

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

OFFENDER ORIENTATION HANDBOOK

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Approved by the

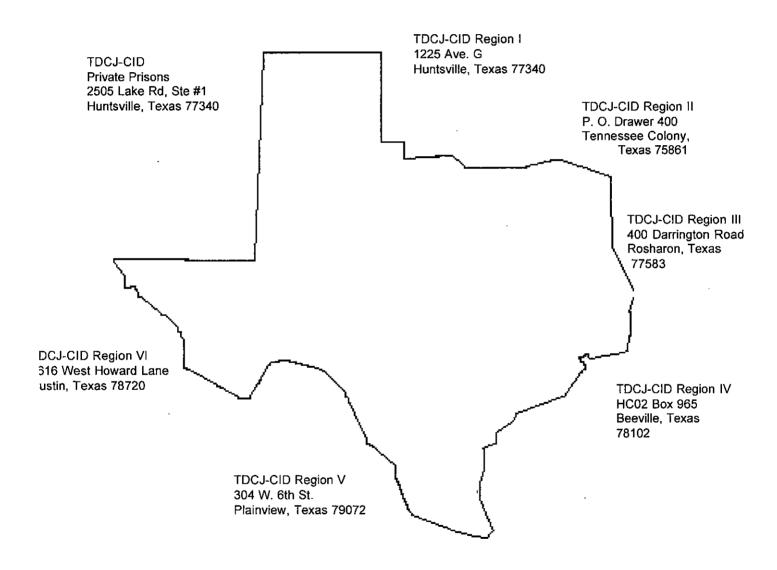
Director of the Texas Department of Criminal Justice, Correctional Institutions Division

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Texas Department of Criminal Justice

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Powledge Route 2, Box 2250 Palestine, Tx. 75882

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Huntsville, Tx. 77349

ADOPTION OF ORIENTATION HANDBOOK

This handbook contains general information and rules adopted by the Director of the Texas Department of Criminal Justice Correctional Institutions Division (TDCJ-CID).

TEXAS DEPARTMENT OF CRIMINAL JUSTICE MISSION STATEMENT

The mission of the Texas Department of Criminal Justice is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society and assist victims of crime.

Board of Criminal Justice

The Board of Criminal Justice is made up of nine (9) unpaid citizens. They are appointed by the Governor of Texas. The Board helps the Department to plan, budget and make policy.

Management

The Executive Director of the Texas Department of Criminal Justice appoints the Director and Deputy Directors of the Correctional Institutions Division. These directors guide the day-to-day operation and management of the TDCJ-CID.

GENERAL INFORMATION CONCERNING THIS HANDBOOK

This handbook is designed to provide the offender population with general information along with a standard for acceptable behavior. Offenders who do not conduct themselves in an acceptable manner could be charged with a specific disciplinary offense. The disciplinary offenses are listed in the TDCJ Disciplinary Rules and Procedures for Offenders Handbook. The standards for acceptable behavior by offenders listed in this handbook apply to all offenders. The conditions in administrative segregation/special management or disciplinary status may vary from those of general population offenders.

Upon entering the TDCJ, offenders will be provided with a current copy of the Offender Orientation Handbook. Offenders currently incarcerated within the TDCJ will have access to revised copies when revisions to the Handbook are made. Handbooks written in Spanish will be given to offenders whose primary language is Spanish. Rules will be explained to offenders who cannot read them and to offenders whose primary language is neither English nor Spanish.

All offenders confined within a facility of the Texas Department of Criminal Justice are responsible for understanding and abiding by the rules, regulations and policies detailed in the handbook as well as other policies and procedures posted on their facility of assignment. Failure to do so may result in disciplinary action.

For purposes of this handbook, the terms "he", "his" and "him" refer to all offenders, both male and female.

