



The Department of Criminal Justice's and Board of Pardons and Paroles' Processes for Addressing Parole Violations under the Electronic Monitoring Program

- The Department did not adequately address and document all violations.
- The Department did not investigate all electronic monitoring device alerts and perform all required contacts with parolees.
- The Department did not process all program referrals and ensure that program attendance and drug screening forms were maintained.

Lisa R. Collier, CPA, CFE, CIDA
State Auditor

The Department of Criminal Justice (Department) had adequate processes to supervise parolees on electronic monitoring; however, it did not consistently comply with requirements for addressing violations for these parolees. Specifically, the Department should ensure that it completes all parole supervision requirements. The Department should also consider requiring that warrants be issued in response to severe violations to allow the Board of Pardons and Paroles (Board) to decide whether to continue parole.

In addition, the Board should consider developing guidance to ensure that its parole panels' decisions address the severity of the violations.

- [Background](#) | p. 4
- [Audit Objective](#) | p. 18

This audit was conducted in accordance with Texas Government Code, Sections 321.013 and 321.0132.

PRIORITY

ADDRESSING PAROLEES' VIOLATIONS OF ELECTRONIC MONITORING

The Department did not adequately address and document all violations.

[Chapter 1-A | p. 7](#)

HIGH

SUPERVISION OF PAROLEES ON ELECTRONIC MONITORING

The Department did not consistently investigate all device alerts, perform all required contacts, or maintain documentation for program attendance and drug screening.

[Chapter 1-B | p. 10](#)

MEDIUM

DECISIONS ON VIOLATIONS

The Department had guidelines for addressing violations but did not require warrants for severe violations. The Board had no guidelines for parole panels to follow that would align decisions by violation severity.

[Chapter 2 | p. 14](#)

LOW

INFORMATION TECHNOLOGY

The Department appropriately restricted access and maintained application controls for its information management system. In addition, it used a reliable third-party device alert monitoring system.

[Chapter 3 | p. 17](#)

Summary of Management Response

Auditors made recommendations to address the issues identified during this audit, provided at the end of certain chapters in this report. The Department and Board agreed with the recommendation(s) applicable to each agency.

See [Appendix 2](#) for the Department's Response Letter and [Appendix 3](#) for the Board's Response Letter.

Ratings Definitions

Auditors used professional judgment and rated the audit findings identified in this report. The issue ratings identified for each chapter were determined based on the degree of risk or effect of the findings in relation to the audit objective(s).

PRIORITY: Issues identified present risks or effects that if not addressed could *critically affect* the audited entity's ability to effectively administer the program(s)/function(s) audited. Immediate action is required to address the noted concern(s) and reduce risks to the audited entity.

HIGH: Issues identified present risks or effects that if not addressed could *substantially affect* the audited entity's ability to effectively administer the program(s)/function(s) audited. Prompt action is essential to address the noted concern(s) and reduce risks to the audited entity.

MEDIUM: Issues identified present risks or effects that if not addressed could *moderately affect* the audited entity's ability to effectively administer the program(s)/function(s) audited. Action is needed to address the noted concern(s) and reduce risks to a more desirable level.

LOW: The audit identified strengths that support the audited entity's ability to administer the program(s)/function(s) audited or the issues identified do not present significant risks *or* effects that would negatively affect the audited entity's ability to effectively administer the program(s)/function(s) audited.

For more on methodology for issue ratings, see Report Ratings in [Appendix 1](#).

Background Information

Legislative Audit Request

In response to a tragic event at a Dallas hospital in October 2022 allegedly involving a parolee with an electronic monitoring device, a member of the Legislature requested an audit to review the supervision of that parolee by the Department of Criminal Justice (Department) and the Board of Pardons and Paroles (Board). The Department and Board conducted their own investigation and identified several weaknesses in the supervision processes, as well as actions to address those weaknesses.

Auditors also independently reviewed information for that parolee, and the findings from that review were consistent with the results identified by the Department and Board. Although the audit request was specific to the event, auditors expanded the audit to determine the extent of the weaknesses in the supervision of parolees on electronic monitoring between September 1, 2021, and January 31, 2023.

