



West Texas CSCD

Standards

March 2015

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CODE OF ETHICS as stated in TDCJ-CJAD Standards March 2012

In order to ensure that all community supervision officers maintain the highest level of professional standards, that the integrity of the criminal justice system is fully preserved, that the mission and goals of every community supervision and corrections department in this State are faithfully accomplished and that the people of this State and in each local community are served with honor and dedication, the Community Justice Assistance Division of the Texas Department of Criminal Justice propounds the following Code of Ethics to be adopted and implemented by every community supervision and corrections department in this State and by its officers and employees.

Community Supervision Employees are Servants of the Court

It is the primary duty and responsibility of every community supervision officer and all other employees of the department to faithfully serve the Court.

Community supervision officers shall not make any public statement which disparages the dignity of the Court, degrades or belittles any Court officer, or shows contempt or disregard for the criminal justice system. Instead, community supervision officers shall work diligently to preserve the integrity of our judicial system, work to improve the function and efficiency of our legal system and strive toward assuring that equal justice will be provided to all persons.

A community supervision officer shall accurately and timely document all significant interactions concerning the supervision of offenders and record all significant contacts with other agencies pertaining to the offender. A community supervision officer has the duty and obligation to vigorously carry out the instructions and orders of the Court and to comply with the administrative procedures established by the department. A community supervision officer shall provide the Court and the department with accurate and objective information. As such, a community supervision officer shall exercise care to verify pertinent factual information presented to the Court, formulate an informed and unbiased judgment when making recommendations to the Court, and promptly inform the Court of any violation of or deviation from the Court's instructions and orders as directed by the Court.

A community supervision officer has the duty and obligation to endeavor to maintain the integrity and independence of the judiciary. As such a community supervision shall not use his or her official position for the furtherance of partisan political objectives; nor shall an officer, in an official capacity, treat any individual differently on account of personal animosities or biases; nor shall the officer discriminate against any person on the basis of religion, race, sex, creed, national origin, disability, health status, or age. Moreover, a community supervision officer shall not represent to any person that he or she can gain influence or access to anyone because of the officer's position as a community supervision officer or because of the officer's relationship with the Court.

A community supervision officer shall conscientiously obey the laws of the land and shall not counsel or encourage any individual to violate any laws of this State, any other State, or any laws of this nation.

A Community Supervision Employee has an Obligation to the Department with which he serves

A community supervision officer or other employee shall not make any public statement that falsely or maliciously ridicules or disparages a fellow employee or the operations, policies, and practices of the department. Instead, all employees shall strive to strengthen the endeavors of the community supervision and corrections department while constantly upholding the interest of the public shall offer constructive comments aimed at improving the efficiency and effectiveness of the department and shall work toward enhancing the quality of supervision and corrections in the community. Employees are, however, encouraged to report any misconduct by any department employee by using the department's chain of command or reporting the misconduct to the appropriate authorities.

A community supervision employee shall not engage in any activity which creates an actual or apparent conflict of interest or has the appearance of a conflict of interest which affects his or her duties as a department employee.

A Community Supervision Officer has an Obligation to the Public and to those Individuals whom an Officer Supervises

A community supervision officer shall exercise the utmost precaution to ensure that a defendant whom the officer is supervising does not pose a substantial and unjustifiable risk to the community. A community supervision officer should notify any individual or a law enforcement agency, within the proper bounds of the law, whenever a community supervision officer has a good faith belief that the life, safety, or property of any member of the public may be endangered.

A community supervision officer shall supervise defendants with fairness and competency. A community supervision officer shall treat all individuals that the officer is supervising with the dignity and respect to which all human beings are entitled. A community supervision officer shall treat all persons with whom the officer comes in contact in his or her official capacity impartially. The officer shall neither treat some individuals more favorably than others; nor shall the officer treat some individuals more adversely than others.

A community supervision officer shall maintain a professional relationship with the individuals the officer is supervising. A community supervision officer shall not use his or her authority as a supervising officer or his or her position to extract any personal gain from a defendant or exert any undue duress or harassment of any defendant.

A community supervision employee shall not violate a defendant's civil and legal rights, including any right to the confidentiality of any communication or records. A community supervision officer shall disclose no personal information concerning a defendant other than in his or her official capacity and in accordance with any applicable law and administrative policy.

A Community Supervision Officer has the Status of a Professional

A community supervision officer shall work toward improving and enhancing the profession. An officer shall maintain a high degree of proficiency in his or her employment. As such, a community supervision officer shall seek every opportunity to become aware of any changes in the law and be apprised of the latest developments in the field of supervision and corrections. A community supervision office should seek to improve his or her skills and competence through training programs, seminars and self-study. In order to improve the profession, develop contacts with community supervision officers in other jurisdictions and parts of the country, and provide a network of resources and ideas, community supervision officers are encouraged to join and actively participate in professional organizations affecting corrections and supervision matters.