TABLE OF CONTENTS

Chapter 1: Offender Access to Services and Standards for Behavior	
Receiving and Screening	
Photographs and Fingerprints	
Physical Examination	
Mental Health Screening	1
Americans with Disabilities Act (ADA)	,2
Orientation	
Testing and Assessment	2
Sociological and Interviews	2
Segregative Classification	3
Institutional Offenders	3
State Jail Offenders	3
Transfer Offenders	
SAFPF Offenders	
Foreign Nationals	
Unit Classification	5
Custody Levels	
Administrative Segregation or Special Management	
General Population Level 5	
General Population Level 4	
General Population Level 3	
General Population Level 2	
General Population Level 1	
Committees	
Unit Classification Committee	6
Administrative Segregation Committee/Special Management	
Committee	
State Classification Committee	
Security Precaution Designator Review Committee	
Inter-Unit Transfers	6
Good Conduct Time	
Time Credit Dispute Resolution Process	9
Individualized Treatment Plan	9
Collection of DNA Blood Samples	
Standards of Behavior	10
Personal Cleanliness and Grooming	10
Clothing and Necessities	11
Clothing	
Towels	
Linens	
Exchange Procedures for Necessities Items	12
Living Areas	
Dining Hall.	
Shower Rules	
Dayroom Rules	
Recreation Yard Rules	
Commissary Rules	
Hali Rules	
Offender Property	
Contraband	
Tobacco Policy	
Safety Regulations	
General Rules	22

Safe Prison Programs	
Offender Protection	24
Sexual Assaults	
Prevention	24
If The Attack Has Just Happened	25
Perpetrator	
General Appropriations Act 2002-2003 Biennium Confe	rence Committe
Report on Senate Bill 1	
Security Threat Groups	
Programs and Services	
Education	
Testing and Assessment	
Counseling	۲۵
Adult Literacy, Basic Skills and GED Preparation	
Special Education	
English as a Second Language (ESL)	
Reintegration Skills	
Cognitive Intervention	
Career and Technology Education	
College Classes	
Job Placement - Project RIO	30
Libraries	
School Rules	
Information on Education Programs	
Recreation and Non-Programmatic Activity	
Recreation and Non-Programmatic Activities	
Out-Of-Cell Time Requirements for Non-Programmatic	
Activity	
Offender Craft Shop and Piddling	
In-Cell Art	
Health Services	
Medical Services	
Dental Services	
Pharmacy Services	35
	35
Pharmacy Services	35 35
Pharmacy Services Psychiatric and Psychological Services	35 35 35
Pharmacy Services	35 35 35 36
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance.	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls.	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence.	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Eligibility Requirements	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Emergency Absence Eligibility Requirements Inmate Trust Fund.	35 35 35 36 36 37 37 39 40 41 41 42 42
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Eligibility Requirements Inmate Trust Fund ID Cards.	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Emergency Absence Eligibility Requirements Inmate Trust Fund.	
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Eligibility Requirements Inmate Trust Fund ID Cards. Commissary Voter Registration	35 35 36 36 36 37 37 39 40 41 42 42 42 43 43 44 46
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Emergency Absence Eligibility Requirements Inmate Trust Fund ID Cards. Commissary	35 35 36 36 36 37 37 39 40 41 42 42 42 43 43 44 46
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Eligibility Requirements Inmate Trust Fund ID Cards. Commissary Voter Registration Offender Request To Official (I-60) Form	35 35 36 36 37 37 39 40 41 41 42 42 43 44 44 45
Pharmacy Services Psychiatric and Psychological Services Mentally Retarded Offender Program Complaints about Medical Staff. Substance Abuse Treatment Religious Services State Counsel for Offenders Language Assistance Correspondence Rules Visitation Telephone Calls. Emergency Absences Emergency Absence Eligibility Requirements Inmate Trust Fund ID Cards. Commissary Voter Registration	35 35 36 36 37 37 37 40 41 41 42 42 43 44 44 46 47