Parole Supervision

Responsibilities of the Department. The Department's Parole Division is responsible for supervising offenders on parole or mandatory supervision (parolees), including identifying and addressing parole violations, investigating alert notifications from electronic monitoring devices, routinely meeting with parolees, and performing other activities to ensure that parolees comply with the conditions of their parole. As of January 2023, the division employed 1,185 parole officers to supervise parolees.

Responsibilities of the Board. The Board determines whether an offender will be released on parole or mandatory supervision and the conditions for parole, which may include requirements such as electronic monitoring or substance abuse treatment. In addition, the Board determines the consequences (i.e., sanctions) for parole violations, using information provided by the Department.

The Board’s parole panel may continue, modify, or revoke parole when a parolee is found to be violating those conditions (see text box for more details).

Parole Violation Process. When a violation results in a warrant for arrest being issued by the Department¹, the Board is responsible for conducting a revocation hearing to discuss the violation. Figure 1 shows an overview of the process that the Department and Board followed when a parole violation occurred.

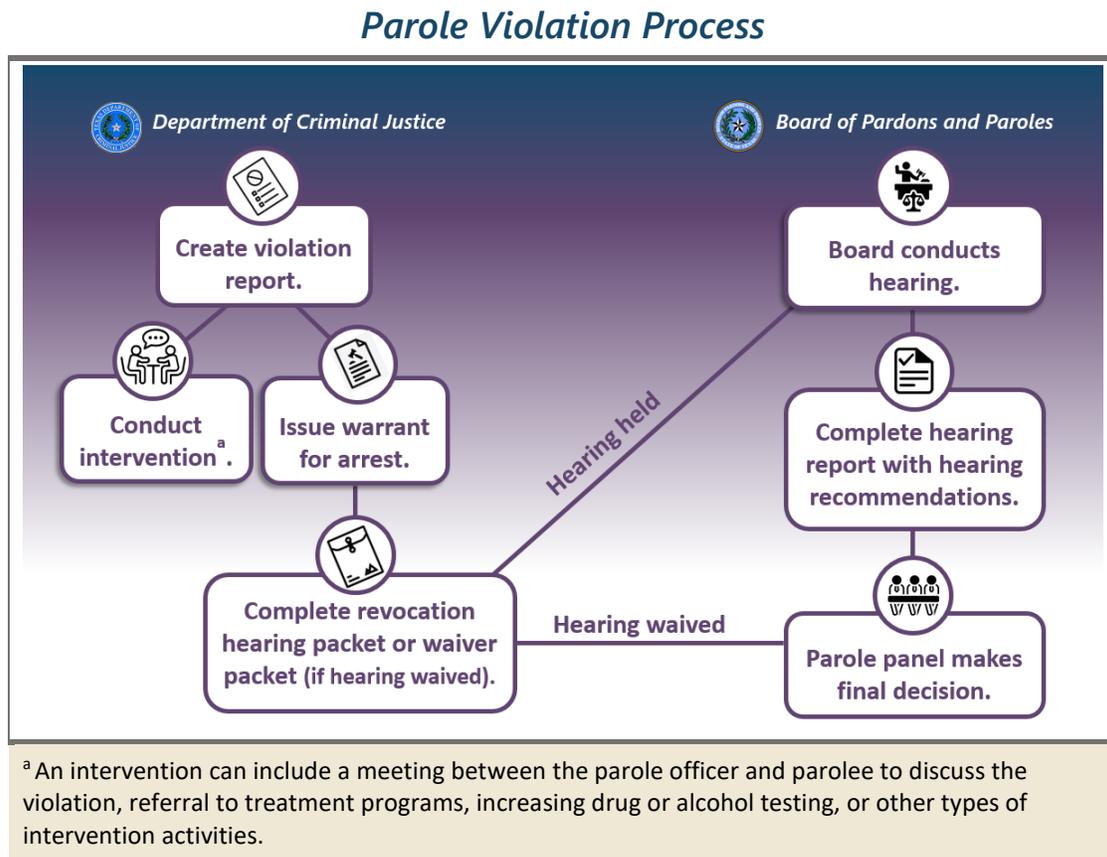
Parole Panel

The three-member parole panel is composed of board members and parole commissioners. As of January 31, 2023, there were 7 board members and 15 parole commissioners.

