

Hill County



Offender Information Guide

Beginning January 1st, 2013



**66th JUDICIAL DISTRICT
COMMUNITY SUPERVISION & CORRECTIONS**

Serving Hill County

P.O. Box 771

126 S. Covington St

Hillsboro, Texas 76645

(254) 582-4075 Fax (254) 582-4039

Gregory Michael Mason
Director

For a person placed on adult probation, the Criminal Justice process often seems complex and confusing, and an offender is flooded with information concerning the conditions of probation, civil rights, conviction status, criminal record and so forth. This booklet has been prepared to assist you in understanding what will be expected of you by the Adult Probation Department (CSCD) of Hill County while you are on supervision. Any Local, State, or Federal Laws or Court Orders supersede any information contained in this guide.

It is important to understand that the Probation Officers are here to assist offenders in successfully completing the terms of probation and to advise the Courts of violations of the Conditions of Probation. Your officer will assist you as much as possible, but the determination to successfully complete your Probation depends upon you. If you require additional help, such as alcohol or drug counseling, credit counseling, employment assistance or training, continuing education, or family counseling, your Probation Officer can direct you to the available resources.

After reading this booklet, if you are uncertain about something concerning your probation, do not hesitate to contact your officer. Continuous communication between you and your Probation Officer is important in avoiding problems which may cause your probation to be revoked.

Good Luck,

Gregory Mason
Director/Chief

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Payments

CSCD offers 4 ways to process your monthly payment.

1. On-line
2. In person
3. By phone
4. By Mail

Don't forget to add the \$2.00 administrative fee to EVERY payment made!

1. Credit Card

- Payments will be posted to your Probation account no later than 5 business days after the payment is processed and has cleared the bank.
- Credit Card payments can be made:
 1. In Person (***MUST be cardholder or accompanied by the person whose name appears on the card***)
 2. By phone
 3. By web

You can make an on-line payment through the Hill County website at

www.co.hill.tx.us

under Other County Offices / Supervision & Corrections
(Contact your officer for your Web ID)

A Convenience Service Fee charge applies as well as a \$2.00 administrative fee
No Reimbursements for Full Balance Payments



Payments will be posted to your Probation account no later than 5 business days
after the payment is processed and has cleared the bank.

2. In Person

- Cash, Money Order, Cashier's Check and Credit Cards are ALL accepted in person.
- Payment Hours:
Monday- Friday 8am to 5:00pm

3. By Mail

- Money Orders and Cashier's Checks are ONLY accepted by mail.
- Mailing address is:
Hill County CSCD
PO Box 771
Hillsboro, TX 76645
- Please print ***YOUR NAME & CAUSE #*** on the money order or cashier's check.
- ***DO NOT SEND CASH IN THE MAIL.***

NOTE: Convenience Service Fee charge applies to ALL credit card payment as well as a \$2.00 administrative fee for EVERY payment made.

Hill County CSCD does NOT accept personal checks

INFORMATION

Office Hours:

Monday - Friday 8:00am – 5:00pm

CSC Department:

Phone Number: 254-582-4075

Fax Number: 254-582-4039

After Hours Emergency number: 254-580-3300

DO NOT call unless you have an **EMERGENCY** which may affect your probation. (If it is NOT an emergency please wait and contact your officer at the department during office hours.)

Department location:

126 South Covington Street
Hillsboro, Texas 76645

Department is located directly behind Brookshire's Grocery Store a block from the Hill County Courthouse on HWY 22.

ALL MAIL should be sent to the following:

Hill County CSCD
PO Box 771
Hillsboro, Texas 76645

Severe Weather Delays or Closings:

The Hill County CSCD will be closed if the Hill County Courthouse is closed. For information regarding departmental closings due to severe and/or questionable weather conditions, tune into radio station **KHBR (1560 AM)** or go to www.khbrhillsboro.com.

Holidays:

The county generally observes and closes all offices on the following holidays:

New Years (January 1)
Martin Luther King (January)
President's Day (February)
Texas Independence Day (March)
Good Friday (March or April)
Memorial Day (May)
Independence Day (July 4)
Labor Day (September)
Veterans Day (November)
Thanksgiving (November)
Christmas (December 24 & 25)

Dress code:

Visits to the Adult Probation Office should be treated no differently than a visit to a professional office. While we understand that many times visits are made before, during, or after your work hours and that you are unable to change clothes from work, you are expected to be clean and not track dirt or other materials into the office. You should be dressed appropriately for the situation.

This means:

- No overly revealing attire or costumes
- No inappropriate tee shirts with profane messages
- No tee shirts with messages promoting alcohol / drug use
- No attire that signifies or promotes any gang affiliation
- No revealing, low-cut or transparent articles of clothing
- No halter, strapless dresses or braless tops
- No tops that reveal midriffs
- No clothing that would be considered provocative, offensive or disruptive
- No baggy or sagging pants
- No tight or hip hugging pants that are revealing
- No allowing undergarments to show (boxers or lingerie)
- No hats, bandanas or sunglasses
- No rest-in-peace shirts
- No holes in clothing
- No pajamas or house shoes

Business attire is required for ANY / ALL person's entering the courtroom.

DRESS CODE WILL BE ENFORCED!!

