

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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SUPERSEDES: 09/17/08

SUBJECT: PROCESSING RELEASES FROM DETENTION FACILITIES OTHER THAN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE – CORRECTIONAL INSTITUTIONS DIVISION (CID)

AUTHORITY: TEXAS GOVERNMENT CODE §§ 508.145, 508.147

PURPOSE: To establish guidelines for use in the Huntsville Placement and Release Unit (HPRU) for printing, tracking, processing, mailing, and distribution of release certificates for offenders released from detention facilities other than CID.

PROCEDURE:

- I. The certificates, applicable attachments, and release plan shall be printed. (Reference Parole Division policy 2.4.1, *Release from the Texas Department of Criminal Justice – Institutional Division*, for processing of certificates, worksheets to TDCJ-CID Records, etc.).
 - A. The Issuing Analyst shall notify HPRU of pending detainer information by email. HPRU shall manually produce a detainer attachment for each copy of the certificate, if applicable.
 - B. Certificate information shall be entered in the tracking database including the name, number, type of certificate, reporting instructions, detainer information, and date the information is sent to TDCJ-CID Records Office.
 - C. Offenders shall not be processed for release until the TDCJ-CID Records Office has verified that the offender is statutorily eligible for release to parole or mandatory supervision. Certificate worksheets shall be sent to TDCJ-CID Records only if HPRU has not already received email notification indicating the offender is cleared for immediate release.
 - D. The tracking database shall be updated with the date the worksheet was returned from Records.
 - E. The certificates and all applicable information shall be transferred to the PIA (Parole In Absentia) Administrative Assistant to process the release.

- II. The PIA Administrative Assistant shall begin processing the certificates for offender release as follows:
- A. State Ready screens shall be researched to obtain demographic information to enter on the fingerprint cards that will accompany the certificate when it is mailed to the releasing officer.
 - B. The State Ready system shall be checked to determine if the offender is being held in a county other than the county of conviction. In some instances, the county of conviction will contract with another county to hold an offender.
 - C. The Administrative Assistant shall call the holding facility to verify the offender is being held in their facility and obtain any other information relevant to release.
 - 1. If the offender is required to register as a sex offender, the PIA Administrative Assistant will send an email to the DPO or IPO Parole Supervisor responsible for parole activity in the county where the offender is being held, requesting that sex offender registration forms be processed within 48 hours.
 - a. The email shall contain:
 - (1) Offender's name
 - (2) Offender's TDCJ and/or SID number
 - (3) Offender's current location
 - (4) Offender's release plan.
 - b. A copy of the email shall also be sent to the appropriate Regional Director and the Assistant Regional Director or the appropriate IPO Regional Supervisor.
 - 2. The Parole Supervisor shall be responsible for ensuring that the assigned officer:
 - a. Obtains and completes the Sex Offender Registration forms, CR-32 and CR-35
 - b. Executes the forms
 - c. Distributes the forms along with a complete set of the offender's fingerprints and a current photo of the offender
 - (1) CR-32 form is faxed to the DPS, Sex Offender Compliance Unit and then sent to the DPS, Crime Records Service (address and fax number are on the form)
 - (2) The white copy of the CR-35 form is sent along with the set of fingerprints and photo to the DPS, Crime Records Service
 - (3) The yellow copy of the CR-35 form is sent to the law enforcement agency where the offender is required to register.
 - d. Faxing a copy of the executed CR-32 and CR-35 to HPRU on the date they were executed

