

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-3.6.11

DATE: 01/19/16

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SUPERSEDES: 08/11/15

SUBJECT: CIVIL COMMITMENT OFFENDERS ON SUPERVISION

AUTHORITY: TEXAS GOVERNMENT CODE ANN. §§ 508.316, 508.317; HEALTH AND SAFETY CODE, Chapter 841

PURPOSE: This policy establishes the procedure for supervising offenders who are both under Texas Department of Criminal Justice (TDCJ) Parole Division supervision and civilly committed. Civil commitment does not absolve the Parole Division's responsibility in the supervision of offenders.

DEFINITIONS:

Civil Commitment: Commitment of an offender, who has been determined by a judge or jury to be a sexually violent predator, for intensive treatment and supervision.

Civil Commitment Case Manager: A person employed or under contract with the Texas Civil Commitment Office to perform duties related to the treatment and supervision for those civilly committed.

Civil Commitment Treatment Provider: A Licensed Sex Offender Treatment Provider approved and contracted by the Texas Civil Commitment Office to provide treatment services to offenders who have been civilly committed.

Global Positioning System (GPS): A satellite system utilized to track offender movements twenty-four (24) hours a day, seven (7) days a week.

Texas Civil Commitment Office (TCCO): The office that provides oversight of the civil commitment program for sexually violent predators.

Special Prosecution Unit (SPU): A special division of the prison prosecution unit that is responsible for initiating and pursuing civil commitment proceedings.

Sexually Violent Predator (SVP): A repeat, sexually violent offender who suffers from a behavioral abnormality that makes the person likely to engage in a predatory act of sexual violence.

PROCEDURE:

I. ELIGIBILITY CRITERIA

A civil commitment offender is a person determined by a judge or jury to be a SVP and is committed for treatment and supervision.

The TCCO has developed and implemented guidelines and policies involving standards of care and case management services. The TCCO employs and contracts with case managers and treatment providers, as well as utilizes GPS monitoring services. The civil commitment case manager coordinates the treatment program.

II. OFFICER ASSIGNMENT

The Region Director or designee shall select a Super-Intensive Supervision Program (SISP) parole officer to supervise offenders who have been civilly committed and are being supervised by the Parole Division. This parole officer must have completed the SISP and Sex Offender Specialized Officer Supervision Schools (SOSS).

The Region Director or designee shall select an SISP officer to serve as a back-up officer when the supervising officer is unavailable or absent.

III. ASSIGNMENT NOTIFICATIONS

A. If the civil commitment process is completed prior to an offender's release:

1. Review and Release Processing shall notify the Region Director and Huntsville Placement and Release Unit (HPRU) via the Special Bulletin Roster and Special Bulletin Notice of offenders who are civilly committed.
2. Review and Release Processing shall image the Expert Assessment and Final Judgment in the Offender Information Management System (OIMS).
3. The Region Director shall notify the appropriate district parole office (DPO) staff of the offender's civil commitment.
4. The supervising officer and the civil commitment case manager shall collaborate to develop supervision strategies.

- B. If the civil commitment process is **not** completed prior to release:
1. The Specialized Programs Sex Offender Program Supervisor III or designee shall track the offender's progress through the civil commitment process.
 2. The Sex Offender Program Supervisor III or designee shall notify the Region Director of an impending civil commitment trial and update the Region Director monthly.
 3. In the event the offender is civilly committed, the Sex Offender Program Supervisor III or designee shall notify the Region Director and image the civil commitment documents in the OIMS to ensure the supervising officer has all civil commitment information.
 4. The Region Director shall notify the appropriate region staff of the offender's civil commitment.
 5. Upon notification, the supervising officer shall coordinate with the civil commitment case manager to develop supervision strategies.

IV. EQUIPMENT

- A. All civil commitment offenders released from the TDCJ-Correctional Institutions Division (TDCJ-CID) who have an "SISP," "T," or "O.58" special condition shall be initially monitored on GPS by Parole Division staff, unless otherwise previously arranged by the TCCO. The enrollment information and assign/activate procedure shall be in accordance with established policy.
- B. The civil commitment case manager and supervising officer will coordinate the transfer of GPS equipment and monitoring. Upon transfer of equipment, the civil commitment case manager will assume monitoring responsibilities, and the supervising officer shall deactivate the Parole Division's GPS equipment and disable the offender's record in the vendor software.
- C. The Parole Division shall work in cooperation with local law enforcement and TCCO concerning the tracking of offenders and in the preparation of criminal complaints, warrants, related documents, and in the apprehension and arrest of an offender.

V. SUPERVISION

A team approach shall be utilized when supervising an offender who has been civilly committed. The team consists of the civil commitment case manager, the sex offender therapist, and the supervising parole officer. The civil commitment case manager will refer the offender to a civil commitment treatment provider who is approved and contracted by the TCCO. The civil commitment case manager coordinates the staffings.

- A. The supervising officer shall staff the case at least one (1) time per month with the civil commitment case manager to discuss:
 - 1. Treatment progress;
 - 2. Weekly schedules;
 - 3. Alerts;
 - 4. Interventions;
 - 5. Residential status; and
 - 6. Supervision compliance.

This staffing shall be documented in the OIMS within three (3) business days.

- B. All Parole Division offenders who have been civilly committed shall be supervised in accordance with SISP contact standards as outlined in Parole Division policy 3.2.34, *Contact Standards*.

VI. MONITORING

- A. The offender shall remain on “lockdown” status until TCCO transfers the GPS equipment and assumes monitoring responsibilities.
- B. The civil commitment case manager will be responsible for submitting the offender’s weekly schedule. The supervising officer shall:
 - 1. Contact the civil commitment case manager on a weekly basis to discuss changes to the offender’s schedule;
 - 2. Immediately notify the civil commitment case manager of an emergency or a change in schedule that requires the offender to vary from the approved schedule; and
 - 3. Contact the Sex Offender Program Supervisor III or designee by email to determine the appropriate action when the supervising officer and civil commitment case manager do not agree on a weekly schedule, or in situations requiring immediate response, contact the Program Supervisor III or designee by telephone.

- C. The TCCO will provide the monitoring equipment to track the offender during the civil commitment period. The parole officer shall:
1. Perform a daily review of the GPS offender points and alerts.
 2. Investigate all alerts within one (1) business day to determine if action is needed per Parole Division policy 4.1.1, *Processing Violations of the Rules and Conditions of Release*. Violations and/or disciplinary actions shall be discussed with the case manager within one (1) business day.
- D. The parole officer shall notify the civil commitment case manager and the Sex Offender Program Supervisor III of significant changes in the offender's supervision status (e.g., warrant issuance, arrest, revocation, etc.) within one (1) business day.

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