From September 1, 2021, to January 31, 2023, the parole panels made decisions on 6,521 violations for 4,554 parolees on electronic monitoring.

Sources: The Board; Texas Government Code, Section 508.045; and the Offender Information Management System.

Figure 1



Sources: Department policy 4.1.1, Board’s *Hearing Officer Manual*, and Texas Government Code, Chapter 508.

¹ Texas Government Code, Section 508.256 permits the Department to withdraw a warrant and continue supervision (i.e., conduct an intervention) at any time before a hearing is scheduled with the Board.

Electronic Monitoring Program

The Board may impose electronic monitoring as a condition of parole when an offender will be released from prison on parole or violates the conditions of existing parole. Electronic monitoring is intended to be a temporary condition, typically for a period of 60 to 90 days, depending on the parolee's compliance with other conditions of parole.

The Department uses two types of technology to supervise parolees:

- (1) Radio-frequency technology, in which an electronic monitoring device is paired with a base unit located in the home of a parolee. The base unit will notify the Department when a parolee has violated the approved curfew schedule by being outside of the home.
- (2) Global Positioning System (GPS) technology, which uses an electronic monitoring device to track the movement and location of a parolee and notify the Department when a parolee has violated an approved travel schedule.

This audit examined only the electronic monitoring program's supervision of parolees given radio-frequency electronic monitoring devices.



PRIORITY

Chapter I-A Addressing Parolees' Violations of Electronic Monitoring

The Department adopted policies to effectively supervise and address violations identified for parolees on electronic monitoring. Additionally, the Department regularly performs quality reviews of parole officers' parolee records to determine whether supervision requirements are being followed. However, it did not ensure that parole officers addressed all violations.

The Department did not adequately address and document all violations.

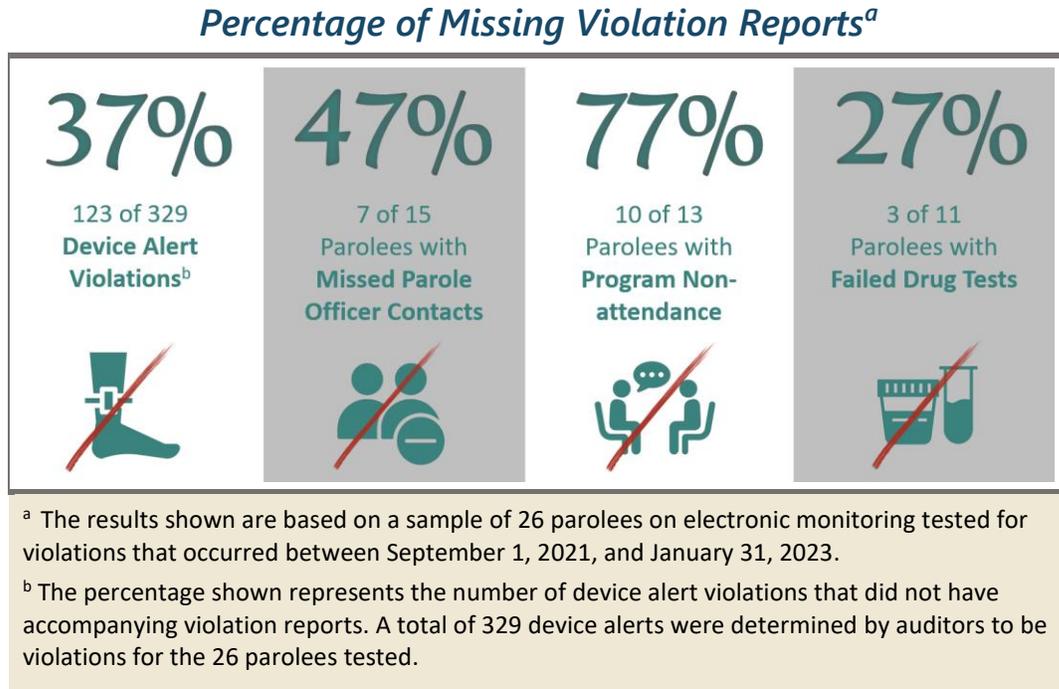
The Department ensured that violation reports and revocation hearing documentation were adequately prepared, approved, and supported for parolees on electronic monitoring. However, the Department did not document a violation for evading supervision for 13 (50 percent) of 26 parolees on electronic monitoring tested who had a warrant issued for a different violation but evaded supervision afterward, as required by Department policy.

