed in the Releasing database and the information referred to the RRP PSI who issued the certificate. The Holds by Analyst Report shall be generated monthly from the Releasing database and forwarded to the RRP program supervisor III (PSIII) for distribution to the RRP PSI who issued the certificate.
- E. OIMS generated certificates shall not be forwarded to the TDCJ-CID Classification and Records Office as audits are conducted and release dates established via OIMS processing. Certificate information shall be entered into the Releasing database.
 - 1. The TDCJ-CID Classification and Records Office notifies HPRU of any OIMS holds which will delay an offender's release (e.g., disciplinary action, administrative segregation, new commitment information received following the BPP vote or detainer discrepancies).
 - 2. HPRU staff shall then update the Releasing database and refer the information to the RRP PSI who issued the certificate as well as the HPRU releasing supervisor for review.

II. RELEASING PROCESS

- A. TDCJ-CID Classification and Records Office schedules all releases except PIA on the TDCJ mainframe, Inmate Trust fund and Discharge Checks (TD00) screen. HPRU will print reports daily from TD00 to update the Releasing database with the scheduled release information such as release dates, regional release sites, detainer, etc. Offenders with mandatory release dates that fall on weekends or legal holidays shall be scheduled for release on the working day immediately preceding the mandatory release date.
- B. Releasing officers shall check the reporting instructions on the Certificates of Release against the parole plan sheet to see that they match. If the reporting instructions do not match with the parole plan sheet, HPRU shall notify the PSI that issued the certificate to void, correct, and reissue the certificate.
- C. In the event of a scheduled Mandatory Supervision release, HPRU shall proceed with Residential Resource Center (RRC) placement. In the event of a scheduled Parole release, the HPRU program supervisor II shall contact the TDCJ-CID Classification and Records Office and request the rescheduling of the release so a viable release plan can be obtained.
- D. On the business day prior to the release date, HPRU staff shall verify that the destination on

the offender's bus voucher is the correct destination. For special needs offenders, sex offenders and electronically monitored offenders, HPRU staff shall contact the offender's family to determine if they will be providing transportation upon the release.

- E. On the business day prior to the release date, the HPRU releasing officers shall print a release list from TD00 as well as a list of scheduled releases from the Releasing database and compare these for a final list. That list shall be used to identify and review:
1. Reporting instructions
 2. Special conditions
 3. Date of discharge
 4. Active cause number(s)
 5. Chairperson's signature
 6. Type of release (e.g., discharge, parole, or mandatory supervision release)
 7. Detainer releases, if applicable
 8. EM (Electronic Monitoring), SISP (Super-Intensive Supervision Program), or GPS (Global Positioning Satellite) monitoring releases. HPRU staff shall maintain an adequate inventory of electronic monitoring devices to ensure all EM, SISP and GPS (Active or Passive) imposed offenders are equipped upon release.
- F. HPRU shall date-stamp all copies of the certificates as well as any Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) referrals and attach bus vouchers received from TDCJ-Accounting and Business Services to the certificates. A list of sex offender therapists shall also be attached to the certificates of offenders with special condition "X".
- G. At the release site, the releasing officers (Parole Division or BPP staff based on releasing location) shall present an orientation to the offenders, to include the rules of release and instructions on reporting to their supervising district parole officers.
- H. The offenders also receive information concerning the distribution of Reintegration of Offenders (RIO) packets from TDCJ-Reentry and Integration Division (RID) staff. The RIO packets contain various documents, not applicable to all offenders. The packet may contain the following:
1. A social security card
 2. A birth certificate
 3. A driver's license
 4. Employment and other various reentry resource information

Offenders that are presented with documents are required to sign the RIO E37A form acknowledging receipt of the document(s). The signed form shall be forwarded to the supervising TDCJ-Parole Division district parole office for placement in the DPO file.