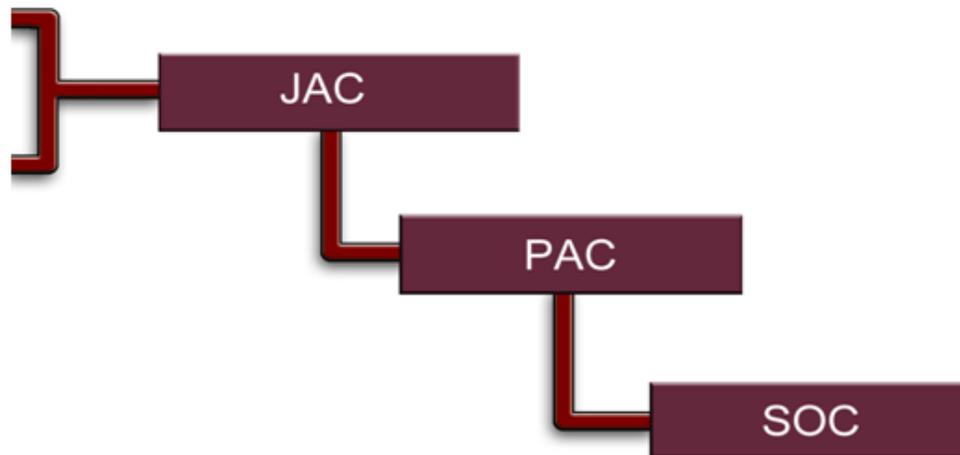
West Texas CSCD Employee Ethics Policy VI-5:

Staff must utilize proper discretion in all contact with clients and residents. Any inappropriate advance, sexual suggestion, or sexual act by either clients or staff must be immediately reported to a supervisor or other staff must be immediately reported to a supervisor or other staff member for appropriate action. Interaction between staff and clients other than on a professional level is not permitted by this department. Violation of this policy will result in disciplinary action.

In addition, not employee of the department shall engage in conduct prejudicial to the judiciary or the

department. An employee shall avoid any action, whether specifically prohibited or not, which might result in, or create any appearance of, the following actions:

1. Unethical or immoral behavior;
2. Using the office delegated to the employee for private gain;
3. Giving preferential treatment to any person;
4. Impeding the efficiency and economy of department business
5. Effecting the loss of employee impartiality;
6. Affecting adversely public confidence in the integrity of the department;
7. Becoming involved in business or personal matters with clients or their families, if not directly related to the case; or
8. Blatantly neglecting job responsibilities.
9. Care should be taken that the influence which may accrue to an employee of the department is not used in any manner for intercession with other agencies in behalf of friends or acquaintances or on behalf of him/her.



To All Certified Community Supervision Officers,

TDCJ/CJAD uses an effective communication structure which allows sharing of information between community supervision officers, their department directors, the judiciary, and the Texas Department of Criminal Justice (TDCJ).

This communication model uses a multi-level system approach. The process begins with the **Judicial Advisory Council (JAC)**, which is established in the Texas Government Code. The purpose of the JAC is to advise the CJAD director and the Texas Board of Criminal Justice (TBCJ) on matters of interest to the judiciary.

The second communication tier in the system is the **Probation Advisory Committee (PAC)**. The PAC is a 14-member committee appointed by the JAC chairman. It consists of nine CSCD directors, selected from each of the state's Administrative Judicial Regions, and five at-large positions.

The third communication tier covers front line community supervision officers. The **Supervision Officers Subcommittee (SOC)** provides a venue for constructive officer communications. This process facilitates sharing of "Best Practices" and other CSCD information for consideration to the PAC.

At this time, we are accepting memo's of interest from CSO's to comprise the **West Texas CSCD Supervision Officer Committee (SOC)**. The **West Texas CSCD SOC** will act as a Focus Group / Advisory Council to West Texas CSCD Director on "Best Practices" and development of Universal Protocols in **Section 163.31 Sanction, Programs, and Services of TDCJ/CJAD Standards for CSCD's**.

If interested in being a part of this committee, please submit memo through Chain of Command addressed to Deputy Director Annalisa Davila.

The objective of the West Texas CSCD Operations Manual is to serve as a guide for employees as they come upon daily processes in supervision and case management.

To Promote Public Safety and Re-socialize the Offender

To provide comprehensive community supervision model that promotes public safety by using cross-system collaborations with law enforcement and community-based interventions to reduce the risk of future criminal behavior. Interventions include a complete range of progressive sanctions, incentives, community-based behavioral health, human services, and restorative justice.

West Texas CSCD Supervision Daily Procedures (include but are not limited to below):

Supervision Services is responsible for the overall effectiveness and compliance of the four Field Offices in El Paso and the District Field Offices in Hudspeth and Culberson Counties. The majority of probation officers of this department are assigned to Supervision Services. It is the responsibility of these officers to assist individuals granted probation, as well as to monitor and report violations directly to the courts and prosecutors. In addition to the direct services provided by each officer, they must serve as brokers of resources to assist the offenders in his/her rehabilitation and reintegration into society. Some of the in-house services available to officers in their quest to implement the individual supervision plans are: urine surveillance, antabuse assessment and prescription, individual and group alcohol and drug counseling, custodial residential services and a Learning Center. The supervision officers also have available and utilize a multitude of community agencies which provide much needed services to offenders.

1. Caseload assignment: Felony/Misdemeanor, High/Medium or Low Risk Caseload
2. Report Period (1-10, 11-20, 21-30) and 8:00 a.m. to 6:00 p.m. with 1 or 2 hour lunch as appropriate.
3. Interview clients, conduct UA's, BA's, distribute antabuse
4. Document all activity associated with the cases being supervised.
5. Make necessary referrals
6. Keep courts apprised of defendant's compliance with conditions of probation.
7. Ensure cases are classified according to Standards.
8. Supstat is reflective of the client's risk level or as determined by other department approved factors.
9. All supstat changes must be approved by Supervisors.

Safety and Security of the office:

Each Supervisor is responsible for ensuring safety of staff. Evacuation drills, and proper training for staff.

- Evacuation Steps
- Meaning of the CODES
- Procedures
- Meeting point
- Office map
- Officer Check list

Conditions of Community Supervision:

A case is out of compliance if the supervising CSO fails to take appropriate action to ensure that any special conditions of community supervision are being complied with. Of particular concern would be the collection of urine samples, referrals to mandated and/or appropriate treatment programs, referrals to agencies as ordered in the Terms and Conditions of Community Supervision, referrals to community service, and the blatant failure to collect restitution and other court assessed financial obligations. If the

Ignition Interlock/In-HOM device is ordered and the client is claiming to not have a vehicle or not be driving, the CSO must set up a status hearing to advise the Court.