IF NOT IN COMPLIANCE WITH THE CODE YOU WILL BE REQUIRED TO LEAVE THE DEPARTMENT AND/OR COURTHOUSE AND RETURN IN PROPER ATTIRE.

The following is a list of items **NOT allowed**, under **ANY** circumstances, in the office:

1. Inappropriate clothing (*see Dress Code on pg 5*)
2. Pocket knives, knives of any other kind, including box cutters
3. **NO Cell phones** (*unless otherwise told to bring to the office visit*)
4. Guns and/or any other firearms
5. Disorderly conduct or disturbing the peace
6. Abusive language
7. No chained wallets

Upon arrival at the department you will be expected to sign in with the front staff, have a seat and wait for your Officer to call you.

NO CHILDREN
ARE PERMITTED TO IN THE CSCD!

Arrange for child care before reporting.

Do not bring friends/family to your appointments.

**GENERAL INFORMATION
REGARDING COMMUNITY SUPERVISION**

FELONY

FELONY-CONVICTION PROBATION:

A person placed on felony probation has been sentenced to a term of incarceration in the Texas Department of Criminal Justice - Institutional Division or a State Jail Felony facility, and the Judge has allowed the individual to serve that term in the community, subject to the conditions of supervision. A person placed on felony supervision has been convicted of a felony, and cannot purchase, possess, or receive any firearms, vote, serve on a jury, hold public office, or state that he has never been convicted of a felony.

A person convicted **may not vote or serve on a jury while on probation. You are eligible to register to vote upon completion of probation. The right to serve on a jury can only be restored if the Court sets aside and dismisses the accusation against you. A person convicted of a felony has lost the right to purchase, possess, or receive firearms.** This firearm ban is for the remainder of your life, and it will be unlawful for you to possess any ammunition or guns after being placed on supervision. Relief from this may be sought by making application with the Federal Government no sooner than five years after your release from supervision, or having your conviction expunged, set aside, or pardoned. An individual placed on felony probation **cannot** legally state that he has never been convicted of a felony, **even upon successful completion of probation.** A felony conviction can affect certain occupations that require licensing, and could affect members of the Armed Forces. In addition, a felony conviction usually prohibits an individual from enlisting in the Armed Forces. Further information can be obtained from your officer or from the departmental "Civil Rights and Federal Gun Control Act" sheet.

FELONY-DEFERRED ADJUDICATION:

When a person has been placed on deferred adjudication, the Judge has found that there is sufficient evidence to find the person guilty, but the case is put on "hold" and the individual is placed on probation for a specific number of years, subject to the conditions of supervision. The person has **not** been found guilty and had punishment assessed at this stage of the trial. Therefore, there is no felony conviction or interruption of a defendant's civil rights except that he may not purchase or receive any firearms or ammunition or serve on a jury. After termination of probation, these rights may be restored.

DPS will likely always have a record of your arrest. After the termination of your supervision period, this will show on your criminal record if it is obtained from the Texas Department of Public Safety. **Felony probation of any type is an alternative to incarceration and a privilege, not a right. Failure to abide by the rules of supervision can result in termination of that privilege.**

FELONY-ORDER FOR NON DISCLOSURE

FELONIES in most cases, the offender must wait five (5) years after successful completion of your **deferred adjudication probation** before they can petition the court for an order of nondisclosure.

Regular probation cases (Non- deferred) are not eligible for Non-disclosure orders. The following offenses cannot be sealed with an order of nondisclosure:

- Any offense requiring sex offender registration
- Aggravated kidnapping
- Murder
- Capital murder

- Injury to a child, elderly individual, or disabled individual
- Abandoning or endangering a child
- Violation of a protective order
- Stalking
- Other family violence offenses (family violence is violence or the threat of violence against a relative or a current or former housemate)

Each petition for an order of nondisclosure must be judged on its own merit. The judge will consider a number of factors when determining whether to grant any such request. Under Texas law, an order of nondisclosure cannot be obtained on an offense for which the offender has been convicted.

An order of nondisclosure requires all law enforcement agencies not to reveal the deferred adjudication record information to anyone other than law enforcement agencies. In other words, the public may not view the records pertaining to the offense in which you received deferred adjudication. The release of your criminal prosecution and criminal arrest records to the general public, for example schools, employers, credit agencies and your landlord is prohibited. However, law enforcement agencies will still be able to access this information. For further legal clarification please contact an attorney.

FELONY-RESTORATION OF CIVIL RIGHTS

VOTING RIGHTS:

Felony Charge	No Effect
Felony Probation (Deferred Adjudication)	No Effect
Felony Probation (Regular/non deferred)	Ineligible

PUBLIC OFFICE:

Felony Charge	No Effect
Felony Probation (Deferred)	No Effect
Felony Probation (Regular/Shock):	Ineligible

JURY SERVICE:

Felony Charge	Ineligible
Felony Probation (Deferred)	Ineligible
Felony Probation (Regular/Shock):	Ineligible