·

	Disciplinary Procedures and Rules	. 50
	General Procedures	
	Solitary Confinement	. 51
	Counsel Substitute Program	
	Appeal Process	
	Grievance Procedures for Offenders	. 52
	Parole Information	
	Parole Information.	
	The Parole Interview	
	Parole Eligibility Requirements	56
	70 th Legislature Requirements	56
	72 nd Legislature Requirements	57
	73 rd Legislature Requirements	. 53 58
	74 th Legislature Requirements	. 60 50
	75 th Legislature Requirements	. 60 60
	Offenders with Detainers Pending	
	Parole and Mandatory Supervision Violators	
	Offenders who commit offenses while in custody	
	Questions about Parole-related issues	
	Sex Offender Treatment Program Information	
	Sex Offender Treatment Program (SOTP) and Evaluation	
	Civil Commitment of Sexually Violent Predators	
	Sex Offender Treatment Program Information	
	Offense Codes Requiring Registration	
	Orchiectomy TDCJ Crime Stoppers "Behind the Walls"	. 63
Cha	apter 2: Offender Visitation Rules	
	Introduction	
	1.0 General Information	. 65
	Visitation Schedule	. 65
	Frequency and Length of Visits	. 66
	Frequency of Contact Visits	. 66
	Eligibility Criteria for Contact Visits	
	Number of Visitors Allowed	
	2.0 Who Can Visit With Offenders	
	Approved Visitors List	
	Visitors Approved for Contact Visits	
	Visitor Notification	
	3.0 Rules for Visits.	
	Visitor Identification	
	Searches of Visitors and Vehicles	
	Contraband Items	
	Supervision of Visits	
	Rules for Offenders	
	Rules for Visitors	
	Termination of Visits in Progress	
	4.0 Visits for Special Offender Categories	. 10 otio=4
	MROP (Mentally Retarded Offender Program) and Psychiatric In-Pa	
	Offenders	
	Psychiatric Out-Patient Offenders	
	Transient Status Offenders	
	Safekeeping Status	
	Pre-Hearing Detention	
	Lockdown Status	
	Administrative Segregation/Special Management	
	Death Row Offenders	
	G5J5 Offenders	. 76

5.0 Suspension of Visits	
General Visits	. 77
Contact Visits	. 77
6.0 Special Visits	
Three Hundred (300) Miles	78
Spiritual Advisors	
Prospective Employers	. 78
Critical/Serious Illness List	. 78
Hospice Offenders	
Visits Between Offenders (Non-Legal)	. 79
Current/Former TDCJ Employees	. 80
Attorney Visits	
Legal Visits Between Offenders	. 81
Chapter 3: Uniform Offender Correspondence Rules	. 82
General Rules and Instructions Regarding General Correspondence	82
Permissible Correspondents	82
Restricted Correspondents	82
How to Correspond	
Publications	
Special and Media Correspondence	
Permissible Correspondence	
Exceptions	OS
Legal Correspondence	05 95
Handling Offender Correspondence	00
Content Inspection of General Correspondence	
Contraband in General Correspondence	
Contraband in Legal, Media, or Special Correspondence	0 <i>1</i>
Record of Legal, Special, or Media Correspondence	07
Content of Inspection of Publications	07
Processing Incoming and Outgoing Offender Mail	88 00
Forwarding of Mail	
Mailrooms	
Treatment Programs	89
Review Procedures for Denied Items	09 00
Handling of Denied Items	69
Correspondence Appeal Procedure	89
Chapter 4: Offender Access to the Courts, Counsel and Public Officials Rules.	91
Law Libraries	
Law Library Collections, Conditions, and Supplies	91
General Population Offender Access to the Law Library	
Administration Segregation, Lockdown, G5, Medical Segregation, Temporary	
Detention, Trusty Camp, Work Camp, and Death Row Offender Access to the	ne
Law Library	92
Offender Personal Legal Material	
Storage and Access	93
Searches and Shakedowns of Offender Legal Materials	93
When and Where Legal Work May Be Performed	93
Locations and Times	93
Offenders Assisting Other Offenders on Legal Matters	
Notary Public Services	
Documents	
Scheduling	94
Attorney Visitation	
Periods of Visitation	
Notice	
Identification	
Designated Representative's Application to Visit	
Limits on Number, Persons, and Type of Visit	96

. .

