



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 04-01.24

Date: January 8, 2004

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Supersedes: BPP-POL. 98-09.01

BOARD POLICY

SUBJECT: SPECIAL CONDITION “P” (MH/MR SERVICES – MI/MR CASELOAD)

PURPOSE: To establish “P” (MH/MR Services-MI/MR Caseload) as a special condition of parole or mandatory supervision and to establish a procedure for imposing special condition “P” as a condition of parole or mandatory supervision.

AUTHORITY: §§508.0441, 508.045 and 508.221, Government Code.

POLICY: Members of the Texas Board of Pardons and Paroles and parole commissioners determine conditions of parole and mandatory supervision. Members and commissioners act in panels comprised of three persons, and panel decisions are made by majority vote. The board presiding officer designates the composition of the respective panels. Special conditions are conditions imposed in addition to the standard conditions of parole or mandatory supervision. Unless otherwise provided, any condition may be imposed before or after release and shall remain in effect until specifically removed by a parole panel.

COMPONENTS: Special Condition “P” (MH/MR Services-MI/MR Caseload)

“P”—At any time that this condition is in effect, and to the extent directed in writing by the offender’s supervising parole officer, an offender shall:

- Participate in psychological or psychiatric evaluation as instructed by the offender’s supervising officer;
- Participate in a mental retardation case management/rehabilitation program;
- Participate in a mental health treatment/case management/ rehabilitation training program;

- Participate in psychological counseling/rehabilitation training for other reasons as instructed by the offender's supervising officer;
- Use medication as prescribed by the attending physician or psychiatrist.

DEFINITIONS:

Mentally Impaired (MI) Caseload—a specialized caseload designed to provide offenders with mental illness community-based treatment alternatives when released to parole or mandatory supervision, ideally through the coordination of existing resources.

Mentally Retarded (MR) Caseload-- a specialized caseload that seeks to maximize the potential of offenders with mental retardation when released to parole or mandatory supervision, ideally through the coordination of existing resources.

PROCEDURE:

I. Imposition of Special Condition

- A. Special Condition “P” is intended for offenders who have a history of mental impairment or mental retardation. When a panel determines that mental impairment or mental retardation contributed to the commission of the instant offense(s) or may adversely affect an offender's potential for success after release, Special Condition “P” may be imposed by a parole panel. As such, once imposed, it is a condition that should continue to govern the offender for the duration of the supervision period.
- B. A parole panel, upon a majority vote, may impose Special Condition "P" as a condition of parole or mandatory supervision.
- C. Unless otherwise directed, any condition imposed becomes effective the date of the parole panel decision.
- D. At anytime that Special Condition “P” is in effect, an offender's supervising officer may require the offender to comply with any or all Special Condition “P” components to the extent directed in writing by the offender's supervising officer, provided that an acknowledgement form is executed every time compliance requisites are imposed or modified.

II. Removal of Special Condition

- A. The latitude created under Procedure 1.D is intended to afford the offender's supervising parole officer the flexibility to structure the requisites according to supervision needs.
- B. A parole panel, upon majority vote, may withdraw Special Condition “P” as a condition of parole or mandatory supervision.

**ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 8th DAY OF JANUARY,
2004.**

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*