TRAS Assessment/Re assessment:

TRAS is a statewide assessment tool that is an evidenced-based approach to address criminal behavior and reduce offender recidivism. TRAS is intended to assist clients with positive behavior change. Reassessments are conducted annually, or if there is a significant life change noted by the CSO.

TRAS Case Plan:

A written individualized case supervision or treatment plan based on the client's identified risk and need factors to address specific problem areas and assist the client to achieve responsible behavior. The four components consist of problems/needs, goals, objectives (client action steps) and techniques (officer action steps).

The following are general duties assigned to CSO's while acting in the scope of their employment. These duties do not represent the totality of the CSO's functions.

Chronological entries:

As per CJAD Standards, CSO's are to use a problem oriented record keeping system in PDAP (problem, data, assessment, plan) format. Data documented is to correlate with the TRAS case plan to include the four components; problem, goal, objective, and technique. Chronological entries must be substantive, concise, comprehensive and be made at the time of the interview. The entries should accurately reflect what has transpired during the interview between the CSO and the client. Moreover, the chronological entries should reflect the progress or regress of the problematic domains identified in the TRAS assessment. The chronological entries should reflect what is transpiring in terms of the client's and the CSO's case plan. Every communication with or about the client is recorded on the chronological entry, to include telephone calls, instructions on the case, or case movement factors such as changes in supervision status. If the entry is not made electronically in Odyssey, CSO will document entry which must be legible, sufficient, and signed or initialed by the CSO or other staff member making the entry. A concise statement of the client's adjustment and current status in the following areas is included in the chronological entry for each scheduled monthly report: vocational/educational adjustment; familial adjustment; personal adjustment; financial situation; existence of probation violations, if any; residential status; employment status; status of court ordered fee payments; and compliance with all other court ordered terms and conditions of probation. At least every third month the chronological should include the client's address (including city and zip code for jurisdiction verification purposes as per CJAD Standards) and employer.

CSO Minimum Responsibilities:

1. Enforce conditions of community supervision;
2. Orientation and initial intake;
3. Document all information pertaining to clients in Odyssey;
4. Conduct assessments, reassessments, and case planning in compliance with TDCJ-CJAD Standards;
5. Implement strategies to address identified offender risks and needs with the Resources available to jurisdictions;
6. Provide contacts to offenders on direct community supervision per Texas Department of Criminal Justice-Community Justice Assistance Division (TDCJ-CJAD) standards;
7. Maintain case files;

8. Develop and monitor community service restitution programs;
9. As ordered by the court, assess and, when needed, provide access to education, substance abuse and mental health services;
10. Monitor employment and provide job and/or vocational referrals to employable offenders; and
11. Provide access to assessment and treatment services for sex offenders and violent offenders and maintain appropriate levels of supervision for these offenders.

All CSO's will comply with the following:

1. KRONOS to reflect a 40-hour work week to be completed and submitted to supervisor for review by 10 a.m. the Friday before the end of the pay period unless otherwise requested by HR due to Holiday.
2. Mileage log sheets (Policy III-7) to be completed (typed) by the 8th of the following month.
3. Maintain monthly long distance phone log.
4. Sign out when leaving the office and sign in upon return. Supervisors must know CSO's whereabouts at all times during work hours.
5. CSO's are responsible for typing own work as it pertains to their case, unless circumstances prohibit then support staff may assist in the typing of motions, VN's, modifications, memos, etc.
6. UA log must be completed for all UA's taken per office.

Arrest and firearms policy and procedures:

CSCD officers and other staff members, as appropriate, should familiarize themselves with the state and federal regulations regarding firearms, especially the Federal Gun Control Act of 1968 as it applies to clients. As the Gun control Act of 1968 specifically prohibits the purchase, possession, or transportation of firearms by persons under indictment or conviction, it is the policy of this department that all persons on probation under this department's supervision are prohibited from having in their possession any type of firearm. It is the responsibility of the CSCD officer to explain the Gun Control Act of 1968 to each new client and to obtain the client's signature on the Statement of Understanding of this act.

Waiver of Extradition:

Client agreement to go with authorities from other jurisdictions willing, thus making extradition hearing unnecessary. It is the responsibility of the CSCD officer to explain the Waiver of Extradition to each new client and to obtain the client's signature on the Statement of Understanding of this act.

Financial Agreement:

Client acknowledgement and agreement of financial responsibilities to the court and the CSCD. It is the CSCD officer responsibility to explain the Financial Agreement to each new client and to obtain the client's signature.

Referrals:

All referrals must be made at the initial interview, unless otherwise specified on the terms and conditions of community supervision. All referrals must be signed and dated. For example:

1. State certified DWI/ROP Education Course (if ordered).
2. Community Service (if ordered).
3. Drug Offender Education Program (if ordered).
4. Family Violence and/or Anger Management Counseling (if ordered).
5. Victims Impact Panel (if ordered).
6. All other designated program/activities.

Further, appropriate follow-up to ensure compliance, attendance and participation will need to be expended by the CSO. The CSO MUST follow up on all Court ordered treatment programs and conditions of probation.

Assessment and remediation of literacy skills for offenders:

West Texas CSCD officers, in accordance with TDCJ-CJAD Standards, shall ensure that all persons placed on community supervision, who are unable to document attainment of a high school diploma or GED shall be screened to determine if the persons possess (1) Educational skills equal to or greater than the sixth grade level; or (2) The intellectual capacity or learning ability to achieve the sixth grade skills level. Programs that assist offenders in attaining the educational skill level of sixth grade and above shall be developed and/or made available to the courts for offender referral.