**FELONY-MANDATORY REVIEW OF
FELONY CONVICTIONS**

On completion of one-half of the original community supervision period or two years of community supervision, whichever is more, the judge shall review the defendant's record and consider whether to reduce or terminate the period of community supervision, unless the defendant is delinquent in paying required restitution, fines, costs, or fees that the defendant has the ability to pay or the defendant has not completed court-ordered counseling or treatment. Before conducting the review, the judge shall notify the attorney representing the state and the defendant. If the judge determines that the defendant has failed to satisfactorily fulfill the conditions of community supervision, the judge shall advise the defendant in writing of the requirements for satisfactorily fulfilling those conditions. Upon the satisfactory fulfillment of the conditions of community supervision, and the expiration of the period of community supervision, the judge, by order duly entered, shall amend or modify the original sentence imposed, if necessary, to conform to the community supervision period and shall discharge the defendant. If the judge discharges the defendant under this section, the judge may set aside the verdict or permit the defendant to withdraw the defendant's plea, and shall dismiss the accusation, complaint, information or indictment against the defendant, who shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which the defendant has been convicted or to which the defendant has pleaded guilty, except that:

- 1) proof of the conviction or plea of guilty shall be made known to the judge should the defendant again be convicted of any criminal offense; and
- 2) if the defendant is an applicant for a license or is a licensee under Chapter 42, Human Resources Code, the Health and Human Services Commission may consider the fact that the defendant previously has received community supervision under this article in issuing, renewing, denying, or revoking a license under that chapter.
- 3) This section does not apply to a defendant convicted of an offense under Sections 49.04-49.08, Penal Code, a defendant convicted of an offense for which on conviction registration as a sex offender is required under Chapter 62, or a defendant convicted of a felony described by Section 3g.

FELONY-TIME CREDITS

Applies only to defendants granted community supervision for an offense that is committed on or after September 1, 2011. Applies to a defendant granted community supervision, including deferred adjudication, for an offense punishable as a state jail felony or a felony of the third degree beginning September 1, 2013.

Ineligible Offenses:

- ❖ All misdemeanor cases
- ❖ Intoxication and alcoholic beverage offenses; [Chapter 49, Penal Code](#)
- ❖ Family violence cases as defined by [Section 71.004, Family Code](#)
- ❖ Sex related offenses; [Article 62.001\(5\) CCP](#)
- ❖ Kidnapping; [Section 20.03 Penal Code](#)
- ❖ Arson; [28.02, Penal Code](#)

Eligible for time credits for the following COURT ORDERED conditions of supervision:

- 15 days - Court Costs
- 30 days - Fines
Attorney fees
Lifeskills Training Program
Anger Management Program
Parenting Class/Parental Responsibility Program
- 60 days - Restitution
Vocational/Technical/Career Programs
- 90 days - HS Diploma or HS Equivalency Certificate
Alcoholic/Sub. Abuse Counseling/Treatment
- 120 days - Associates Degree

Note: The time credits can be forfeited by order of the court as a result of a hearing due to a violation of the conditions of community supervision or if there is a modification, continuation or revocation of the case. **Defendant is responsible for the notification and the production of verification to the supervising CSC Officer of any completed conditions that qualify for a time credit.**

FELONY-REVOCATION OF PROBATION

While we hope that you are successful and do not violate the conditions of your probation, there is information that we want you to know.

If you violate your conditions of probation, a violation report will be prepared by your Officer and a *Motion to Revoke Probation* or a *Motion to Set Aside Deferred Adjudication* can be filed by the District Attorney's office. Upon arrest, a defendant is usually held in the county jail without bond until a hearing is held. If you are on

deferred adjudication, a bond will be set.

At the hearing, you are not entitled to a jury trial, and the State only has to prove by a majority of the evidence, that one or more conditions have been violated. If it is proven that you have violated your supervision, your probation could be revoked or modified by the Judge. If your probation is revoked and you are sentenced to the penitentiary or State Jail, **no credit is given for any time previously served on probation.**

If your probation is modified, you could have your supervision extended, or be sent to special programs such as a Felony Substance Abuse Treatment Facility, Intermediate Sanction Facility, Boot Camp, House Arrest or one of many other programs. These are called "*Sanctions*". A *sanction* is a penalty intended to enforce compliance used as an alternative to incarceration. To avoid *sanctions*, follow your conditions of probation.

GENERAL INFORMATION REGARDING COMMUNITY SUPERVISION

MISDEMEANOR

MISDEMEANOR-CONVICTION PROBATION

When a defendant is placed on community supervision for a misdemeanor offense, the Judge generally sentences the defendant to jail, but probates the jail sentence for a time period of up to the maximum allowed by law. Likewise, a portion of the fine may also be probated.

MISDEMEANOR-DEFERRED ADJUDICATION

In accordance to Section 5 (c) Of Article 42.12 of the Texas Code of Criminal Procedure, on expiration of deferred adjudication supervision, the judge shall dismiss the proceedings against the defendant and discharge him.

The Texas Department of Public Safety will likely always have a record of your arrest. After the termination of your supervision period, this will show on your criminal record if it is obtained from the TDPS. A person receiving deferred adjudication for a misdemeanor offense will not have a conviction for that charge, if community supervision is successfully completed.

If you violate your supervision and the Judge sets aside a deferred adjudication, the Judge may then (1) place you on standard supervision, or (2) assess up to the maximum punishment allowed by law. Individuals charged with Driving While Intoxicated are not eligible for Deferred Adjudication.

