

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-4.3.1

DATE: 09/09/15

PAGE: 1 of 4

SUPERSEDES: 01/30/14

SUBJECT: INTERMEDIATE SANCTION FACILITY (ISF)

AUTHORITY: TEXAS GOVERNMENT CODE §§ 411.148, 508.119, BPP-POL. 04-06.02

PURPOSE: To establish criteria and procedures related to ISF placements.

PROCEDURE:

I. CRITERIA FOR ISF PLACEMENT

- A. Clients are eligible for placement in an Intermediate Sanction Facility (ISF) as a result of a Texas Board of Pardons and Paroles (BPP) action for ISF placement, pursuant to a Conditional Waiver, waiver of the revocation hearing process, or revocation hearing.
- B. Clients are ineligible for ISF placements if there are pending criminal charges or significant medical or intellectual disability issues.

II. PROCEDURE FOR ISF PLACEMENT PURSUANT TO A CONDITIONAL WAIVER OF REVOCATION HEARING PROCESS VIA NOTICE OF ALTERNATE ACTION

- A. Upon receipt of the Notice of Arrest, the parole officer is responsible for conducting a pre-hearing interview with the client, in accordance with PD/POP-4.2.1, *Pre-Hearing and Hearing Process*.
- B. At the time of the initial pre-hearing interview, the client may agree to placement in an ISF. This conditional waiver shall resolve the alleged violation(s), depending on the Texas Department of Criminal Justice Parole Division recommendation and the BPP approving the recommendation. The allegations must be administrative violations with no law violation(s) pending.

1. If the client agrees with a conditional waiver of the revocation hearing process and accepts ISF placement to resolve the alleged violation(s), the client shall sign the Conditional Waiver, acknowledging understanding and acceptance of the terms. The client shall be provided a copy of the Conditional Waiver.
 2. Within three (3) business days of the interview, the parole officer shall submit the Conditional Waiver to the unit supervisor or region designee and attach the completed Rights of Offender in the Revocation Process form (PSV-48), and all documents that establish proof of the alleged violations(s), including the release certificate, indictment or information, judgment and sentence, statements, affidavits, and Adjustment Statement (PSV-32B).
- C. Should the BPP deny ISF imposition, the parole officer shall proceed to the revocation hearing process to address alleged violation(s) in accordance with PD/POP-4.2.1, *Pre-Hearing and Hearing Process*.

III. BPP APPROVAL OF ISF

- A. Upon the BPP approval of ISF imposition and the client is in custody, the parole officer shall:
1. Complete and forward the ISF transfer packet to the Region ISF Coordinator or designee within three (3) business days. The packet shall consist of the:
 - a. Hearing/Waiver results
 - b. Parole or Mandatory Supervision Release Certificate
 - c. Parole Case Summary
 - d. Adjustment Statement
 - e. ISF/SAFPF Screening Form (CMS-40)
 - f. Texas Uniform Health Status Update form (TUHSU) completed by the county jail
 - g. Medical Record Disclosure/Consent Authorization form (CMS-43)
 - h. Review of Special Needs Offender form (SP-0520), if the client is on the Special Needs Offender Program (SNOP) caseload
 2. The parole officer shall ensure the client has no pending charges or has not completed the sentence on the new charges, prior to forwarding the ISF transfer packet to the Region ISF Coordinator. If the client has pending charges or has not completed the sentence on new charges, the parole officer will notify the Region ISF Coordinator and submit the ISF Ineligibility packet.

The packet shall consist of the following:

- a. Hearing/Wavier results
- b. Parole or Mandatory Supervision Release Certificate
- c. Parole Case Summary
- d. Adjustment Statement
- e. Documentation for reason of Ineligibility (e.g., TUHSU form, Sentence/Judgment, etc.)

IV. DUTIES OF THE REGION ISF COORDINATOR

A. The Region ISF coordinator or designee shall:

1. Review the packet and ensure that it is in accordance with Section III.A.1.
2. Compare the ISF/SAFPF screening form and the TUHSU with information in the Medical screen in the Offender Information Management System (OIMS). Immediately notify the CCU ISF Program Supervisor I (PS I) or CCU ISF Parole Officer III (PO III) by email of clients not eligible for ISF due to medical reasons, having a detainer, transfer due to bench warrant, or pending charges. Fax a copy of the ISF/SAFPF screening form to the Central Coordination Unit (CCU) for review.
3. Forward the work item to the CCU ISF in the OIMS within two (2) business days of receipt of the ISF transfer packet from the parole officer. If the client is not in custody, suspense the work item and conduct weekly checks until the client is taken into custody.
4. Ensure that the ISF transfer packet is delivered to the county jail to give to ISF transport staff at the time of the client's transfer to the ISF from the county jail.

B. The CCU ISF unit shall update the transport dates on the ISF Transfer screen in the OIMS. The CCU ISF PS I or CCU ISF PO III shall coordinate and forward the transport schedules, via email, to the facility parole officer, Region ISF coordinator, and the ISF facility.

V. ISF TERMS AND OTHER ISSUES

- A. The ISF term shall not be less than 60 calendar days or more than 180 calendar days from BPP action as a result of a waiver, conditional waiver, or revocation hearing.
- B. The ISF term shall not be less than 60 calendar days or more than 180 calendar days from date of placement as a result of summons.

- C. A client may remain in an ISF until discharge, only if approved by the BPP, and the discharge date does not exceed 180 calendar days.
- D. The CCU ISF unit will determine certification and compliance with an ISF special condition imposition.

Stuart Jenkins
Director, Parole Division