Educational Skill Level:

Community Supervision officers shall ensure that proper referrals are made to community agencies if lack of educational skills is determined to create obstacles in obtaining employment or hindering offender's ability to fulfill financial obligations to his/her household and/or terms of supervision.

Ignition Interlock/In Home Unit:

Referrals will be made timely and upon expiration of term/closure of case, CSO to ensure that unit is removed. CCR1-Per Judge Alma Trejo's orders, please attach the Ignition Interlock Removal Request form with the termination or discharge order. If the removal has already occurred prior to the submission of the discharge order please make a notation on the cover memo that it has already been removed. Judge Trejo wants to ensure that no removals are overlooked. When attaching form please follow the procedures below:

1. Fill out section 1.
2. Fax or have Client hand deliver the form to the Ignition Interlock provider.
3. Please keep copy for the file and chronological that removal was issued.

Occupational License:

After a hearing granting the ODL, PR Bond Tech from Court Services will explain the conditions of the ODL and refer the person to the PR Bond section who will monitor compliance with the conditions as set by the court. Please note that if the individual is currently under Community Supervision and is reporting to a CSO in the field, the case will be referred to the CSO.

Notification to the court will be immediate upon violation of the said conditions.

Procedures for walking Motions to revoke-Once MTR/MTAG with/without capias is approved by Supervisor.

- Take original and three copies to ADA's for signature.
- Have secretary at Court Services type capias.
- If CC#1 case. File MTR prior to obtaining Courts signature.
- If with capias, take capias to Judge of prospective court for signature and bond setting. **MAKE SURE THAT THE COURT INDICATES A BOND AMOUNT. SO WARRANTS WILL NOT ACCEPT CAPIAS WITHOUT A BOND AMOUNT.**
- Make copy of signed capias at Court Services
- File original MTR and one copy with County Clerk. Have copies file stamped
- Return to Court Services to ensure that capias gets entered and posted by a Court Services officer.
- Take original capias and acknowledgement sheet to S.O. Warrants and have copy stamped.

- Return to Court Services to file copy of Capias and MTR.

Officer of the Day:

Duties and responsibilities are subject to change by the supervisor as deemed necessary and appropriate.

1. Change in the OD schedule with another staff member is permitted providing the same is mutually agreed upon by both parties, communicated to the supervisor, secretary; changes must be approved and posted in the shared calendar.
2. Office hours are from 8:00 a.m. to 6:00 p.m.
3. Secure the lobby, secretary office and interview clients who report during the hours of 12:00 p.m.-2:00 p.m.
4. It is the OD's responsibility to obtain lunch coverage, before or after the secretary's lunch hours of 12:00 p.m. -2:00 p.m., in the absence of the secretary.
5. Covers for officers who are out of the office or absent.
6. Check the sign-in roster frequently to ensure that all clients that come in to report are interviewed in a timely manner.
7. Covers the front office for support staff lunch or in their absence.
8. Maintain and secure all receipt books; prepare and verify the money ledger, and sign off on the money ledger(s) for the end-of-the-day collections, in the absence of the secretary.
9. Issue receipts and secure monies;
10. Process incoming telephone calls to include court settings; gives court settings to secretaries to enter into the court calendar and notifies assigned officer of court date accordingly.
11. Dispenses antabuse and administers BA test.
12. Takes UAs as needed.
13. Ensures no staff member remains alone in the office.
14. Opens the office in the morning and secures the building at end of day.
15. Performs any and all other duties and responsibilities as assigned by the Supervisor.

Shared calendar:

A shared calendar will be kept at all offices. Only management and support staff will have access to adding or modifying information. Staff will have "view" access only. The purpose of the calendar will be to enter court hearings/sick/vacation taken. This will help in finding coverage in cases where staff is unexpectedly out or in scheduled training. All court hearings called into the OD will be entered immediately by support staff or management. Officer of the Day will take message and email or notify a member of management and support staff to ensure the hearing is entered. Management will determine if officer who may be out needs to be contacted or arrangements need to be made for coverage.

Field Visits:

A field visit to confirm residence must be conducted within forty-five days on all newly probated cases. Each case will have a minimum of two field visits per year or as needed, except for Special Program cases where the grant conditions must be followed.

All CSO's will be scheduled to conduct a minimum of four hours of field work each month during non-traditional hours. "Non-traditional work hours" are defined as any time outside regular department office hours of Monday through Friday; 8:00 a.m. to 6:00 p.m. Scheduling to meet the above requirements should be arranged with each respective field supervisor.

The above constitutes the minimum requirements. Field visits should be conducted for the following cases:

1. Newly probated/initial (within 45 days of placement under supervision)
2. Absconders
3. Interstate/intrastate
4. High profile
5. Anonymous complaints
6. Early discharge

Documentation of all Field work will be completed within forty-eight (48) hours.

Case Data Sheet:

An updated case data sheet should be in each client's file and should be updated as client information changes. The case data sheet must be posted and maintained with the client's current address, his/her employer, his/her criminal identification numbers, information regarding the instant offense, in addition to all court case data. It is the responsibility of the CSO to ensure that all information contained in the data sheet is current and accurate.

Monthly Report Form:

Each case file should only have the last six months' Monthly Report Forms. Monthly Report Forms older than six months should be discarded except in those cases where the CSO is maintaining such reports so that they may be used in possible future court action. The Monthly Report Form should be filled out completely, and should be checked and signed by the CSO at the time of the interview.