MISDEMEANOR- LOSS OF DRIVER'S LICENSE PRIVILEGES FOR DWI OFFENDERS

In the last legislative session laws were implemented that affects all persons arrested for Driving While Intoxicated. Driver's License privileges will be suspended for all persons failing or refusing a breath or blood test at the time of their arrest. If you are unsure of the status of your driver's license call the Texas Department of Public Safety Driver Improvement & Control (TDPS-DIC) at (512)424-2000. These penalties are as follows and apply to those individuals age 21 and over at the time of an arrest that occurred after September 1, 2001:

- * Loss of license penalties for failing breath/blood test

- 1st offense - 90 days
- If one or more alcohol/drug contacts in last ten years -12 mths
- * Loss of license penalties for refusing breath/blood test
 - 1st offense - 180 days
 - If one or more alcohol/drug contacts in last ten years -24 mths
- * Suspension may **NOT** be probated. This suspension will likely occur before you go to Court and is done administratively by DPS.
- * Appeal process available by contacting the Texas Department of Public Safety, 5805 N. Lamar, Austin, TX 78773.
- * \$125.00 reinstatement fee will need to be mailed to DPS.
- * License taken at time of arrest & 40 day temporary license issued.
- * The judge may order an additional period of suspension at the time of sentencing.

- *Interference with an emergency telephone call
- *Unlawful transfer of certain weapons
- *Harassment
- *False alarm or report
- *Disrupting a meeting or procession
- *Discharge of firearm
- *Silent or abusive calls to 911
- *Unlawful carrying of a handgun by license holder
- *Unlawful possession of a firearm
- *Possession, manufacture, transport, repair, or sale of Switch blade knife or knuckles
- *Violation of a protective order preventing offense caused by bias or prejudice
- *Dog fighting
- *Public lewdness
- *Hoax bombs
- *Unlawful restraint
- *Indecent Exposure
- If the offense was any **other misdemeanor** not listed above, then the offender may file **immediately** upon completion of deferred adjudication or dismissal of the case.

MISDEMEANOR-LAW RELATED TO DRUG CONVICTIONS AND DWI REVOCATIONS:

Your license will be automatically suspended if you are convicted of any drug offense. This also includes deferred adjudication cases which are "set aside" and placed on formal sentences of community supervision. If your DWI supervision term is revoked by the Judge for violating one or several conditions of supervision, the Judge will most likely suspend your driver's license.

MISDEMEANOR-RESTORATION OF CIVIL RIGHTS

VOTING RIGHTS:

Misdemeanor Community Supervision
(includes deferred adjudication) **No Effect**

PUBLIC OFFICE:

Misdemeanor Community Supervision
(includes deferred adjudication) **No Effect**

JURY SERVICE:

Misdemeanor Community Supervision
(includes deferred adjudication)

- Non-Theft Offenses **No Effect**
- Theft Offenses **Not Eligible**
- Theft Offenses Upon Discharge **Rights Restored**

MISDEMEANOR-ORDER FOR NON DISCLOSURE

If the offense was a **misdemeanor** listed below, then an offender must wait **2 years** from the date of completion of the deferred adjudication or the case was dismissed. A copy of the Order Dismissing can be obtained from the District Clerk's Office.

- *Assault
- *Deadly conduct
- *Terroristic threat
- *Aiding suicide
- *Leaving a child in a vehicle
- *Harboring a runaway child
- *Advertising for placement of a child
- *Disorderly conduct
- *Unlawful carrying weapons
- *Obstructing highway or other passageway
- *Riot
- *Cruelty to animals
- *Bigamy
- *Abuse of corpse
- *Making a firearm accessible to a child

Each petition for an order of nondisclosure must be judged on its own merit. The judge will consider a number of factors when determining whether to grant any such request. Under Texas law, an order of nondisclosure cannot be obtained on an offense for which the offender has been convicted.

An order of nondisclosure requires all law enforcement agencies not to reveal the deferred adjudication record information to anyone other than law enforcement agencies. In other words, the public may not view the records pertaining to the offense in which you received deferred adjudication. The release of your criminal prosecution and criminal arrest records to the general public, for example schools, employers, credit agencies and your landlord is prohibited. However, law enforcement agencies will still be able to access this information. For further legal clarification please contact an attorney.

MISDEMEANOR-REVOCATION OF COMMUNITY SUPERVISION

If one or more conditions of community supervision are violated, a Motion to Revoke your community supervision or a Motion to Set Aside Deferred Adjudication may be filed by the County Attorney's office. Your community supervision officer will submit a written Violation Report to the County Attorney. The violation report outlines the conditions of your supervision which may have been violated. Once the County Attorney receives the violation report, a Motion to Revoke Community Supervision or Set Aside Deferred Adjudication is prepared and submitted to the Judge. The Judge will most likely issue a warrant for your arrest, based on the alleged violations. Once arrested, a bond will be set for your release pending your hearing.