For a violation of evading supervision, the Department's policy specified that an investigation should be completed before issuing a warrant for that violation. However, the policy did not clearly specify that an investigation should be performed for instances in which evading supervision occurred **after** a warrant was issued for a different violation.

As a result, those instances in which parolees evaded supervision after the issuance of a warrant were not investigated and documented in violation reports, including the number of months elapsed from the warrant issuance date to the arrest date, although these parolees were evading supervision that entire time.

Further, the Department did not create violation reports for other violations that occurred during electronic monitoring supervision, which included electronic monitoring device alert (referred to in this report as *device alert*) violations, missing contacts with a parole officer, failing to attend treatment programs, and failing drug tests. Figure 2 shows the percentage of the parolees for whom the Department did not create a violation report for certain violations identified during testing.

Figure 2



The failure to consistently investigate and document violations in violation reports prevents the Board from considering these violations during revocation hearings.

Recommendation

The Department should verify that all violations committed by a parolee on electronic monitoring supervision are documented, including violations for evading supervision after a warrant is issued.

Management's Response

The Texas Department of Criminal Justice (TDCJ) agrees with the recommendation. Parole Division policy will be revised to clarify expectations for an investigation when evading supervision occurs subsequent to warrant issuance. Compliance checklists and management oversight tools will be reviewed, modified, and added as appropriate to ensure compliance with policy requirements regarding documentation. Additional training on policy requirements pertaining to submitting violation reports and documenting violations in parolee records will be conducted for parole officers and their supervisors.

Person Responsible: Parole Deputy Division Director

Implementation Date: May 30, 2023

HIGH

Chapter 1-B Supervision of Parolees on Electronic Monitoring

The Department did not consistently investigate device alerts, make required contacts with parolees, process treatment program referrals, monitor treatment program attendance, and maintain drug test screening forms, as required by Department policy.

Because supervision requirements were not always completed, the Department was not consistently holding all parolees on electronic monitoring accountable for parole violations or properly supervising parolees to ensure compliance with parole conditions.

**The Department investigated a majority of device alerts,
but it did not investigate all alerts.**

The Department investigated a majority of the device alerts tested; however, it did not investigate all alerts to determine if a violation occurred, which is required by Department policy (see text box). Specifically, the Department could not provide case notes to show that an investigation was performed for 97 (18 percent) of 530 device alerts that occurred for the 26 parolees on electronic monitoring tested.

Although parole supervisors could review a report containing case notes that parole officers entered into the third-party device alert monitoring system, Department policy did not require supervisors to review that report. If the report had been consistently reviewed, the supervisors could have identified the lack of investigations.

Investigating Device Alerts

The Department requires a parole officer to investigate and resolve all device alerts and determine:

- Parolee's location.
- Cause of alert.
- Whether the alert is a violation.

Source: The Department's Parole Division, policy 3.5.1.

The Department did not perform all required contacts for parolees on electronic monitoring.