Failure to Report:

The following actions to reassert supervision must be undertaken within 30 days of the client's last report. Depending on the case and available information in the case file, the following actions need to be undertaken on those clients that have failed to report:

1. A telephone call **MUST** be made to the client's residence, collateral contacts, family members and employer.

2. A failure to report letter must be sent via regular mail immediately following the client's failure to report after the reporting period has ended which during the client would have or should have reported.

This is especially required when the client does not have a telephone.

3. A Failure to Report Letter must be sent following the client's failure to report on the second month after the reporting period has ended during which the client would have or should have reported. ***If the officer***

determines the need for the letter to be sent Certified Mail, Return Receipt Requested, this is allowed.

4. A Field Visit must be conducted in all cases which have failed to report prior to the submission of a Violation Notice or Motion to Adjudicate/Revoke alleging failure to report. ***Note however that in no case will a field visit be required when the client has an outstanding warrant. An exception to this will be when the officer is instructed to perform a field visit by the judge. In this case, the officer is to notify their supervisor who in turn will notify the department director.***

5. In concert with the above steps, the officer is responsible to contact the client's personal references, family members, and employers. ***To this end, the Personal Data Sheet needs to reflect all updated information and***

must be carefully reviewed by the officer at the time of the initial interview and thereafter reviewed and updated during the supervision term. Any changes noted must be updated in the case file data sheet.

6. The officer is required to verify the client is not in custody prior to the submission of a Violation Notice or Motion to Adjudicate/Revoke, based on the client's failure to report. ***Verification can be made via***

Jail Management in Odyssey.

7. The case chronological record shall reflect the above actions have been taken.

8. In the case of Violation Notices, the narrative portion of the report must reflect the efforts the officer undertook to reassert supervision.

Transferring cases:

Prior to transfer, files must be updated and case summary completed. The Notice of Transfer should be reviewed and approved by the Supervisor. Cases transferred to the Unable to Locate (UTL) caseload must be screened and accepted by the assigned UTL Court Liaison Officer.

Supstat:

The Supstat is either direct or indirect. Direct supervision level should be MD3, MD4, FD3 or FD4. A direct case is one in which the offender is on community supervision and or works or resides in the jurisdiction in which they are being supervised and receive a minimum of one face to face contact with a CSO every three months.

An indirect case is the maintenance of a file and/or record of an offender under supervision who meets one of the following criteria:

1. An offender who neither resides nor works within the jurisdiction of the CSCD (El Paso County) and who receives the supervision in other jurisdictions(inter/intra state);
2. An offender who neither resides nor works within the jurisdiction but continues to submit written reports on a monthly basis because he is ineligible or unacceptable for supervision in another jurisdiction (Mail-ins);
3. An offender who has absconded or who has not contacted his CSO in person within three months;
4. an offender who resides or works in the jurisdiction, but who, while in compliance with the orders of the court, nevertheless does not meet the criteria for direct supervision (Unsupervised); or
5. Offenders who reside and work outside the jurisdiction (El Paso County) but report in person and who do not fall under direct supervision.

An example would be a case of an individual working and living in Mexico. Upon learning that a client has left the jurisdiction, the CSO will change the Supervision Level to Indirect status immediately.

UA logs:

One log will be kept for all UA's taken at each office on a monthly basis. Those taking UA's will enter client information and results of test after each UA taken. These results will then be entered on monthly stat sheet turned in to Director of Programs and Operations by the 8th of the following month. UA's taken will be documented under the Drug Testing tab in Odyssey along with results.

Antabuse Distribution and Log:

Each office shall have a binder with a data sheet with picture of client. Each form will have information on the client with a calendar and instructions for the days the antabuse is to be dispensed. Log, with photo of clients is kept in specified location (where antabuse is kept). CSO and/or Officer of the Day (for those clients whose CSO is unavailable) will dispense Antabuse and initial log. At the end of each month the log will be scanned and entered into Odyssey.

Court Liaison Officers:

1. Conduct pre/post-sentence investigations as ordered by the court and in accordance with law;
2. Report violations to the court;
3. Prepare Conditions of Community Supervision, Pre Plea Reports and packets for field supervision;
4. Provide testimony as custodian of the record;
5. Conduct assessments and complete reports mandated by law (as deemed necessary);
6. Make recommendations to the court regarding conditions of supervision; and
7. Maintain case files.

Pre-sentencing investigation and reporting policy and procedures:

Court officers shall prepare a pre-sentence investigation report on a felony defendant unless the defendant's punishment is to be assessed by a jury, the defendant is convicted of or enters a plea of guilty or nolo contendere to capital murder, the only available punishment is imprisonment, or the judge is informed that a plea bargain agreement exists, under which the defendant agrees to a punishment of imprisonment, and the judge intends to follow the agreement.

CSOs, as assigned, shall prepare a post-sentence investigation report if the judge has requested the preparation of such a report in accordance with the provisions of Texas Code of Criminal Procedure, article 42.12 §9(k). A CSO shall prepare a PSIR on all misdemeanor defendants unless the defendant requests a report not be made and the court agrees, or if the court finds there is sufficient information in the record to permit the meaningful exercise of sentencing discretion. Copies of the completed PSIRs shall be maintained in the individual offender's case file and made available for periodic audits, reviews, or inspections by TDCJ-CJAD staff.

