

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-3.2.30

DATE: 11/05/13

PAGE: 1 of 10

SUPERSEDES: 06/23/09

SUBJECT: QUARTERLY REPORT STATUS, ANNUAL REPORT STATUS, AND EARLY RELEASE FROM SUPERVISION

PURPOSE: To establish criteria for the approval and monitoring of modified reporting status for clients.

AUTHORITY: TEXAS GOVERNMENT CODE § 508.155, CODE OF CRIMINAL PROCEDURE § 42.12, SECTION 3G

PROCEDURE:

- I. CASE REVIEW FOR ELIGIBILITY CRITERIA OF QUARTERLY REPORT STATUS, ANNUAL REPORT STATUS, AND EARLY RELEASE FROM SUPERVISION
 - A. The INFOPAC reports noted in this policy are only a guide for cases to be reviewed and are not an indicator that a client has met all screening criteria. Parole officers and management must manually review the client's written and electronic records for ineligible offenses that may not be recorded on the Department's information system and therefore cannot be identified through the INFOPAC reports. These convictions may include juvenile and out-of-state convictions, and convictions that resulted in deferred adjudication or probation rather than commitment to the Texas Department of Criminal Justice (TDCJ).
 - B. Should a client listed on the INFOPAC reports have an ineligible TDCJ Offense of Record, as noted in the Offender Information Management System (OIMS) Commitment screen, the offender's name and State Identification (SID)/TDCJ numbers should be emailed to the Program Supervisor V of the Central Coordination Unit (CCU) by a supervision parole officer or division staff member. After a review by CCU staff, applicable corrections shall be requested from the TDCJ Classification and Records Office.
 - C. Documents to review for offense criteria include the Case Summary, Texas Department of Public Safety Record of Arrest and Prosecution (RAP) and Computerized Criminal History (CCH).

- D. Payment of court costs, fines, or related fees shall be verified through written documentation from the district or county clerk of the county(ies) of conviction as current or paid in full, as applicable.
- E. Prior warrants and sustained violations shall be verified through manual review of the OIMS, mainframe, and the offender working file.

II. QUARTERLY REPORT STATUS

- A. Clients who meet the following criteria may be allowed to report in person for an office visit once each quarter as approved by the unit supervisor of the supervising parole officer. Office visits shall be scheduled in accordance with PD/POP-3.2.8, *Contact Standards for Regular Supervision Cases*.

Clients must meet and maintain the following criteria for Quarterly Report status:

1. No current or prior convictions or deferred adjudication for a non-qualifying offense (reference Parole Division Document Library for the list of non-qualifying offenses);
 2. Reassessment score of minimum supervision status for two (2) years prior to request;
 3. Current on Supervision and Crime Victim Fund fees, if applicable, which will continue to be due for payment each month unless paid in advance;
 4. Court mandated restitution and Post Secondary Education Reimbursement (if applicable) are current with required monthly payments continuing, until paid in full;
 5. Court costs, fines, or related fees (if applicable) are paid off with no remaining balance;
 6. Compliant with all special conditions; and
 7. A warrant has not been issued during the previous seven (7) years of current parole supervision. This does not apply to a warrant issued where subsequently an investigation or administrative review did not sustain a violation.
- B. The Parole Division shall provide a monthly INFOPAC report (PDSUR108A – Eligibility for Quarterly Reporting Status) to identify eligible clients.

1. The parole officer shall review this report for clients under his supervision who meet the criteria for Quarterly Reporting and complete the Quarterly Reporting Checklist, Recommendation, and Determination Form (PSV-323C). The completed form will be maintained in the officer's working file.
 2. The parole officer shall determine if quarterly reporting status for identified clients is in the best interest of society.
 3. Recommendations for placement on Quarterly Reporting status shall be forwarded to the unit supervisor via the PSV-323C.
 - a. Any negative finding by the unit supervisor shall be documented in the OIMS Contacts section as "Quarterly Reporting Status Review – Denied."
 - b. The client shall be reviewed yearly on the anniversary of the initial eligibility date.
 - c. Approval shall be documented, with supporting information, in the OIMS Contacts section as "Quarterly Reporting Status Review – Approved."
 4. The unit supervisor shall review and, if appropriate, give the final approval on the parole officer's recommendation regarding the client's eligibility, or that this level of supervision is not appropriate.
- C. The client's status and supervision level shall be changed by the parole officer to "Quarterly Report" on the OIMS within three (3) business days of the unit supervisor approval.
- D. The supervising parole officer shall follow the supervision standards listed below:
1. Conduct home visit within 30 calendar days of any change in residence;
 2. Conduct a reassessment in accordance with applicable policy;
 3. Conduct a full drug screen/alcohol test quarterly;
 4. Any change of residence to another state shall be processed in accordance with PD/POP-3.10.3, *Interstate Transfer Investigations*, following the procedures for transferring clients under the Rules of the Interstate Commission for Adult Offender Supervision (ICAOS);
 5. Advise client he is subject to random selection for drug and alcohol testing; and
 6. Ensure client is current and remains current on supervision fees and, if applicable, restitution payments and crime victim fund fees.