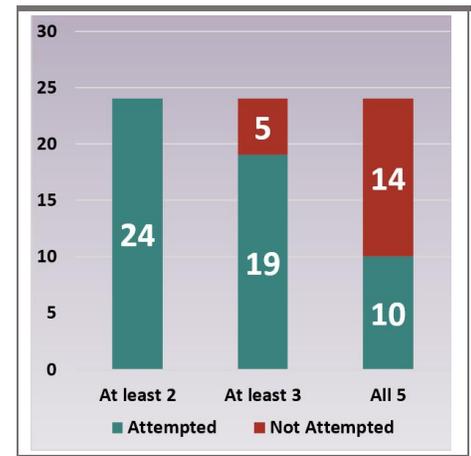
The Department’s parole officers are required to attempt a minimum of five contacts each month for parolees on electronic monitoring, to include the parole officer meeting with the parolee at their home (at least once), meeting with the parolee at the district parole office (at least once), and contacting “collaterals”—individuals who can provide information on the parolee, such as a therapist or relative (at least twice).

Although the Department had at least 2 contacts for all 24 parolees tested that required contacts, it did not consistently perform all 5 required contacts with parolees. Specifically, the Department did not have documentation to show that it attempted the 5 required contacts for 14 (58 percent) of the 24 parolees on electronic monitoring tested. Figure 3 shows the number of contacts attempted for the 24 parolees tested².

The Department indicated that it did not enforce the requirement that a parole officer complete the two collateral contacts unless a parolee had an employer or therapist; however, the Department’s policy does not include that exception.

Figure 3

Auditors’ Analysis of Parole Officers’ Monthly Contacts for Parolees Tested



The Department did not consistently process program referrals and maintain program attendance forms.

The Department is responsible for ensuring that parolees participate in specialized programs that the Board may require as a condition of parole (for example, anger management counseling or a substance abuse treatment program). The Department documents supervision activities in its Offender

² Auditors tested 26 parolees; however, not all supervision requirements were applicable to parolees tested while they were on electronic monitoring or during audit scope.

Information Management System (OIMS), including processing program referrals and monitoring program attendance. However, the Department did not always process the required program referrals or maintain program attendance forms. For the 20 parolees on electronic monitoring tested³:

- Four parolees were not provided a referral to the program.
- Fifteen parolees did not have documentation to show that they had attended the required specialized program.

If the Department does not process program referrals, it cannot ensure that parolees who need specialized services are receiving them. Because such programs could increase these parolees' ability to succeed while on and after parole, attendance is vital. The Department's policy did not clearly specify that program attendance records should be maintained.

The Department did not adequately maintain parolees' drug testing results.

The Department required parolees to be routinely or randomly drug tested to verify that they are abstaining from alcohol and drugs while on parole. While the Department recorded drug test results in OIMS, it did not maintain the actual drug test screening forms as required—complete with the test results—to confirm that tests were conducted. For 12 (48 percent) of 25 parolees on electronic monitoring tested³ that had a drug test, the drug screening form was missing.

Recommendations

The Department should:

- Utilize reports from its third-party device alert monitoring system to ensure that all device alerts are investigated.

³ Auditors tested 26 parolees; however, not all supervision requirements were applicable to parolees tested while they were on electronic monitoring or during audit scope.

- Ensure that all required monthly contacts with parolees on electronic monitoring are performed.
- Update its policy on monthly contacts with parolees to include any exceptions for contacting their collaterals.
- Ensure that parolees receive required program referrals.
- Clarify in its policy that program attendance records must be maintained.
- Ensure drug screening forms are maintained as required by Department policy.

Management's Response

The TDCJ [Texas Department of Criminal Justice] agrees with the recommendation. Parole Division policy will be revised to require that the report generated by the third-party alert monitoring system be reviewed by supervisors; reflect approved exceptions for collateral contacts; and clarify expectations for maintaining program attendance records. Compliance checklists and management oversight tools will be reviewed, modified, and added as appropriate to ensure compliance with policy requirements, particularly those relating to program referrals and collateral contacts. The latter accounted for the majority of the missed contacts identified in the audit. Additional training on policy requirements pertaining to these issues will be conducted for parole officers and their supervisors.

Person Responsible: Parole Deputy Division Director

Implementation Date: May 30, 2023

MEDIUM

Chapter 2

Decisions on Violations

The Department had guidelines for addressing violations but did not require warrants for severe violations.

The Department developed a Violation Action Grid, which provides broad guidance for addressing all types of violations. Parolees whose violations result in a warrant are subject to a revocation hearing by the Board (see [Figure 1](#) in the Background Information section for more details on that parole violation process).