Court Hearings/Preparation:

When a CSO or other staff member prepares to go to court on a case for a revocation hearing, modification, or other types of hearing, the following guidelines are used:

- A. Review the motion to revoke. Notify the district attorney's office of any error.
- B. Review entire case file and become familiar with the client's conditions of community supervision.
- C. Prepare a summary sheet or chronological outline regarding highlights of the case history to which the officer may refer at a glance.
- D. Review department's recommendations. Be prepared to make alternative sentencing recommendations in lieu of institutional division of the Texas Department of Criminal Justice.
- F. Know the criteria for special programs such as the West Texas Behavioral Health Residential Center (WTBHRC), Woman's Substance Abuse Treatment (WSAT), Residential Substance Abuse Treatment (RSAT), Intensive Probation Programs, and Drug Court.
- G. Conduct a fiscal audit and be prepared for fee payment questions.
- H. Anticipate any and all questions in court. Avoid phrases such as, "I think" . . . and "I don't know". If necessary, ask the court's permission to refer to case file.
- I. Know the number of days the client has been in jail as of the date of the revocation hearing. The court may ask for purposes of determining credit for time previously served.
- J. Be prepared to answer questions about community service location and the number of hours completed. Give community service staff sufficient notice to calculate this information.
- K. If the allegation is failure to report, be sure to review the office sign-in registry as needed to verify the client reported.
- L. Do not allow the defense to read the case file without the court's permission.

- M. When testifying keep answers brief. Do not volunteer more information than necessary.
- N. Arrive at hearing at least half an hour early.
- O. Dress appropriately for court.

Administrative Services/Support Services:

Provide adequate management and support service to the CSCD operation, commensurate with available resources, to include but not limited to:

1. Create labels for cases based on lists received from CSTS staff at Admin.
2. Ensuring flashes open/closed
3. Requesting criminal history (rap) from Supervisor/Senior CSO for new cases (effective 9-17-12)
4. Updating case information as requested
5. Monthly stats (New cases)/monthly/annual collections report
6. Mail distribution
7. Faxing
8. Answer phones
9. Take payments
10. Make deposits
11. Balance out monies with OD or secretary before leaving for the day
12. Get money ready for pick up (log and bag and safe).
13. Make deposits
14. Oversee Community Service workers
15. Fax Community Service hour sheets to C/S on Monday a.m.
16. Keep track of cell phones
17. Update staff information lists (extensions, etc)
18. Monthly/Annual collections Report
19. Log files coming in/out of office
20. Enter hearings into shared calendar on a daily basis
21. Order supplies as approved by SCSO or Supervisor
22. Type MTR's and VN, in addition to other correspondence if deemed necessary
23. Enter ICOTS/Intrastate information timely (within 24 hours)

Continuum of Sanctions:

The West Texas CSCD focuses on providing services to the community that support public safety and the rehabilitation of clients. Officers will utilize the Progressive Interventive Sanctions and Incentives developed, to help in determining what recommendations will be proposed to the courts of jurisdiction when violations of terms of supervision occur. The Progressive Interventive Sanctions and Incentives Manual provides a general framework of guidelines for the application of incentives and progressive sanctions for clients under the supervision of the West Texas CSCD (non-residential). Officers will utilize the Violation Response worksheet for all violations in order for there to be a point of reference regarding Progressive Interventive Sanctions. The Incentives worksheet will also be utilized in instances where the client has shown compliance and how he/she has been rewarded.

Violation Notice:

A written notification by the CSO to the district attorney's office regarding specific violations of the conditions of probation, including rearrests and recommended sanctions. The following steps should be taken by the CSO:

1. The CSO is required to submit the first Violation Notice to the respective Court with two copies to the Assistant District Attorney assigned to that Court for a total of three (3) (original plus two copies).

2. There must be a follow-up contact made to the District Attorney's Office within thirty days of the submission and every thirty days thereafter.
3. If thirty days have passed since the violation notice was submitted and the District Attorney's office has not filed the Motion to Revoke/Adjudicate nor responded, the CSO will send an e-mail to the Trial Chief assigned to that Court. The purpose of the e-mail is to advise the Trial Chief that the ADA has not filed the Motion to Revoke/Adjudicate nor responded to the Violation Notice.
4. If thirty **additional** days have passed and a Motion to Revoke/Adjudicate have not been filed nor has there been a response from the District Attorney's office, the Supervisor will send an e-mail to the District Attorney's office to the attention of Section Trial Chief who is assigned to that court.

The general policy has the following exceptions:

In felony cases where the client is rearrested for a felony charge and may pose a risk to the community, a Bench Warrant will be requested. CSOs are required to follow court preferences. The Violation Notice must be submitted to the Supervisor and approved within two working days of the issuance of a Bench Warrant. In cases where the client is rearrested for Driving While Intoxicated a bench warrant will be requested unless the Courts policy prohibits it. The above cited requirements do not apply should the CSO be unable to obtain a complete offense report or should further investigation and/or information be required. However, chronological entries should reflect all documented efforts to resolve the problem and the appropriate supervisor should be notified of the problem, the efforts underway to resolve the problem, and a tentative date for submission of a completed Violation Notice. In the case of a Class "C" re-arrest and the recommendation is to continue on probation, the CSO will prepare an Administrative Violation Notice. In the case of a Class "B" re-arrest a complete typed and approved Violation Notice with narrative will be submitted to the District Attorney's Office.

Staff is reminded that responses to violations should follow Progressive Interventive Sanctions and Incentives Model. Recommendations for revocations should be justified and must be approved by Deputy Director.

Violation Response Worksheet;

This worksheet can be used as a tool for the CSO to show the client the lack of progress in his/her supervision. The worksheet can also be used as a tool for the CSO in support of the recommendation for a certain sanction before the Court. The Violation Response Worksheet will be placed in the offender's file on the right side under the case status sheet. Once completely full shall be scanned into Odyssey. Additionally, the sheet will be **green** in color to easily distinguish it from other documentation. For each violation listed in the Violation Response Worksheet, the violation must also be documented in the chronological records. When the offender's case has been closed out, a copy of the worksheet will be forwarded to the Coordinator of Program Services in order to track the utilization of the sanctions. This worksheet will now take the place of the in-house Administrative Violation Notice for Class C offenses.