At the hearing, you will be expected to answer to those allegations that you may have violated the terms of your community supervision. If the Judge finds that it is "True" that you have violated community supervision, the conditions of that supervision may be amended to include, but not limited to, an extension of your supervision term, increased fine, additional classes or programs, or jail time as a condition of supervision. The Judge, may however decide to revoke the community supervision term. If the supervision term is revoked, you will be sentenced to serve your jail time in the Hill County jail. **NO CREDIT WILL BE GIVEN TOWARD A JAIL SENTENCE FOR ANY TIME SERVED ON PROBATION.** Credit for prior jail time may be granted.

FELONY & MISD. (DIRECT, INDIRECT & TRANSFER INS)

DIRECT SUPERVISION

(Offenders Probated in Hill County)

If you live or work in Hill County, your case has been assigned to an Adult Probation Officer for direct supervision and case management. The Officer's responsibility is to notify the Courts whether you are in compliance with the conditions of supervision or not; and to submit written reports of any possible violations. Your officer will assist you with organizing and implementing a schedule that will enable you to complete your conditions of supervision in a timely manner. However, YOU are responsible for the successful completion of those conditions.

When you report to your supervision officer, you will be required and responsible to inform them of any changes that are pertinent to your case, such as a change of address or work status. You will also be required to fill out a monthly report form EVERY time you report. Even though the information requested on the report form may stay the same each time you report, you MUST completely fill out the form prior to every visit. The completed forms stay in your officer's case file.

The following list includes, but is not limited to, some of the documentation you must be prepared to provide:

- * Required monthly fees
- * Driver's license/identification card
- * Social Security card
- * Paycheck stubs
- * Your copy of your conditions of probation
- * Copies of other Court orders, such as child support payments, occupational driver's licenses & logs, protective/restraining orders, another Court's conditions of supervision, etc.
- * Prescription medications
- * Documentation of any existing medical conditions
- * Completion certificates or attendance sheets to Court-ordered classes or programs
- * CSR, AA/NA, GED/ESL, Job Search, Budget Worksheet and/or CASH PAY sheet(s) (Can be found online at www.co.hill.tx.us under Other County Offices / Supervision & Corrections)
- * ANY other paperwork requested from your CSC Officer

It is extremely important to inform your officer of any contact with the police; violations of the conditions of supervision; changes of residence, employment or financial status. It is likely that your officer will already be aware of your recent arrest. Do not wait until your next scheduled office visit to inform your officer of these type of changes/events. Call your officer that day or the next business day to advise him/her of the change(s).

PAYMENTS

Supervision fees, fines, court costs, restitution, and any other court ordered payments must be paid by the court ordered specified day of each month.

Fees you may be required to pay are:

1. **Restitution:** Money to be paid to the victim of your offense to be used to replace the property, repair damages, cover the costs of injuries, or other expenses related to the offense.
2. **Supervision fee:** Reduces the cost of community supervision to the taxpayers.
3. **Court Costs:** Part of the expense of legally processing your case through the courts.

4. **Fine:** As ordered by the court.
5. **Attorney fee:** You may be required to pay for the cost of a court-appointed attorney.
6. **Other Costs:** As ordered by the court.

Cash, money order and cashier's checks will be accepted at the Hill County CSCD Office. No personal checks are accepted. Credit card payment may be made online at www.co.hill.tx.us (under Other County Offices / Supervision & Corrections) or by calling the office at 254-582-4075. Mailed in payments must be in the form of a money order or cashier's check ONLY. DO NOT SEND CASH!! Send a self addressed stamped envelope with your payment so your receipt can be mailed back to you. To insure proper credit of your payment, you must print your full name (as it is printed on your Court Order) and your cause number on all written correspondence, including money orders and cashier checks. The money order or cashier check should be made payable to:

**Hill County CSCD
P.O. Box 771
Hillsboro, TX 76645**

Keep all money order/cashier's check receipts as well as the receipts you receive from this department. It is strongly recommended that you keep all of these receipts until your supervision term has been successfully completed or terminated.

****DO NOT SEND CASH IN THE MAIL****

****NO PERSONAL CHECKS ARE ACCEPTED****

INDIRECT SUPERVISION

(Offenders transferring to another county or state for supervision)

If you were placed on Adult Probation and the Courts have given you permission to move to another county or state for supervision, your case may be transferred to the county or state of your residence. If transferred case material will be sent to the county or state of your residence and you will be notified when and where to report, within ninety days. If the transfer materials are sent a \$25.00 transfer fees is assessed for each case regardless of whether supervision is accepted or not. **Offenders wishing to transfer their supervision out of State must first make an application through Interstate Compact Services. Before you will be allowed to move, the receiving State must first approve and accept the transfer. There is no guarantee the receiving State will allow you to transfer your supervision to their State.**

Already residing in another state:

If you reside in another state prior to being sentenced, **you will not be allowed to return to your home state until reporting instructions have been received from the receiving state. You must complete your initial interview with a CSC Officer immediately after sentencing at the Hill County CSCD.** Your case will be submitted to the Interstate Compact Office of your resident state for acceptance. The only presumable offenses eligible for acceptance through an interstate transfer are DWI 2nd, Assault-Family Violence and a misdemeanor sex offense. All other offenses can be submitted to interstate compact for acceptance, but it would be

up to the discretion of that state whether or not to accept the case. **You will not be allowed to leave the State of Texas unless your case has been accepted and reporting instruction obtained. If you are allowed to be transferred out of State, you must first deposit an extradition fee to the District Clerk's Office prior to being allowed to leave.** If allowed to transfer a \$25.00 transfer fee will be assessed for each case transferred.