However, the Department did not have a requirement to issue a warrant for all types of severe violations⁴. As a result, violations such as evading supervision for an extended period of time or cutting off an electronic monitoring device strap may be addressed through an intervention meeting with a parolee instead of a revocation hearing. For example, auditors reviewed a violation report in which a parolee on electronic monitoring was arrested and the Department decided to conduct an intervention with the parolee instead of issuing a warrant, which would have allowed the Board to determine whether to continue parole for that individual.

The Board had not developed guidance for its parole panels to align decisions with violations according to severity.

The Board is responsible for making the final decision on violations for which the Department issued a warrant. The Board may decide to either (1) continue supervision, (2) revoke parole, or (3) modify parole conditions, which could

⁴ For certain violations, the Department's decision to either conduct an intervention or issue a warrant depends on the number of times the parolee has committed a violation.

include conditions such as confining a parolee to an Intermediate Sanction Facility⁵ or imposing a requirement to attend substance abuse treatment.

While Texas Government Code, Section 508.283 allows the Board to exercise its discretion on deciding revocation matters, the Board adopted a generic policy that specifies, as part of its vision statement, that it shall use graduated sanctions and other actions that meet the severity of a violation. However, the Board did not establish guidelines for its parole panels that identify and describe the sanctions or other actions it considers in relationship to the severity and occurrences of a parolee's violations. For example, if a parolee cuts off an electronic monitoring device strap and evades supervision, there is no guidance to ensure that the parole panel's decision appropriately addresses the severity of the violation and employs a graduated sanction approach.

Recommendations

- The Department should consider requiring the issuance of a warrant for all severe violations, as defined by the Board, to ensure that a parole panel has the opportunity to make a decision on the violation.
- The Board should consider developing and documenting guidance for its parole panels to ensure that their decisions address the severity of the violation and include a graduated sanction approach.

Management's Response

Recommendation 1

- The Department should consider requiring the issuance of a warrant for all severe violations, as defined by the Board, to ensure the parole panel makes a revocation decision.

The TDCJ agrees with the recommendation. The Parole Division will coordinate with the Board of Pardons and Paroles to ensure warrant

⁵ An Intermediate Sanction Facility is a facility used to confine offenders who have violated their parole conditions.

issuance and board referral occurs for those violations the Board determines should be subject to their review and decision.

Person Responsible: Parole Deputy Division Director

Implementation Date: May 30, 2023

Recommendation 2

- The Board should consider developing and documenting guidance for its parole panels to ensure that their decisions address the severity of the violation and include a graduated sanction approach.

The Board (BPP) agrees with the SAO's recommendation to consider developing guidance for parole panels to ensure decisions address severity of the violation and include a graduated sanction approach. BPP will develop guidance for parole panels to ensure that decisions address the severity of the violation and include a graduated sanction approach where appropriate.

Position Responsible for Implementation: Chief of Staff

Timeline: December 31, 2023

LOW

Chapter 3 Information Technology

The Department appropriately restricted access and maintained application controls for its information management system.

The Department had processes and adequate controls over OIMS to ensure that users' access was appropriate and application controls were working as intended. Specifically, users were current employees with a business need to access OIMS.

In addition, the Department had edit checks for certain key data fields in OIMS to help ensure the reliability of the data related to the Department's contact with parolees and processing of parole violations, as well as the Board's decisions on parole violations.

The Department ensured the reliability of the third-party device alert monitoring system.

The third-party device alert monitoring system that the Department used had adequate controls to ensure the reliability of device alert records.



Appendix 1

Objective, Scope, and Methodology

Objective

The objective of this audit was to determine whether the Department of Criminal Justice (Department) and the Board of Pardons and Paroles (Board) comply with applicable requirements in addressing violations of parole or mandatory supervision for individuals under electronic monitoring.

Scope

The scope of this audit included the Department's and Board's monitoring processes over parole violations for parolees on electronic monitoring between September 1, 2021, and January 31, 2023.