- I. The releasing officers shall begin the process of releasing the group.
 1. Offenders shall sign all copies of the certificates and applicable copies of the attachments. Offenders shall sign those documents exactly as their names are listed on the front of the certificates. Offenders being released on parole are required to sign the Parole Certificate as a prerequisite for release. Failure to sign the parole certificate will result in the cancelation of the release. Offenders released on mandatory supervision are not required to sign the Mandatory Supervision Certificate and shall be released that date, whether or not they sign the release certificates. Offenders released on mandatory supervision, without a signature, are legally obligated to follow the rules and conditions located on the Mandatory Supervision Certificate.
 2. Releasing officers shall verify, verbally, with the offender that the release plan is the same information that was approved for release. If the offender states that the release plan is different or no longer valid, the releasing officers have several options.
 - a. If the plan provided by the offender has the same reporting instructions as the Release Certificate, the releasing officer shall call the proposed sponsor to review and validate the release plan.
 - (1) If approved, the offender is released on the original certificate.
 - (2) If denied and the offender is releasing to parole, the release shall be canceled so a viable release plan can be obtained. If the release is to mandatory supervision, the HPRU shall proceed with Residential Reentry Center placement.
 - b. If the offender is a sex offender or monitored offender (EM, SISP, GPS) and releasing to parole, the release shall be canceled and referred to the supervising district parole officer for physical examination of the proposed residence.
 - c. If the release plan requires a change in reporting instructions, the release is canceled and referred to the issuing RRP PSI. The RRP PSI shall void the certificate due to plan failure and submit the new plan for investigation. The RRP PSI shall reissue the certificate after plan approval.
 3. The releasing officers shall examine the certificates to ensure that the offender signs all correctly and completely. If errors exist, the offender shall make the necessary corrections.
 4. The releasing officers shall sign each copy of the Release Certificate.
 5. The releasing officers shall review the Release Certificates individually with the offenders to assure that they are aware of:

- a. Reporting instructions (location, date, and time)
 - b. Special conditions of release
 - c. Maximum release (discharge) date
6. Offenders shall be given the *Releasee* copy of the certificate.
 7. Offenders, with a condition requiring electronic monitoring, shall be provided instructions regarding the rules of the Electronic Monitoring Program and provided with the dollar amount the offender is liable for, should the monitoring equipment be stolen or destroyed. The offender will sign an SISP/EM Instruction Sheet and an Electronic Monitoring Equipment Acknowledgment Form (SP-0605), in accordance with PD/POP-3.5.1 *Electronic Monitoring Program*. The appropriate monitor shall be attached to the offender prior to the release.
 8. The releasing officer shall submit the OIMS Release Confirmation screen following the execution of an OIMS Case certificate.
- J. Following the release of offenders from the Huntsville Unit, the offenders are escorted to the front of the unit to assist them in locating family and friends. (Procedures for offenders releasing from Regional Release Sites are listed in Section III. O below.) Those who do not have family or friends to transport them are escorted to the Greyhound bus station. Offenders are assisted as needed in cashing their checks, obtaining their bus tickets, and are then loaded onto the buses. The bus information is then forwarded to designated RRP staff, designated HPRU staff and the TDCJ-Parole Division region offices to advise them of the day's releases.
 - K. HPRU staff shall enter the travel arrangements, departure times, and estimated times of arrival for all electronically monitored offenders into the Releasing database. Post-release notification for electronically monitored offenders shall be sent to the appropriate district parole officers as soon as the information is available, in accordance with PD/POP-3.5.1 *Electronic Monitoring Program*.
 - L. The release list is reconciled for accuracy by HPRU releasing officers. Release information from other release sites forwarded to the HPRU via fax or email, is entered into the Releasing database and a final release list is produced. The final release list is submitted to the designated HPRU staff. The final detainer release list is forwarded to the designated Central Coordination Unit (CCU) PSI.
 - M. HPRU staff shall distribute the remaining copies of the executed certificates along with fingerprint cards and any completed forms to the appropriate offices.
 - N. HPRU staff shall image into the OIMS the executed Parole Division copies of the certificates.
 - O. BPP Institutional Parole Office (IPO) staff executes certificates at Regional Release sites. Policies and procedures for releases from those sites are established by the BPP.
 1. HPRU shall print the certificates, route the worksheet through the TDCJ-CID

Classification and Records Office for processing, and mail the certificates to the appropriate IPO.

