

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-3.2.7

DATE: 06/22/2020

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SUPERSEDES: 03/06/2010

SUBJECT: IMPOSITION, WITHDRAWAL AND MODIFICATION OF SPECIAL CONDITIONS THROUGH THE OFFENDER INFORMATION MANAGEMENT SYSTEM (OIMS)

AUTHORITY: TEX. GOV'T CODE §508 SUBCHAPTER F AND SUBCHAPTER G

PURPOSE: To establish policy and procedures for withdrawing, imposing, or modifying special conditions during a period of supervision.

Special Conditions: Conditions imposed by the Board of Pardons and Paroles (BPP) in addition to the standard conditions of parole or mandatory supervision.

PROCEDURE:

I. IMPOSITION, WITHDRAWAL, AND MODIFYING OF SPECIAL CONDITION(S)

- A. The Texas Board of Pardons and Paroles (BPP) imposes special conditions prior to releasing a client from the Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID). Statutorily mandated conditions are imposed when the Program Supervisor I, Review and Release Processing (RRP), authorizes the printing of the release certificate. Parole officers may request the BPP impose, withdraw, or modify special conditions through the Offender Information Management System (OIMS) while the client is on supervision.
- B. The parole officer shall review and address special conditions with clients in accordance with PD/POP 3.2.31, *Verification of Offender Activities and Compliance with the Conditions of Supervision* for compliance.

NOTE: For clients on specialized caseloads, the parole officer shall refer to the specific caseload policies for guidance prior to the request for imposition, withdrawal, or modification of special conditions. The parole supervisor has management oversight responsibility and shall review and approve all request for imposition, withdrawal, or modification of special conditions prior to submission to the BPP.

- C. Parole officers shall request the BPP impose, withdraw, or modify special condition(s) based on client needs, programming placement or completion, for restriction or allowance of client activity or to meet program requirements.

- D. Parole officers shall submit all request to impose, modify or withdraw special conditions via the Special Conditions screen in OIMS. Refer to Section III for transmittals submitted outside of OIMS.
- E. Upon the BPP decision to impose, withdraw, or modify a special condition(s), the parole officer shall complete the following within five (5) business days:
 - 1. Generate a new Notice of Special Conditions form;
 - 2. Read, explain, and obtain the client's signature on the Notice of Special Conditions;
 - 3. Provide a copy of the signed Notice of Special Conditions to the client;
 - 4. Enter the date the client was notified in the OIMS Special Condition screen, and;
 - 5. Maintain the signed Notice of Special Conditions in the file and image in OnBase.
- F. Requests for Intermediate Sanction Facility (ISF) or Substance Abuse Felony Punishment Facility (SAFPF) placement can only be imposed by the BPP through a hearing or submission of a conditional waiver in the hearing process.

II. SPECIAL CONDITIONS THAT CAN BE SATISFIED IN OIMS

- A. Once it is determined and verified that a client has satisfactorily completed or met the requirements of a special condition, the parole officer shall document the completion in the Contact screen in OIMS and close any program referrals as applicable.
- B. Upon successful completion of the special condition or in determining that the special condition does not apply, the following special conditions can be satisfied in OIMS via the Special Conditions screen:
 - 1. D — Release to Detainer Only
 - 2. E — Basic Education/Vocational Training
 - 3. ISF — Intermediate Sanction Facility
 - 4. L — Maximum Level of Supervision
 - 5. R — Restitution
 - 6. SAFPF — Substance Abuse Felony Punishment Facility
 - 7. V1 — Victim-Stalking
 - 8. V2 — Victim
 - 9. O.02 — Demonstrate 6th Grade Educational Skill Level
 - 10. O.04 — Post-Secondary Education Reimbursement
 - 11. O.07 — Community Service
 - 12. O.19 — Anger Control Training/Counseling

13. O.20 — Participate in BIPP or Domestic Violence Counseling
14. O.33 — Evaluate for Sex Offender Counseling (can only be satisfied when the Sex Offender Condition Hearing (SOCH) is completed or sex offender treatment is not recommended)
15. O.34 — County Jail Work Program
16. O.38 — Participate in Cognitive Skills Classes
17. O.39 — Participate in Parenting Classes or Similar Program
18. O.43 — Weekly Urinalysis for 2 months
19. O.44 — Substance Abuse Support Group - Attend Three Times Per Week for 180 Days
20. O.45 — DWI Repeat Offender Program
21. O.50 — Supervision Fee Deferral for 90 Days
22. O.54 — Payment of Damages for Destruction of State Property
23. O.56 — Allow to Enter (A) County for a Period of (B) Hours Beginning (C) for the Purpose of (D) Only.