III. ANNUAL REPORT STATUS

- A. Clients meeting the following criteria may be allowed to report in person for an office visit once per year. Clients approved for Annual Report status after September 1, 2007, shall be subject to all conditions in effect on their Certificate of Parole/Mandatory Supervision at the time placed on this status. The reporting rule shall be modified in writing to require an annual office visit and an annual home contact. The client shall submit their notarized Annual Report form during the annual office visit. Clients shall meet and maintain the following criteria for Annual Report status.
1. Satisfactorily complete one (1) year on Quarterly Report status;
 2. Have no current or prior convictions or deferred adjudication for a non-qualifying offense (reference Parole Division Document Library for the list of Non-qualifying Offenses);
 3. Be current on Supervision and Crime Victim Fund fees (if applicable), which continue to be due for payment each month unless paid in advance;
 4. Ensure court-mandated restitution and Post Secondary Education Reimbursement (if applicable) are paid in full;
 5. Ensure court costs, fines, and related fees are paid in full; and
 6. Have no warrant issued during the previous seven years of the current parole supervision period. This does not apply to a warrant issued where subsequently an investigation or administrative review did not sustain a violation.
- B. The Parole Division shall provide a monthly INFOPAC report (PDSUR109A – Eligibility for Annual Reporting Status) to identify eligible clients.
1. The parole officer shall review this report for clients under his supervision who meet the criteria for Annual Reporting and complete the Annual Reporting Checklist, Recommendation, and Determination Form (PSV-323D). The completed form shall be used by all involved in the Annual Reporting Review process and will be maintained in the officer's working file.
 2. The parole officer shall determine if the Annual Reporting status for identified clients is in the best interest of society.
 3. The parole officer may determine that the client is not eligible or that this level of supervision is not appropriate.
 - a. The parole officer shall document a denial in the OIMS as a written contact entry "Annual Reporting Review – Denied" within three (3) business days of the case review determining eligibility. A copy of the PSV-323D shall be forwarded to the Region Director for statistical tracking.

- iii. Cases submitted that are not in compliance with this policy shall be returned to the Region Director by the Deputy Director for Field Operations.

5. The original PSV-12 shall be placed in the client's main file by CCU staff.

C. The supervising parole officer shall follow the supervision standards listed below:

1. Conduct the annual office visit with the client to review the notarized PSV-13;
2. Conduct a home visit within 30 calendar days of any change in residence;
3. Client may only change residence with prior parole officer approval.

Note: Change of county of residence requires Board of Pardons and Parole approval.

4. Conduct a full drug screen/alcohol test annually;
5. Conduct a National Crime Information Center (NCIC)/Texas Crime Information Center (TCIC) check annually to include wanted persons check and full RAP;
6. Review and issue Travel Permits, as applicable, for any approved travel outside of the State of Texas;
7. Any change of residence to another state shall be processed in accordance with PD/POP-3.10.3, *Interstate Transfer Investigations*, following the procedures for transferring clients under the Rules of the Interstate Commission for Adult Offender Supervision (ICAOS);
8. All contacts or updates completed shall be entered into the OIMS in accordance with policy; and
9. Advise client he is subject to random selection for drug and alcohol testing.

D. Clients shall be assigned to the district office supervising their county of residence. In multi-office counties, assignment of the client shall be determined by the Region Director.

IV. EARLY RELEASE FROM SUPERVISION

A. Clients may be allowed to serve the remainder of their sentence without supervision and without being required to report.

Clients must meet the following criteria:

1. Have been under supervision for at least one half of the time that remained on their sentence when released from prison;

2. Have been on supervision for two (2) years, plus one (1) year of quarterly report status;
 3. Have no current or prior felony convictions or deferred adjudication for a non-qualifying offense (reference Parole Division Document Library for the list of Non-qualifying Offenses);
 4. Be current on Supervision and Crime Victim Fund fees (if applicable);
 5. Have paid court-mandated restitution and Post Secondary Education Reimbursement (if applicable) in full;
 6. Have no warrant issued during the previous seven (7) years of the current parole supervision period. This does not apply to a warrant issued where subsequently an investigation or administrative review did not sustain a violation;
 7. Have not committed any violation of rules or conditions of release as indicated on their Parole Certificate, during the preceding two (2) year period; and
 8. Have no current or prior felony convictions or deferred adjudication, including juvenile convictions for the offense that includes the use of a child in the commission of a crime, nor any offenses that were pled down to a lesser degree but may have included an intent to commit sexual assault, bodily harm, etc.
- B. The Parole Division shall provide a monthly INFOPAC report (PDSUR107A – Parolees Under Review for Early Release from Supervision) to identify eligible clients.
1. The parole officer shall review this report for clients under his supervision who meet the criteria for early release and complete the Early Release From Supervision Checklist (PSV-323A) and Recommendation form. The completed form shall be used by all involved in the early release from supervision (ERS) review process and will be maintained in the officer’s working file.
 2. The parole officer shall determine if early release for identified clients is in the best interest of society.
 3. The parole officer may determine that the client is not eligible, or that this level of supervision is not appropriate.
 - a. The PSV-323A shall be forwarded to the Region Director for final review. The parole officer shall document the recommendation for denial in the OIMS as a written contact entry “Early Release From Supervision Review – Denied” within in three (3) business days of the case review determining eligibility.
 - b. The client shall be reviewed yearly on the anniversary of the initial eligibility.