3. The PIA Administrative Assistant shall suspend the offender's release for 7 days from the date the sex offender registration forms were executed.
 - D. Data shall be entered into the tracking database including holding (contract facility) county, to whom and where the certificate is to be mailed, the date mailed, scheduled release date, detainer information, and other relevant comments.
 - E. Emails or letters of instruction for each certificate shall be attached to each certificate being mailed.
 1. Emails shall be produced for the certificates of offenders housed in Texas county jails. These certificates shall be sent to the designated releasing staff to execute the release (PIA office, Institutional Parole Office (IPO), or District Parole Office (DPO) that supervises that county).
 2. Letters of instruction on Agency letterhead shall be produced for the certificates of offenders housed in federal or out-of-state facilities. Those certificates shall be sent to the holding facility with a request to execute the release by staff at those facilities.
 - F. Copies shall be made of all pertinent documents and placed in the PIA Case Notes file for one (1) year.
 - G. The tracking database shall be updated and the data reviewed to ensure that all information is correct, to include the date certificates were mailed, to whom they were mailed, and the scheduled release date.
 - H. The appropriate overnight mail provider shall be contacted for immediate pick-up of packets to ensure overnight delivery of certificates.
- III. The releasing officer shall execute the release by obtaining the offender's signature on all copies of the release certificate and any attachments. The releasing officer shall sign as well as the Parole Division representative as witness.
- A. For offenders with reporting instructions to a Halfway House, the releasing officer shall be instructed to complete the PIA to Halfway House form (HWH-12). The completed forms shall be immediately faxed to HPRU so that notification of the pending arrival may be made to the assigned Halfway House. Warrants for the offender's failure to arrive will be requested based on the information provided on the HWH-12 form.
 - B. For offenders with the EM, SISF, or GPS condition, the respective electronic monitoring device and relevant forms requiring signature will be included in the packet with the certificate.
 1. The releasing officer is required to attach the electronic monitoring device to the offender's leg and obtain signature on the SISF/EM Instruction Sheet and the Fee Acknowledgement forms.

2. The releasing officer is required to notify HPRU of the offender's estimated time of arrival if the offender's reporting instructions are to a Halfway House. HPRU shall notify the Halfway House of the pending arrival and estimated arrival time.
- C. The releasing officer shall notify the Parole Supervisor (PS) of the receiving District Parole Office by email of the release. The receiving PS shall track the offender's arrival and request the necessary warrant for failure to report as required.
 - D. Texas House Bill 253 requires that a current photograph and a complete set of fingerprints be obtained upon the offender's release from custody. Return both the fingerprint card and photograph with the executed certificate. Electronic fingerprints are recommended but hand-rolled prints are acceptable.
 - E. Should the offender need a bus voucher upon release, the releasing officer shall contact the Central Coordination Unit in Austin for assistance.
- IV. The executed certificates shall be immediately returned to HPRU in the enclosed postage paid envelope.
- A. HPRU shall update the tracking database with the actual release date, the date the certificate was returned to HPRU, and any problems associated with the release.
 - B. HPRU staff shall check the certificates to ensure that all were properly executed. If not, the process shall begin again with the return of the certificate to the releasing authority with another memo to correct the error. Depending on the nature of the situation, the original certificate may have to be voided and a new one generated and mailed.
 - C. All certificates shall be returned to HPRU immediately after they have been executed for immediate distribution.
 1. The Release copy should have been given to the offender at the time of release.
 2. The Parole Division (PD) copy shall be sent to Austin to be placed in the Board file.
 3. The DPO copy, fingerprint card, and photo shall be mailed to the appropriate District Parole Office.
 4. The Department of Public Safety (DPS) copy shall be sent to DPS headquarters in Austin.
 5. The TDCJ-CID copy is forwarded to the Records and Classification file.
 6. Returned Sex Offender Registration forms shall be copied and attached to all copies of the certificate.
 - D. HPRU shall update the mainframe SR30 screen with the release date and detainer release flag.

- V. Weekly, the tracking database shall be scanned for certificates and/or required documents that were not returned as required.
 - A. The person to whom the instructional memo and certificate was addressed shall be contacted by email to immediately return the certificate and/or required documents to HPRU. The attempt to collect the executed certificate and/or required documents shall be noted in the tracking database. Copy of the email shall be placed in the Case Notes.
 - B. If, one (1) week following the email, the certificate and/or required documents has not been returned, a call or second email shall be directed to the person to whom the certificate and/or documents were mailed as soon as possible, to determine the status of the return of the certificates and/or documents. The results of the call or second email shall be noted in the database as well.
 - C. Once monthly, a report of all certificates and/or required documents not returned to HPRU shall be sent to the Regional Directors/Regional Supervisors to assist in obtaining the certificates and/or required documents for proper distribution. These reports shall be maintained for one (1) year. This action shall also be noted in the tracking database.
- VI. All offenders to be released to PIA parole or mandatory supervision shall have specified release dates noted on the email or letters of instruction. The offender shall be released on the specified date, not before or after. If the releasing officer has any questions or problems associated with any release in absentia, they are encouraged to contact HPRU on or before the release date and before the certificate is executed.
- VII. The previous day's releases are reflected on the INFOPAC report entitled PDKAR016AA.
- VIII. HPRU staff shall produce monthly PIA release statistics from the tracking database.

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