The scope also included a review of significant internal control components related to the Department's and Board's monitoring processes.

The following members of the State Auditor's staff performed the audit:



• Kelley Ngaide, CIA, CFE (Project Manager)

- Krista L. Steele, MBA, CPA, CFE, CECFE, CIA, CGAP (Assistant Project Manager)
- Steven Arnold, CFE
- Michael Bennett
- Cody Bogan, CFE
- Allison Fries, CFE
- Joe Kozak, CPA, CISA
- Eric Ladejo, MPA, CFE, CIA
- Thanh Le, MBA
- Bianca F. Pineda, CFE, CGAP
- Daniel Spencer, MSA, CFE
- Jacqueline Thompson, CFE
- Michelle Ann Duncan Feller, CPA, CIA (Quality Control Reviewer)
- Willie Hicks, CIA, MBA, CGAP (Audit Manager)

Methodology

We conducted this performance audit from December 2022 through April 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. In addition, during the audit, matters not required to be reported in accordance with *Government Auditing Standards* were communicated to the Department's and Board's management for consideration.

Addressing the Audit Objective

During the audit, we performed the following:

- Interviewed Department and Board staff to gain an understanding of the processes related to monitoring the violations committed by parolees on electronic monitoring, including the internal controls and information that support those processes.
- Identified the relevant criteria:
 - Department and Board policies effective during the audit scope.
 - The Board's *Hearing Officer Manual*, effective March 2022 and October 2019.
 - Texas Constitution, Article IV.
 - Texas Government Code, Chapter 508.
 - Texas Administrative Code, Title 37, Part 5, Section 146.10.
- Tested user access and application controls over the parole supervision module in the Offender Information Management System (OIMS).
- Verified that the controls over the Department's third-party device alert monitoring system ensured that the data for electronic monitoring device alerts was reliable.

- Tested a nonstatistical sample of 26 parolee records to determine whether the Department complied with its policies for supervising parolees on electronic monitoring. The tests included verifying that the Department:
 - Performed quality reviews of cases administered by parole officers who supervise parolees on electronic monitoring.
 - Documented all violations, including completion of the supervisory review and approval of violation reports.
 - Investigated all device alert notifications and new arrests of parolees.
 - Routinely contacted parolees and other appropriate individuals.
 - Referred parolees to treatment programs when required.
 - Ensured that parolees attended treatment programs.
 - Processed drug tests and maintained complete records of the drug tests performed.
 - Provided the Board with complete information on parole violations for revocation hearings.

The sample tested included parole records for (1) a random selection of 25 parolees on electronic monitoring and (2) a risk-based selection of one parolee on electronic monitoring. The population of 4,554 parole records used to select the sample was stratified based on certain high-risk characteristics for parolees with reported violations. The sample selected is not representative of the population; therefore, it would not be appropriate to project test results to the population.

Data Reliability and Completeness

To determine data reliability and completeness, auditors (1) observed the Department's extraction of requested data populations, (2) reviewed data queries and report parameters, (3) analyzed the populations for reasonableness and completeness, (4) conducted testing of OIMS user access and application controls, and (5) reviewed the results of an independent examination that reviewed the information technology controls over the third-party device alert monitoring system used by the Department. Auditors

determined that the following data sets were sufficiently reliable for the purposes of the audit:

- Population of parolees under the electronic monitoring program between September 1, 2021, and January 31, 2023.
- Population of electronic monitoring device alerts between September 1, 2021, and January 31, 2023.

Report Ratings

In determining the ratings of audit findings, auditors considered factors such as financial impact; potential failure to meet program/function objectives; noncompliance with state statute(s), rules, regulations, and other requirements or criteria; and the inadequacy of the design and/or operating effectiveness of internal controls. In addition, evidence of potential fraud, waste, or abuse; significant control environment issues; and little to no corrective action for issues previously identified could increase the ratings for audit findings. Auditors also identified and considered other factors when appropriate.