Even though you will be supervised by another Probation Department, you will still be on Adult Probation in Hill County, and will have certain responsibilities here. **Payments are to begin the month after you are placed on community supervision. DO NOT** send these payments to the county or state to which the case was transferred.

The only exception to the payment policy above would be if your case was accepted, transferred and supervised outside of the state of Texas. You are **not** required to pay your supervision fee to Hill County. The state providing supervision will likely assess and collect supervision fees. All other court costs, fines, restitution, etc. will still have to be paid to Hill County.

If a condition of your community supervision is to attend any alcohol counseling, drug education classes, counseling, etc., you are responsible for cost of these programs. You must also abide by any additional conditions set by that county or state which may not appear on your original conditions of supervision. Your Hill County Officer or Caseworker will receive periodic progress reports from your assigned Supervision Officer indicating any problems, achievements, or violations. The county supervising your case will also be responsible for giving you permission to leave the county or state, and may have a different policy than the one set by Hill County. If you desire to move from the county or state in which you are residing, **you must obtain advance permission from both jurisdictions before you move. You are to report to Hill County CSCD as instructed (on-line or by mail) until you are seen by an officer.** Once you begin reporting, you are encouraged to discuss any problems or concerns relating to your supervision with your Supervision Officer. He/She will forward those concerns to Hill County as deemed necessary.

OFFENDERS TRANSFERRING TO HILL COUNTY

If you were placed on Probation/Community Supervision in another county or state, your case has been transferred to Hill County for courtesy supervision. Your case will be supervised no differently than an individual placed on community supervision in Hill County, with few exceptions. It is important for you to know that the original county or state retains jurisdiction in your case, and any violations of your conditions of community supervision will be referred to that county or state.

Your Hill County supervision officer is required to notify the county or state of jurisdiction if you violate any of the conditions of your community supervision. Periodic progress reports will be sent to your original probation department detailing any violations, problems, or achievements. You are responsible for the costs of any classes or programs required of your conditions of supervision. It is important that you must inform your Community Supervision Officer from your original jurisdiction and your Hill County Probation Officer of any change of residence, address, job, telephone number, violations or any new arrests.

Also, please read the section of this information guide discussing Direct Supervision, for further information on reporting to your Hill County Supervision Officer.

Although your case has been transferred to Hill County, any financial

obligations you may have, such as fines, Court costs, supervision fees, or restitution must be paid directly to the county or state of jurisdiction. **If your case is transferred to Hill County from another state, you will be required to pay a monthly supervision fee to this Department.** Your Hill County Probation Officer will not accept any payments for other jurisdictions. In addition, you may also be required to send a monthly report form to the original county or state.

ALL payments to Hill County CSCD are subject to an administrative fee of \$2.00 for EVERY payment made.

FELONY & MISD.

EARLY TERMINATION

The department does not recommend early termination for felony cases until at least one-third or 2 years of the original sentence has been served (whichever is the least amount of time), all conditions and special programs have been completed, all court fees have been paid and no violations of supervision have occurred. The sentencing judge has the sole discretion of granting an early termination, regardless of the recommendation of the Officer. **The law does not allow early termination of Driving While Intoxicated Offenses, Intoxication Assault, Intoxication Manslaughter, Sex Offenses or State Jail felony (non-deferred) cases.**

**ONCE THE ABOVE REQUIREMENTS HAVE BEEN MET,
YOU MAY SEEK EARLY RELEASE THROUGH:**

I. FORMAL METHOD OF REQUESTING AN EARLY RELEASE

- A. Motion requesting early release filed with the District Clerk of Hill County
 - 1.) Prepared by an Attorney
 - 2.) Prepared by a defendant
- B. Appropriate Judge requests recommendations
 - 1.) Probation department
 - 2.) Attorney
 - 3.) Other: _____
- C. Appropriated Judge makes a decision
 - 1.) Approval
 - 2.) Denial (the Judge may set a hearing if early release is contested)

II. EARLY RELEASE INCENTIVE PROGRAM (Hill County program only – does not apply to transfer in cases)

- A. The 6th Judicial District Community Supervision & Corrections Department, in cooperation with the District and County Courts, offers a positive, behavioral alternative to the expense of hiring an attorney in order to apply for an Early Release from probation.
- B. In addition to the statutory requirement and good behavior during the probationary period, the following point system is utilized to determine eligibility for release through the ERIP METHOD:
 - 1) 250 points are required for each year of probation specified by the Courts
 - a. 1 year probation = 250 points required
 - b. 2 year probation = 500 points required
 - 2) 3 year probation = 750 points required, etc.
 - 3) Points are awarded as follows:

a. Volunteer hours:	10 points per hr
b. Participation in treatment:	5 points per hr
c. Training or Education:	3 points per hr

- d. Providing assistance: 2 points per hr
 - e. Wholesome recreation: 1 point per hr
 - f. Job stability: 5 points per mth
- C. The probationer is required to submit verifiable documentation to the 66th Judicial District CSC Department. When the stat, behavioral ERIP requirements are met, the CSC Department will notify the appropriate Judge, who will in turn direct the State's Attorney to prepare the appropriated Motion and Order for the Judge's approval.