III. SPECIAL CONDITIONS REQUIRING A TRANSMITTAL FOR WITHDRAWAL OR MODIFICATION

- A. Special conditions may be modified to appropriately monitor client supervision. Modification for programming purposes shall be submitted via OIMS through the Special Conditions screen to the BPP for approval.
- B. Once it is determined and verified that a client has satisfactorily completed or met the requirements of a special condition, the parole officer shall document the completion or reasons why the client no longer requires the special condition in the Contact screen in OIMS. The following special conditions require a transmittal via OIMS through the Special Conditions screen for withdrawal and/or modification when imposed by the BPP:
 1. M — Sex Offender Registration (if imposed based on the client's statutory obligation to register)
 2. T — Electronic Monitoring Program
 3. Z — Not Enter Specified County
 4. O.06 — Child Safety Zone
 5. O.14 — Driving Restrictions
 6. O.17 — Not to Operate a Motor Vehicle without Approval of Parole Officer
 7. O.18 — Not to Operate a Motor Vehicle without an Ignition Interlock Device
 8. O.21 — District (Day) Resource Center (DRC)

9. O.23 — No Contact With
 10. O.33 — Evaluate for Sex Offender Counseling
 11. O.34 — County Jail Work Program
 12. O.46 — Shall Not Operate a Motor Vehicle Unless Approved by a Parole Panel
 13. O.47 — Shall Not Operate a Motorized Water Craft
 14. O.48 — Shall Participate in the SVORI Aftercare Program
 15. O.57 — Not Leave the State of Texas
 16. O.58 — Global Positioning System Monitoring
- C. Withdrawal of special condition SISP shall be completed outside of OIMS via paper transmittal and in accordance with PD/POP 3.15.1, *Super-Intensive Supervision Program (SISP) - Administrative Guidelines*.

IV. SPECIAL CONDITIONS THAT CANNOT BE WITHDRAWN/ CAN BE MODIFIED

- A. The following special conditions shall not be withdrawn for the duration of the client's supervision when imposed by the BPP:
1. C — No Financial Transactions
 2. I — Notify Prospective Employer if Position of Financial Responsibility
 3. N — Prohibition on Internet Access for Certain Offenders
 4. O — Must Follow Prescribed Chemical Dependency Program
 5. P — Mental Health
 6. S — Substance Abuse Treatment
 7. X — Sex Offender Program - without approval from the Sex Offender Program PO IV.
 8. V1 — Victim - Stalking
 9. V2 — Victim ("victim" has the meaning assigned by Article 56.01(3), Texas Code of Criminal Procedure; and such victim can petition the Board to allow contact with the offender)
 10. O.01 — Reside in Legal County of Residence
 11. O.03 — Alcohol/Controlled Substance Testing
 12. O.05 — Drug/Alcohol Continuum of Care
 13. O.08 — No Gang Activity
 14. O.09 — Not Use Drugs, Narcotics or Controlled Substances
 15. O.10 — Not Use Inhalants

16. O.11 — Not Consume Alcohol
17. O.12 — Not Enter Establishment for On Premise Alcohol Consumption
18. O.13 — Urinalysis Monitoring
19. O.15 — Substance Abuse Treatment Program
20. O.16 — Substance Abuse Counseling
21. O.22 — Gainful Employment
22. O.24 — No Program Involvement with Person <17 Years
23. O.25 — No Unsupervised Contact with Children <17 Years
24. O.26 — Not Reside with Contact/Cause to be Contacted Anyone <17 Years
25. O.27 — Not Leave Specified County(s)
26. O.28 — No Relationship with Anyone <17 Years
27. O.29 — Not Enroll In/Attend/Enter College/University
28. O.30 — Not Own/Maintain/Operate Computer Equipment
29. O.31 — Not Own/Maintain/Operate Photographic Equipment
30. O.32 — Notify Prospective Employer
31. O.33 — Evaluate for Sex Offender Counseling - unless special condition “X” has been imposed or the client has completed the Sex Offender Condition Hearing process and the Board did not impose special condition “X”.
32. O.36 — Provide Full Financial Disclosure
33. O.40 — No Employment at Nursing Home or Similar Facility
34. O.49 — Must Attend Gamblers Anonymous Meetings
35. O.51 — No Contact with Persons Under 17 Years of Age Unless Court Ordered
36. O.52 — Allow Contact with the Victims of the Below Cause Number as Specified in that Victim’s Petition to the Board
37. O.53 — Allow to Attend Institute of Higher Learning
38. O.55 — Allow Contact with the Following Children

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