2. A designated IPO shall execute the release.
3. Offenders shall be provided the Releasee copy of the certificate at the point of release.
4. The DPO copy of the executed certificate shall be forwarded to the appropriate district parole office by the IPO. IPO staff images the executed Parole Division copy into the OIMS. All other copies of the executed certificates shall be returned to the HPRU.
5. HPRU staff shall forward RIO packets, offender property and any other miscellaneous TDCJ-RID documents to the appropriate RID staff at the Regional Release Site for distribution to the releasing offenders.

III. OTHER "SPECIAL RELEASES" FROM CID PROCESSED BY HPRU

- A. Re-Releases, Withdrawals, Rescissions: These types of release, as identified by the BPP Hearing Section, shall be based on BPP actions and place offenders who were returned to CID as parole/mandatory supervision violators back under supervision. They shall be released under their original Certificates of Release.
 1. RRP PSI shall notify HPRU of the release and forward the necessary documents to allow the TDCJ-CID Classification and Records Office to process the release.
 2. Upon receipt of the necessary documents, HPRU shall forward them to TDCJ-CID Classification and Records staff, who shall set the release date and arrange for the transfer of the offender to the release site.
- B. Detainers: The BPP may require that an offender with a detainer be released only to the detaining agency and impose Special Conditions "D – Release to detainer only".
 1. In the event that a detainer is canceled prior to parole release of a "release to detainer only" case, the release shall be canceled. HPRU staff shall contact the issuing RRP PSI, in accordance with PD/POP-2.2.17 *Issuing Parole and Mandatory Release Certificates*.
 2. If a detainer is canceled in a detainer only case in which the offender is to be released on mandatory supervision, HPRU shall contact the issuing RRP PSI in attempt to establish a release plan, in accordance with PD/POP-2.2.17 *Issuing Parole and Mandatory Release Certificates*. Offenders with instructions to release to detainer or plan on their Release Certificates are processed in the following manner:
 - a. In the event the detainer is canceled, the offender shall be released following the normal process and the releasing officer shall note "released to plan" on all copies of the certificate.
 - b. If the offender is released to the detaining agency, the releasing officer shall note "released to detainer" on the certificate and observe the following procedures.

- 1) The releasing officers shall execute the certificate with the offender following normal releasing procedures.
- 2) The offender will not receive a bus voucher because the detaining agency will provide transportation to the offender's destination.
- 3) In accordance with Government Code § 501.015, the offender will not receive a gate check if releasing to a felony detainer.

C. **Medically Recommended Intensive Supervision Releases (MRIS):** Texas Government Code § 508.146 stipulates that identified offenders may be released from the TDCJ-CID before their parole eligibility dates, if the offender does not constitute a threat to public safety, and has written documentation and recommendations from TDCJ-CID physicians. If the BPP approves the offender for release, the following steps shall be taken:

1. A representative from the Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI), in accordance with PD/POP-2.2.5 *Medically Recommended Intensive Supervision*, sends an email to the Chairman of the TDCJ-CID Bureau of Classification and a copy to HPRU. That email shall provide the following information:
 - a. Approval for release on MRIS
 - b. A statement regarding transportation of offender to the approved destination
 - c. The date of the scheduled release
 - d. The residence of the offender after release
 - e. Medical referral information
2. The TCOOMMI representative coordinates the release with TDCJ-CID Field Services staff to arrange for transportation and, if necessary, medication, medical referrals, etc.
3. TDCJ-CID Field Services and the TDCJ-CID Classification and Records Office notify the HPRU of the confirmed release date. The offender shall be released following normal procedure. If the offender is too ill to be transported to the Huntsville Unit for release, the certificate and necessary documents will be forwarded to an Institutional Parole Office (IPO) or District Parole Office (DPO) for certificate execution, based on current offender location.