Rejection by Offender of Visitation Request	
Procedures During Visit	96
Rejection of Visitation Request or Termination of Visit	98
Suspension of Visitation Privileges	
Attorney Visitation Review Procedure	98
Consular Officials	99
Attorney/Offender Telephone Calls	99
General Guidelines	99
Telephone Call Approval	100
Court Conference Calls	101

- The offender's educational achievement score is below
 on reading or his literacy or understanding of English is questionable;
- c. The offender's case is very complex;
- d. The offender is confined to any form of segregation before the disciplinary hearing:
- e. The offender requests a counsel substitute; or
- f. A witness requested by the accused offender is on a different unit or facility.
- 4. Special Procedures for Psychiatric Patients
 - a. When a psychiatric offender is charged with a disciplinary infraction, psychiatric clearance must be obtained before proceeding with the disciplinary.

D. Appeal Process

At the end of the disciplinary hearing, the disciplinary hearing officer will tell the offender of his right to appeal the decision, with respect to guilt or the punishment given, through the offender grievance procedure.

Three Basic Grounds for Appeal:

- 1. one or more procedural rights were violated
- 2. insufficient evidence to find offender guilty
- 3. penalty imposed by the hearing officer was too severe

The disciplinary decision may be appealed by filing a grievance. If the offender is not satisfied with the decision, he may then file a Step-2 grievance for appeal purposes. The Counsel Substitute will assist offenders with an appeal if they request assistance.

VI. GRIEVANCE PROCEDURES FOR OFFENDERS

- A. Grievance forms are available from the law library, housing area, shift supervisors, or by contacting the unit grievance office. After completely filling out the form, place it in the grievance box yourself or give it to the grievance investigator on your unit.
- B. An attempt to informally resolve your problem must be made before filing a grievance. Informal resolution is defined as any attempt to solve the issue at hand and must be noted on the Step 1 grievance form (I-127). You have 15 days from the date of the alleged incident or occurrence of the issue presented in which to complete the Step 1 grievance form and forward it to the Unit Grievance Investigator (UGI). The Step 1 process may take up to 40 days from the date the unit grievance office receives the Step 1 form. If you are not satisfied with the Step 1 response, you may appeal the Step 1 decision by filing a Step 2 (I-128). You have 15 days from the date of the Warden's signature on the Step 1 form to submit the Step 2 to the grievance investigator on the unit. The Step 2 process may take up to 35 days to provide you a written response.
- C. Present only one issue per grievance and do not repeatedly grieve the same issue.

- D. Additional time may be required in order to conduct an investigation at either Step 1 or Step 2 and in either case, you will be notified of the extension in writing. Also, you may request that your grievance be withdrawn at any time during the process and the unit grievance investigator can help you with these procedures.
- E. Complete your grievance in dark ink or type if possible. If you need any assistance filing a grievance or understanding a response, contact your unit grievance investigator.
- F. The following issues are grievable through the Offender Grievance Procedure
 - The interpretation or application of TDCJ policies, rules, regulations, and procedures;
 - The actions of an employee or another offender, including denial of access to the grievance procedure;
 - Any reprisal for submitting grievance or exercising other Access to Courts rights;
 - The loss or damage of authorized offender property possessed by persons in the physical custody of the Agency, for which the Agency or its employees, through negligence, are the proximate cause of any damage or loss;
 - Any other matter within the authority of the TDCJ.
- G. You may not grieve:
 - State or Federal Court decisions, laws and/or regulations;