CONDITIONS OF PROBATION

There are many conditions of probation and the following may not be the only conditions of your supervision. Some of the conditions which may be added to your probation include alcohol or drug treatment, participation in Alcoholics or Narcotics Anonymous meetings, mental health counseling and anger management programs. This is your probation and you are responsible for following your conditions of probation and completing court-ordered programs. If you have any question, check with your Officer.

STANDARD CONDITIONS OF PROBATION

1. **Commit no offense against the laws of this or any state or of the United States.** This means don't break the law. Notify your Officer upon being arrested or ticketed. The Adult Probation Department is notified by the Department of Public Safety of any arrest, so it is best to let your Officer know right away.
2. **Avoid injurious or vicious habits; abstain from the use of alcoholic beverages; abstain from the use of narcotic or habit forming drugs without a doctor's prescription.** While on probation, absolutely no drinking of alcoholic beverages or usage of narcotic or habit forming drugs without a physician's prescription is allowed. **No exceptions.**
3. **Avoid persons or places of disreputable or harmful character; do not associate with persons having felony criminal records; persons who possess, use, or sell narcotics or habit forming drugs; avoid places where narcotic or habit forming drugs are illegally possessed, sold or used, and places where alcoholic beverages are possessed, sold, or used.** Do not be in the company of anyone convicted of a felony, co-defendants in your case, or anyone who can get you in trouble. Stay away from people who use drugs or alcohol, and places where they are sold, served or used. Stay out of bars, dance halls, massage parlors, etc.. It is permissible to go to restaurants and stores which serve alcohol as long as you do not purchase or consume alcohol.
4. **Report to the Community Supervision Officer on a monthly basis or as otherwise directed.** When you are first placed on Community Supervision, your Officer may have you report more often, even once a week. If you live and work outside of Hill County, you are required to report on-line or by mail as instructed by Hill County until the officer in the other county has seen you. Once your case has been accepted in the other county you are not required to report to Hill County unless otherwise instructed to do so. If you are unable to report it is better to reschedule the appointment (if your officer allows you to) than it is to ignore the appointment. Missing an appointment is a waste of the officer's time and yours. Not reporting is a violation of your conditions of probation.

5. **Permit the Community Supervision Officer to visit you at your home or elsewhere.** Your Officer will periodically visit you at your home or job. These visits generally will be unannounced. The purpose of these visits is to assist your Officer in knowing you better, to converse with you in your own surroundings, and to talk with your family regarding any progress or problems.
6. **Work faithfully at suitable employment as far as possible.** If you are physically able, you must work, unless you are retired or a homemaker. If you cannot find a job, your Community Supervision Officer can tell you the best places to look for jobs or may refer you to the Texas Workforce Commission. Occasionally the Courts or the Community Supervision Officer will not allow a probationer to work in a particular occupation or location, or may require that the probationer advise the employer of the fact that he/she is on community supervision. This occurs primarily when a probationer is in a position to commit an offense similar to the one for which he is on community supervision.
7. **Do not change employment of place or residence without the permission of the Court or Community Supervision Officer.** Before changing jobs or moving, you must obtain permission from your Officer.
8. **Remain within Hill County, Texas, unless permitted to depart by the Court or the Community Supervision Officer.** If you are going to travel out of Hill County you must secure permission from your Officer. If you wish to leave Texas you must obtain an *out-of-state travel permit* from your Officer. If you leave Texas without permission, you will be considered a fugitive. The Officer or the Judge may limit your travel, as they deem appropriate. Offenders who are delinquent in their Court Ordered fees will likely be denied a travel permit.
9. **Support your dependents.** This includes the payment of Court-ordered child support and normal support for your family dependents.
10. **Pay your fine if one be assessed, costs of Court, and/or any restitution, and/or any other fees assessed by the Court in one or several monthly sums that the Court has determined.** Payments must be paid as noted in the conditions of the Court order on the date specified. **A \$2.00 administrative fee will be charged for every payment made.**
11. **Pay up to sixty dollars (\$60.00) per month supervision fees to the Probation Department of Hill County by the date specified in the Court order.** Persons being placed on supervision are required to pay a monthly supervision fee for each month she/he is on supervision. **A \$2.00 administrative fee will be charged for every payment made.**
12. **Submit a buccal swab DNA sample to the Community Supervision Officer to be submitted into the DPS database.**
13. **Submit urine specimens, blood, breath, or saliva samples to the Community Supervision Officer in charge of your case to be used for the detection of**

alcohol and/or drug usage. You are responsible for paying the fee assessed within **30 DAYS of urinalysis testing.** These samples may be taken at any time by your Supervising Officer. Individuals who try to submit tampered samples will be dealt with by the Courts through a revocation hearing. Tampering or altering a sample is a violation of the law and you may be subject to immediate arrest. The policy of Hill County CSCD is that alcohol or drug use will not be tolerated.

Don't drink alcohol or use illegal drugs.

14. Perform a specified number of hours of community service restitution through the Commissioner's Work Program, a non-profit, charitable, or governmental organization. Your Community Supervision Officer in charge of your case must approve where you will do your community service. This must be completed within the time specified by the Court, and be responsible for any costs of supervision. This is work for which you will not be paid but will be done for the community's benefit.