D. **Bench Warrant (BW) Releases:** TDCJ-CID offenders are, on occasion, temporarily released to a county or federal court. When this occurs, the case file shall be processed for potential release. Each of these releases is unique and the details of the release may vary; however, the following procedures are routinely followed in the release of offenders while on bench warrant.

1. HPRU shall notify the TDCJ-CID Classification and Records Office of offenders with

issued certificates currently on bench warrant by sending them the certificate worksheets.

2. The TDCJ-CID Classification and Records Office notifies HPRU when the offenders on bench warrant may be released.
3. HPRU shall:
 - a. Contact the County Jail holding the offender to ascertain the offender's current location, the reason for the bench warrant, the reason the offender remains in custody, and whether there are pending charges.
 - b. If the offender has a new felony conviction, HPRU staff shall contact the District Clerk's office in the county of conviction and request that the sentence and judgment documents be faxed to the HPRU. The documents shall then be forwarded to the TDCJ-CID Classification and Records Office for cancellation of release. The RRP PSI shall be contacted in order to void the certificate and submit the new commitment information to the BPP for review.
 - c. If there are no new felony conviction(s) and a release date/release site has been established by the TDCJ-CID Classification and Records Office, the certificate shall be mailed to the appropriate releasing authority (IPO or DPO) to execute the release. Fingerprint cards and the appropriate forms, such as the CR-32 and CR-35 sex offender registration forms, the SIS/EM instruction sheet and the Electronic Monitoring Equipment Acknowledgement Form (SP-0605), shall be sent in order to be processed at the time of the offender's release.
- E. Off-Site Releases (Other than Regional Release): Offenders can be released from other facilities based on locations and program involvement (e.g., Gatesville, Pre-Parole Transfer (PPT), Lockhart Work Program, In-Prison Therapeutic Community (IPTC)). BPP IPO staff conducts releases from these facilities. Board IPO staff establish the policies and procedures for release at these sites.
 1. HPRU shall print the certificates, route the worksheet through the TDCJ-CID Classification and Records Office for processing, and mail the certificates, gate checks, bus vouchers, and other necessary documents to the appropriate release site.
 2. BPP IPO staff executes the release.
 3. BPP IPO staff distributes the remaining copies of the executed certificates along with fingerprint cards and any completed forms to the appropriate offices.
 4. BPP IPO staff images into the OIMS the executed Parole Division copies of the certificates.
 5. Bus vouchers *not* utilized for offender transportation shall be destroyed.
- F. If an offender is scheduled for release and the original certificate cannot be forwarded to the release location for execution, the certificate with instructions for executing it shall be faxed to

the point of release.

1. When possible, normal plan investigation and certificate issuance procedures shall be used.
 2. If no residential plan is feasible, the offender shall be placed in a Residential Reentry Center.
 3. If it is not possible to produce a certificate using normal mainframe printing procedures, the certificate shall be printed "off-line" by HPRU. The certificate issuance date shall be recorded on the mainframe at the first available opportunity.
 4. If the offender is released on a faxed copy of the certificate, the signed faxed certificates shall be processed and distributed as all other executed certificates.
- G. If a scheduled release is cancelled, the certificate, gate check, and bus voucher, etc. shall be returned to HPRU. The gate check shall be returned to the Cashier's Office. The bus voucher shall be destroyed.
- H. The previous day's releases are reflected on INFOPAC report PDKAR016AA.
- I. HPRU staff shall produce monthly release statistical reports related to release site, type (i.e., Parole/Mandatory Supervision, Discharge, Re-release, IPTC, etc.) and Special Conditions imposed at time of release (i.e., Sex Offender Registration, EM, SISP, etc.). The HPRU PSI and administrative assistant III shall validate the number of certificates processed with the number of certificates executed. The Certificate Processing Report, Release from Custody Report and Officer Investigations Report shall be posted to the RRP Document Library.

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