4. Recommendations for early release shall be forwarded and reviewed by each member of the supervising officer's chain of command (unit supervisor, parole supervisor, and Assistant Region Director), utilizing the PSV-323A.
 - a. Any negative recommendation shall terminate the process and be documented in the OIMS Contacts section as "Early Release From Supervision Review-Denied" within three (3) business days of the case eligibility determination. The PSV-323A shall be forwarded to the Region Director for statistical tracking.
 - b. The Region Director has final approval of all early release decisions and shall review for final approval or denial.
 - c. The Region Director's approval or denial shall be documented, with supporting information, in the OIMS Contacts section as "Early Release From Supervision Review – Approved or Denied" within three (3) business days of the case review determining eligibility and be tracked on the eligibility for Early Release From Supervision Region Monthly Statistical Report.
 - d. Upon the Region Director approving the client's early release from supervision status on the PSV-323A, a copy of the signed documents shall be returned to the supervising officer and a suspense date given for the originally signed Notice of Early Release From Supervision (PSV-15) to be returned to the Region Director.
 - e. The assigned parole officer shall meet in person with the client to review the PSV-15 and obtain the required signatures. The client shall be provided a signed copy of the PSV-15. The original, signed PSV-15 shall be returned to the office of the Region Director.
 - i. All ERS Report Status packets (Recommendation for Early Release From Supervision Checklist, Recommendation, and Determination Form, PSV-323A) from a region shall be reviewed and either approved or denied by the 15th of the eligibility month for all those eligible per INFOPAC report PDSUR109A.
 - ii. The ERS Screenings Monthly Statistical Report shall also be attached to the approved region packet(s) and forwarded to CCU.
 - f. Upon receipt of the original PSV-15, the Region Director's office shall attach the completed ERS Screenings Region Monthly Statistical Report and route it to the CCU Annual Report/Early Release Review Desk by the 15th of the eligibility month.
 - i. The statistical report shall account for the INFOPC eligibility numbers indicated for each particular eligibility month.

- ii. The CCU shall audit the client's electronic and written records to verify eligibility and required OIMS entries prior to changing the client's status in the OIMS to "Early Release From Supervision" by the last day of the eligibility month.
 - iii. Cases submitted that are not in compliance with this policy shall be returned to the Region Director by the Deputy Director for Field Operations.
 - C. A client approved for early release from supervision shall be assigned to a caseload as determined by region management for monitoring. Clients remain subject to all rules/conditions of supervision in effect on their Certificate of Parole/Mandatory Supervision at the time placed in this status, except for reporting and payment of supervision fees.
 - 1. The Region Director or designee shall obtain and maintain the working field file in one location.
 - 2. The Region Director or designee shall be the point of contact for any flash notices, law-enforcement, or public inquiries concerning the client. All contacts shall be documented in the OIMS.
 - 3. The supervisor officer shall conduct an NCIC/TCIC check annually to include wanted persons check and full RAP.
 - 4. The supervising officer shall monitor for any actions or behavior by the client that would lead to a return to supervision and reporting.
 - 5. The supervising officer shall report such actions or behavior to the Region Director for a decision of further action.
 - 6. Any change of residence to another state shall be processed in accordance with PD/POP-3.10.3, *Interstate Transfer Investigations*, following the procedures for transferring clients under the Rules of the Interstate Commission for Adult Offender Supervision (ICAOS).
 - 7. Client may only change residence with prior parole officer approval.
 - D. The Division Director, Division Deputy Director, or Region Director may require a client released from supervision to return to supervision and reporting at anytime and for any reason.
- V. Violations shall be investigated and recommended action rendered in accordance with PD/POP-4.1.1, *Processing Violations of the Rules and Conditions of Release*. The division may withdraw approval of any of the supervision statuses noted in this policy at any time and for any reason.

VI. The Rules of the Interstate Commission for Adult Offender Supervision (ICAOS) require the acceptance of supervision by the receiving state prior to allowing a client to reside in and be supervised by the receiving state. Under these rules, clients accepted for supervision in another state are supervised in a manner determined by that state. Out-of-state clients supervised by the TDCJ Parole Division are subject to the same Parole Division policies applied to Texas clients, including potential eligibility for Quarterly Report and Annual Report status. Consideration of out-of-state clients for early release from supervision requires the approval, in advance, of the sending state.

A Compact Action Request (CAR) should be sent to the sending state to obtain approval or denial (ICAOS Rule 4.101, located at www.interstatecompact.org).

Stuart Jenkins
Director, Parole Division