Incentives Response Worksheet:

Each time a client is awarded for his/her good behavior, the process will be documented on this Incentives Response Worksheet. Additionally, the Incentives Response Worksheet can provide the necessary documentation for any future early discharge process. This document should remain in the file for easy reference. The Incentives Response Worksheet will be placed in the offender's file on the right side under the case status sheet. Additionally, the sheet will be **yellow** in color to easily distinguish it from other documentation. When the offender's case has been closed out, a copy of the worksheet will be forwarded to the Coordinator of Program Services in order to track the utilization of the incentives.

Low Risk Diversion Caseload:

Probationers in substantial compliance with his Terms and Conditions of Community Supervision with minimal risk level and all that is required is to report every month, complete community service hours and pay fees, may be placed on minimum supervision, to report every sixty (60) to ninety (90) days as provided:

1. Regular payments will be expected on fees.
2. Community Service hours are being worked on regularly or have been completed
3. Special Conditions such as counseling, treatment, GED, etc., are completed
4. No Motion to Revoke is pending.
5. Probationer is employed or has means of support
6. Probationer has stable residence of 6 months or more or has demonstrated capacity to maintain stable residence.

If the probationer meets the criteria, the Supervision Officer will prepare a condition “d” modification to reflect reporting instructions for minimum supervision. The Officer will instruct the probationer to report for one month and by mail the second and third month, depending on frequency of reporting. Additionally, the Officer will change the supervision level to MD4 or FD4 to report as such on the monthly statistics (STATS). The probationer may be seen during the non report month via Field Visit.

The Supervision Officer will monitor case compliance and ensure that the probationer is aware of his continued compliance in order to remain at this level of supervision. Violations will be considered on a case by case basis and can result in the case being returned to regular supervision.

The above does not apply to every situation. An Officer may conference cases with the court of jurisdiction as the need arises.

Discharges:

Consideration should be taken in all cases if the defendant is currently in substantial compliance (six months prior to review) is requested or recommended. Supervisory approval is necessary before submitting recommendation to court. Officers are to be made aware of courts preferences regarding discharge form to use (120th/210th discharge forms)

Treatment Alternatives to Incarceration Program (TAIP):

A program designed to screen, assess, refer and treat chemically dependent offenders. The TAIP is a state funded program designed to provide multiple levels of substance abuse treatment (from outpatient counseling to residential treatment) for offenders in lieu of sending them to jail or prison. Clients under supervision for the following offenses will be screened unless otherwise noted by court:

1. Possession of Marijuana or other controlled substance;
2. Driving While Intoxicated;
3. Family Violence;
4. Interfering with Emergency call;
5. Violation of Protective Order;
6. Or as ordered by the Court.

All others may be screened if ordered by Court of jurisdiction.

TAIP CSO's/TAIP Counselors Contacts

Weekly staffings shall be conducted up to one hour. CSO and Counselor will discuss clients' progress, attendance, non-attendance, waiting list status, etc. Each case shall be discussed monthly. Both the CSO and Counselor shall document the staffing in Odyssey. Please see below for sample documentation:

CSO shall document under Contact Type:

collateral contact. Documentation should read as follows: "Contact with counselor NAME, P continues with treatment/ met with counselor NAME, P was no show to appt. on DATE, follow up needed/etc. "

Counselor shall document under Contact Type: Counselor Note. Documentation should read as follows: "Contact with CSO NAME, p attended/did not attend IOP/SOP on DATE, please see CMBHS notes dated DATE."

Counselor's shall document the CSO contact in CMBHS.

REMINDER: Specialty Court Counselors shall document in CMBHS and shall document staffing in Odyssey as well. Special Program CSO shall also staff and document treatment collateral contacts as specified by their Special Grant Conditions.

Clinical Management for Behavioral Health Services (CMBHS)-Clinical Management for Behavioral Health Services (CMBHS) is a web-based clinical record keeping system for state-contracted community mental health and substance abuse service providers.

The system was deployed December 14, 2009 and has been implemented across the state to Texas Department of State Health Services (DSHS) contracted substance abuse treatment service providers with rollout concluding in August 2010. West Texas CSCD became to only non-DSHS to have access to the CMBHS in Texas in November, 2011. In addition to an electronic health record, CMBHS also serves as a clinical tool which includes diagnostic and treatment plan capabilities. CMBHS supports data exchange across contracted substance abuse service providers and between DSHS and other state agencies to coordinate care. Ultimately, the CMBHS system will combine the electronic health recordkeeping requirements for both mental health and substance abuse treatment providers in a single system.

CMBHS has the capability of Screening the client in two critical areas; Mental Health and Substance Abuse. The CMBHS Screening Instrument is a diagnostic tool in that the Counselor is able to derive a preliminary diagnosis which allows the Counselor to determine to most probable level of care.

The CMBHS Assessment will assess six specific areas (Domains) of the client life and how the use of substances has impacted his/her life. The six (6) Domains include; Education/Employment, Family/Social, Legal, Medical, Mental Health, and Substance Abuse. In addition the client will utilize a five axis diagnosis criteria to determine the most appropriate level of care based on the identified needs and problem area(s).

CMBHS will also allow the Counselor to develop a Treatment Plan based on the client's identified Problem List and in collaboration with the client will develop an individualized Treatment Plan.

All documentation is entered into the Client's File and viewable to those individual having access to the record. This allows the Client to transition from one level of care to the next and from Counselor to Counselor with the least interruption in treatment process.

CMBHS Client information is considered to be confidential and all persons acquiring access need to adhere to Code of Federal Regulations Chapter (CFR) 42 Pt 2 and HIPAA laws.