 - Time-served credit disputes (these issues should be directed to the Classification and Records, Time Section or for State Jail offenders, to the Unit Chief of Classification or Intake Coordinator);
 - Matters for which other appeal mechanisms exist;
- H. Grievances that do not meet the following established screening criteria may be returned to you unprocessed; however, most grievances may be corrected and resubmitted within 15 days from the date of the signature on the returned grievance.
 - Grievable time period has expired. (Step 1 grievances must be submitted within 15 days from the date of incident and Step 2 Appeals must be submitted within 15 days from the date of the signature on the Step 1.)
 - Submission in excess of 1 every 7 days. (All grievances received in the grievance office will be reviewed for emergencies; however, only one grievance will be processed every seven days [with the exception of disciplinary, specialty and emergency grievances.])
 - Originals not submitted. (Carbon copies are not considered originals even if they have an original signature. The original Step 1 and Step 2 forms (I-127 and I-128) must be submitted.)
 - Inappropriate/excessive attachments. (Your grievance must be stated on one form and in the space provided. Attach only official documents such as 1-60's, sick call requests, property papers, and other similar documents that support your claim.)

- No documented attempt at informal resolution. (You are required to attempt to resolve issues informally with a staff member prior to filing a grievance. Remember, the attempt must be documented in the space provided on the I-127 form.)
- Malicious use of vulgar, indecent, or physically threatening language directed at an individual.
- No remedy exists.
- The text is illegible/incomprehensible. (Write your grievance so that it can be read and understood by anyone.)
- I. Do not use a grievance form to comment on the effectiveness or credibility of the grievance procedure; instead, submit a letter or 4-60 to the Administrator of the Offender Grievance Program.

VII. PAROLE INFORMATION

A. PAROLE INFORMATION

Parole is a privilege, not a right! Parole is the discretionary and conditional release of an eligible offender from physical custody of a jail or prison if the offender agrees to serve the remainder of his sentence under the supervision of the Parole Division. Some requirements for an offender to be released on parole are: (a) serves sufficient time as required by law ITex. Gov't, Code Ann.§ 508.145 (West)]; (b) is not a risk to public safety; and (c) meets work, program participation, and behavior standards. Offenders approved for parole are allowed to leave the TDCJ and serve the remainder of their sentences under the supervision of parole officers. Offenders who are approved for parole may be released during their initial parole eligibility month/year (FI-1); may be released during a specified month which is beyond their initial parole eligibility month/year (FI-2); may be released to a Pre-Parole Transfer facility up to six months prior to a specified month/year which is beyond their initial parole eligibility date (FI-4); or may be transferred to an In-Prison Therapeutic Community (IPTC) for substance abuse treatment up to 11 months (FI-5). The Board of Pardons and Paroles (BPP) has also passed parole vote options that require rehabilitation treatment programs for certain offenders prior to parole. Specific categories include FI-3R, FI-6R, FI-7R, FI-9R, and FI-18R. The numerical identifier in the vote (3, 6, 9, and 18) reflects the number of months the offender must serve beyond a specified release date, which will be set by the BPP. An offender approved for parole under an FI-5 or any of the FI-R votes will be reevaluated by the BPP if he fails to complete the treatment program successfully. Offenders who are not approved for parole may be given new BPP review dates (Set-Off/Next Review Dates). The review process will resume several months prior to the next review dates. If the offender is incarcerated for an offense that occurred on or after 9-1-96, and is not approved for parole release, the offender's file will be reviewed by the BPP for possible release to mandatory supervision (RMS) or denial of release to mandatory supervision (DMS). Offenders who are denied release to mandatory supervision (DMS) will be given a new BPP review date (Next Review Date). The review process will begin several months prior to the next review date. Offenders denied release to mandatory supervision (DMS) will receive annual BPP review until receipt of approval for release on mandatory supervision (RMS) or upon release on expiration of their sentence on their maximum expiration date." Offenders whose offenses occurred prior to 9-1-96, who are denied parole and receive a serve-all from the BPP will be released to mandatory supervision on