15. Before leaving the State of Texas, the defendant shall deposit cash in the amount sufficient to cover the cost of extradition back to the State of Texas. This cash must be posted with the Hill County District Clerk's Office before any out of state trip or transfer of supervision is authorized and shall be returned to the defendant upon termination of his supervision. This money will be used only for the purpose of extradition, should that need arise.

Generally there are other conditions associated with each case to address problems or needs. This would include treatment for substance abuse, attendance at support group meeting. You could be required to attend other classes or other specialized programs. You could be placed on electronic monitoring, have a curfew, be forbidden to associate with certain people or have special devices installed in your vehicle to make sure it will not start if you have been drinking. If you do not have a high school diploma, you will have to attend G.E.D. classes until you have earned a G.E.D.. Each case is different and the conditions will be tailored to fit your case.

CSR

If you have been ordered by the Court to perform CSR you must perform the hours through a Non-Profit Organization – they must have a 501(C)(3). Some non-profit organizations are:

1. Food Banks
2. Animal Shelters
3. City/County/State Agencies
4. Volunteer Fire Departments
5. Schools

Church functions must be pre-approved.

Your offense may determine what organization you can perform at. Check with your officer if you have any questions. Hill County does not allow offenders to pay hours in lieu of working the ordered hours.

SOBERLINK:

If you have been ordered by the Court to utilize the SOBERLINK device to detect the presence of alcohol you are hereby made aware of rules and requirements that you must also abide by.

1. You must follow all program requirements of the provider.

2. You shall not use any product that contains alcohol (e.g., mouthwash and Nyquil). Additionally, allow at least 20 minutes after smoking or eating before attempting to test. Rinsing your mouth out with water is always a good precaution before testing.
3. You shall never obstruct the vision of the camera as you are blowing in the device.

I understand that failure to comply with the program requirements may result in a violation report being submitted for non-compliance.

Ignition Interlock:

If you have been ordered by the Court to utilize the Ignition Interlock device to detect the presence of alcohol you are hereby made aware of rules and requirements that you must also abide by.

1. You must follow all program requirements of the provider.
2. You shall not use any product that contains alcohol (e.g., mouthwash and Nyquil). Additionally, allow at least 10 minutes after smoking or eating before attempting a re-test. Rinsing your mouth out with water is always a good precaution before testing.
3. In the event you get an abort or fail you shall ALWAYS attempt a re-test as soon as corrective measures are taken (i.e., rinsing your mouth with water) or as soon as the system allows.
4. When the device requests a rolling retest you shall ALWAYS complete a rolling retest before turning the ignition off.
5. If you need to place your vehicle in a repair shop you are responsible for providing receipts to your probation officer verifying the date the vehicle was turned over to the repair shop and the date it was returned to your possession.
6. If you plan to do work on your vehicle yourself, you are required to provide part(s) receipt(s) as close to the time of the repair as reasonably possible to your probation officer.
7. If you have a dead battery or other mechanical problems call the provider and have them note the problem on your log. You shall also contact your probation officer within ONE BUSINESS day to report the mechanical problem(s).
8. If your license is suspended or you share a motor vehicle you are required to have an Ignition Interlock which includes the use of a camera to verify the identity of the driver.

I understand that failure to comply with the program requirements may result in a violation report being submitted for non-compliance.

PharmChek Drug Patch:

If you have been ordered by the Court to utilize the Drug Patch program to detect the presence of alcohol you are hereby made aware of rules and requirements that you must also abide by.

1. You must follow all program requirements of the provider.
2. Pay all fees as assessed by the provider.
3. You shall not use any product that contains alcohol.

SCRAM Bracelet:

If you have been ordered by the Court to utilize the SCRAM Bracelet to detect the presence of alcohol you are hereby made aware of rules and requirements that you must also abide by.

1. You must follow all program requirements of the provider.
2. You will maintain an analog telephone line and electrical service in my residence at my own expense. I agree to remove any telephone features or functions that interfere with normal operation of the SCRAM modem.

You agree to be physically in range of the SCRAM modem for 15 minutes prior to the designated reporting time(s).

1. You agree not to leave the SCRAM modem range while the green light is blinking.
2. If I lose electrical power or experience problems with the SCRAM bracelet or modem I will call the SCRAM provider immediately and my probation officer within ONE BUSINESS day.
3. If I do not have a home phone line I will report to the SCRAM provider or probation officer twice per week as directed by my probation officer.
4. I will not use any products that contain alcohol, medicinal alcohol, Nyquil, household cleaners, lotions, body washes, perfumes, colognes, or any other hygiene products that contains alcohol. I will only use soap and water to clean the skin around the SCRAM device.
5. I will not place any object between the SCRAM bracelet and my skin.
6. I will not submerge the SCRAM bracelet in water. Showers are the only permitted bathing method while wearing a SCRAM bracelet.
7. I will notify the SCRAM provider and my Probation Officer of any pre-existing medical condition such as pregnancy, diabetes, or skins disorders or conditions prior to installation of the device.

I understand that failure to comply with the program requirements may result in a violation report being submitted for non-compliance.