Intensive Residential and Supportive Residential Services:

The West Texas CSCD-Behavioral Health Residential Treatment Center, will provide Intensive Residential and Supportive Residential services. The total program capacity is 120 beds in a multi phase comprehensive treatment program. The West Texas Behavioral Health Residential Center Program utilize two (2) screening and assessment instruments to evaluate the treatment and supervision needs of the residents served by the program. The Texas Risk/Needs Assessment determines an offender's criminogenic risks and needs, while the Clinical Management for Behavioral Health Science (CMBHS) assessment screens primarily for substance abuse dependence and mental health screens.

The West Texas Behavioral Health Residential Center programs offer a multitude of classes and counseling services to address identified resident needs such as substance abuse treatment, development of cognitive and life skills, stress/anger management, and assistance with education. Monolingual Spanish speaking residents are assigned to bilingual counselors and attend Spanish only classes. Staff members are provided training in multicultural sensitivity and residents are matched with staff members that have the specific skills to work with the learning abilities of the resident.

Victim Services-The West Texas CSCD in conjunction with TDCJ-CJAD recognizes and acknowledges victims of crime and their interests and right to be informed, heard and protected by the system. Standards are incorporated to facilitate the participation of crime victims through our Victims Services Program.

Cases being supervised by West Texas CSCD that are identified with a yellow information slip in the file require:

1. Notice to the victim that offender is being placed on community supervision;
2. The conditions of community supervision imposed by the court;
3. The date, time and location of any hearing or proceeding at which the conditions of the offender's community supervision may be modified or the offender's placement on community supervision may be revoked or terminated.
4. Notifying the victim of the offender's crime, or if the victim has a guardian or is deceased, notify the Offender information that is public may be released to victims. Such information includes:
 - Court ordered community supervision identifying the department with jurisdiction;
 - The name of the supervising officer;
 - A written copy of the conditions of supervision;
 - Victim service coordinator contact information;
 - Motion to revoke supervision being filed and the results of the motion;
 - Information regarding the transfer of an offender to another jurisdiction and contact information;
 - Information that the offender has been placed in residential confinement and released from confinement, unless such confinement is in a substance abuse treatment facility.

Other information that may be released includes information that the victim would have knowledge of, such as:

- Uncollected/unpaid restitution; and
- Sanctions for violating the terms and conditions of supervision.

Community Service Restitution (CSR):

West Texas CSCD shall maintain written agreements with governmental and/or nonprofit agencies and organizations to provide offenders opportunities to comply with court-ordered community service

restitution according to the Texas Code of Criminal Procedure article 42.12 §16. Clients are referred by a CSO or Community Service Tech to an approved Community Service Site. Revised Community Service Agreement is found in the “G” drive. Hours are documented by each site and sent to the Community Service section to be verified and entered.

The code specifically states in section 16 (f); In lieu of requiring a defendant to work a specified number of hours at a community service project or projects under Subsection (a), the judge may order a defendant to make a specified donation to a nonprofit food bank or food pantry in the community in which the defendant resides.

If the defendant has medical issues, under Subsection (a) which states; a judge may require as a condition of community supervision that the defendant work a specified number of hours at a community service project or projects for and organization or organizations approved y the judge and designated by the department. The judge may not require that the defendant work at a community service project if the judge determines and notes on the order placing the defendant on community supervision that: the defendant is physically or mentally incapable of participation in the project

Internal Audits;

Case files will be audited on a regular basis to ensure compliance with both CJAD and departmental policies and procedures to include standards compliance, use of case classification and supervision planning. Department Auditors will conduct field audits periodically, however the Supervisor/Senior CSO are responsible for ensuring case audits are performed regularly. The Case Audit Checklist (Regular Supervision) will be utilized and a copy will be provided to the CSO (if conducted by Manager) and to the Supervisor (if conducted by Dept. Auditor) for review with officer upon completion of the audit. Audits will be part of employee performance evaluations. Supervisors are responsible for ensuring CSO’s are informed of all audit results and to ensure discrepancies are corrected. In addition, if any training or performance improvement plans are recommended, Supervisors are responsible for their implementation.

- CSO’s will be audited two times per year by Management. Management will utilize the Case Audit Checklist and review the audit results with CSO (ensure officers sign audit results to acknowledge receipt).
- Managers will provide results of audits to Deputy Director.
- Management will ensure to follow up with audit corrections within 60 days of the date audits are reviewed with CSO.
- Management will audit 10% of each caseload.

Department Auditors:

- CSO’s will be audited a minimum of once per year.
- Five cases (3 Direct and 2 Indirect)
- Up to three cases may be selected to be interviewed to verify TRAS was conducted.
- Auditors will randomly select cases and rescore TRAS assessment to ensure fidelity of instrument is maintained.
- Auditors will assist supervisors, as needed, when Performance Improvement Plans are recommended to ensure proper case management.

Records:

The West Texas CSCD shall ensure that program records and statistical data consistent with the requirements of the law and TDCJ-CJAD Standards are maintained and provided to TDCJ-CJAD as required. The following are reports that must be maintained and turned in monthly or as directed by Special grant conditions:

1. Monthly caseload stats by the 8th of each month
2. Mileage reimbursement-Policy III-7
3. UA stats by the 8th of each month
4. Long distance Phone logs
5. PSIR stats due by the 8th of each month
6. Offender Profiles for revoked cases

In cases of Inclement Weather which may necessitate Delayed reporting for work or Department Closure: The West Texas CSCD will adhere to El Paso County Inclement Weather Schedule unless otherwise instructed by Department Director. Deputy Directors will be responsible to notify Supervisors of each section with instructions regarding closures or delays in start of business.