Appendix 2

Response Letter from the Department of Criminal Justice



Texas Department of Criminal Justice

Bryan Collier
Executive Director

April 14, 2023

Kelley Ngaide - Project Manager
Texas State Auditor's Office
P.O. Box 12067
Austin, TX 78711-2067

Dear Ms. Ngaide,

I appreciate the diligent and important work of the State Auditor's Office. The Texas Department of Criminal Justice (TDCJ) agrees with the recommendations contained in your audit report on the Electronic Monitoring Program.

The TDCJ understands the importance of effectively transitioning individuals back into communities. For those that require a higher level of supervision, electronic monitoring can be a useful tool to enhance public safety while providing accountability for those who have been released from prison. In FY 2022, approximately 26% of individuals who successfully completed their sentence in the community had been on electronic monitoring during their time on supervision. However, despite these successes, the audit identified areas within the program that require improvement. Attached are management responses that detail how the agency will implement the audit's recommendations.

I also want to share with you the actions TDCJ took after the tragic incident last year at Methodist Hospital in Dallas. The Parole Division immediately initiated and completed a comprehensive review of operations at offices in the Dallas area. A larger review was then conducted statewide with a focus on electronic monitoring processes and oversight. All employees who directly interacted with parolees on electronic monitoring were retrained on supervision requirements. To help ensure that staff is complying with the training, the Parole Division is also conducting unannounced field audits and has completed 35 this year.

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342-0099
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Providing effective supervision is a core responsibility of the TDCJ. While more than 26,000 individuals successfully completed their sentences in communities last fiscal year, we are committed to improving our processes.

Please let me know if you have any questions or need additional information.

Sincerely,

Bryan Collier
Executive Director
Texas Department of Criminal Justice

CC: Christopher Cirrito

Attachment

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342-0099
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Appendix 3

Response Letter from the Board of Pardons and Paroles



State of Texas
BOARD OF PARDONS AND PAROLES

DAVID GUTIÉRREZ
Presiding Officer (Chair)

April 13, 2023

Kelley Ngaide, CIA, CFE
Texas State Auditor's Office
Managing Senior Auditor
1501 North Congress Ave.
Austin, Texas 78701

Dear Ms. Ngaide,

I would personally like to express my thanks to the State Auditor's Office, and more specifically the audit team that reviewed the Processes for Addressing Parole Violations under the Electronic Monitoring Program. The team exhibited the utmost professionalism during the audit and should be commended. The Board of Pardons and Paroles (BPP) agrees with the recommendations contained in your audit report on the Electronic Monitoring Program.

The Board of Pardons and Paroles, like other paroling and probation authorities throughout the nation utilize Electronic Monitoring as a tool to provide accountability of an offender on supervision. Additionally, it increases public safety. Last fiscal year, over 26,000 offenders successfully completed and discharged from parole or discretionary mandatory supervision. Of those 26,000, over 25 percent had at one time during their supervision been on an electronic monitor. These numbers confirm our belief that Electronic Monitoring can be a beneficial factor in the successful re-entry of offenders into the community.

In the review of the audit report, there were no instances identified where the board did not comply with statutory requirements, or board rules/policies/directives. The report does, however, contain a recommendation that consideration be given to developing and documenting guidance for parole panels to ensure the decisions address the severity of the violation to include a graduated approach. While statute only requires that guidelines be established for release decisions and not violation decisions, the board does see benefits to providing some guidance to assist parole panels in rendering decisions for violations, without diminishing their discretionary authority. Consequently, we will be

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developing such guidance. Please see the attached responses to the audit recommendations as requested.

In closing, thank you again for looking at the processes identified. While the report did not identify any areas of non-compliance by the Board of Pardons and Paroles, it did provide a recommendation to strengthen our current processes.

Please feel free to contact me if you have any questions.

In Your Service,

David Gutiérrez

CC: Chris Cirrito

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The Honorable Greg Bonnen, House Appropriations Committee

The Honorable Morgan Meyer, House Ways and Means Committee

Office of the Governor

The Honorable Greg Abbott, Governor

Department of Criminal Justice

Members of the Board of Criminal Justice

Mr. Bryan Collier, Executive Director

Board of Pardons and Paroles

Members of the Board of Pardons and Paroles



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