

Galveston County
COMMUNITY SUPERVISION AND CORRECTIONS
DEPARTMENT

PROBATIONERS' HANDBOOK



Serving the District and County Courts of Galveston County, Texas

**Galveston County Community Supervision and Corrections Department
PROBATIONERS' HANDBOOK**

Organization and Mission

The mission of the Galveston County Community Supervision and Corrections Department is to serve and protect the community by reducing criminal behavior and empowering individuals placed on community supervision to reintegrate with society as productive, law-abiding, citizens. We will accomplish our mission by addressing the criminogenic needs of each individual placed on community supervision and by providing them the necessary tools to make positive behavioral changes through the use of referrals to appropriate community resources, evidenced-based practices, court incentives and progressive sanctions.

Janis Bane, Director

Dan Moore, Deputy Director

**Galveston County Community Supervision and Corrections Department
PROBATIONERS' HANDBOOK**

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Galveston County Community Supervision and Corrections Department LOCATIONS

www.co.galveston.tx.us
Adult Probation

Mailing Address for All Locations

GCCSCD
123 Rosenberg Suite 4040
Galveston TX 77550

Galveston Office

Office Hours:

Monday-Thursday

7:00 am - 6:00 pm

Friday

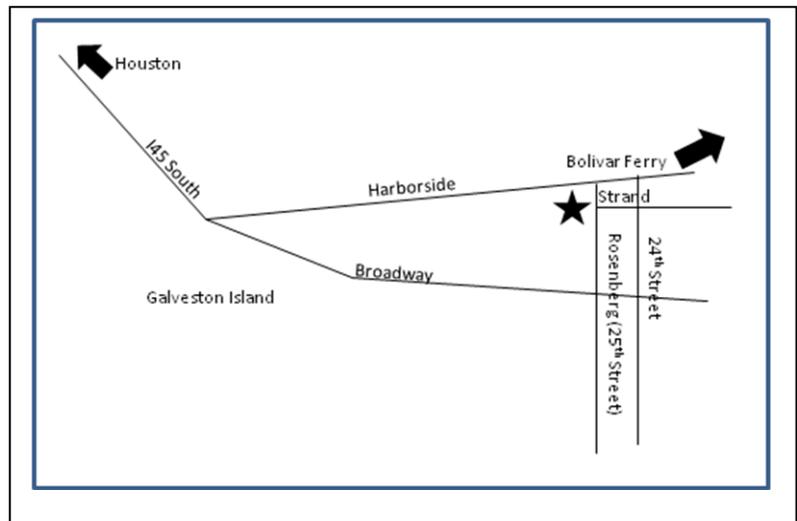
7:00 am - 5:00 pm

Shearn Moody Plaza Building

123 Rosenberg
4th Floor - Suite 4040
Galveston, Texas 77550
409-766-2425
Fax: 409-770-5530

Compact Unit

409-766-2425
Fax: 409-762-1942



From Houston

Proceed on Interstate 45 South

I45S becomes State Highway 87 (Broadway Street) at 61st Street

Turn left at 24th Street

Turn Left at The Strand

Shearn Moody Plaza is at the end of The Strand.

From Bolivar Peninsula

Proceed on Ferry Road after disembarking Bolivar Ferry

Turn right at the second traffic signal (Harborside)

Turn left at Rosenberg (25th Street)

Shearn Moody Plaza is on the right.

**Galveston County Community Supervision and Corrections Department
LOCATIONS**

www.co.galveston.tx.us
Adult Probation

Texas City Office

Office Hours:

Monday-Tuesday

7:00 am - 6:00 pm

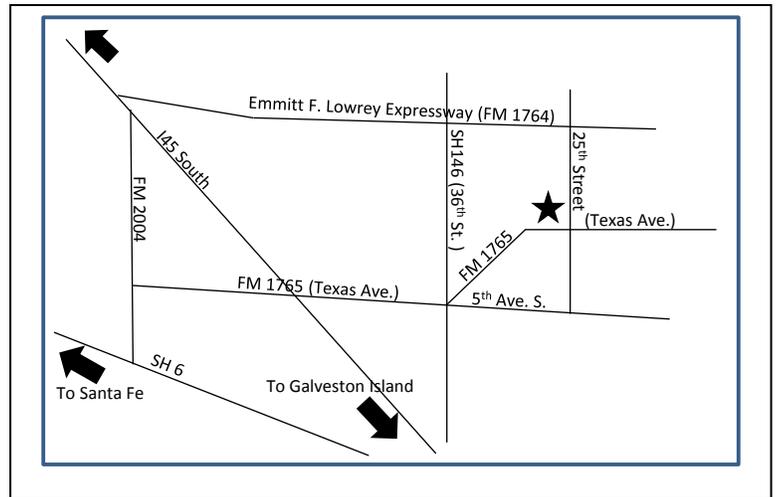
Wednesday-Thursday

7:00 am - 5:00 pm

Friday

6:00 am - 5:00 pm

2516 Texas Avenue
Texas City, Texas 77590
409-770-5808
Fax: 409-770-5889



From Houston

Proceed south on I45

Exit at the FM 1765 Exit

Turn left onto FM 1765 (Texas Avenue)

At State Highway 146 (36th Street) bear left to remain on FM 1765 (Texas Avenue)

Turn left at 25th Street

The County Building is on the corner.

From Santa Fe and Hitchcock

From State Highway 6 turn north onto FM 2004

Turn right onto FM 1765 (Texas Avenue)

At State Highway 146 (36th Street) bear left to remain on FM 1765 (Texas Avenue)

Turn left at 25th Street

The County Building is on the corner.

From Baytown, League City, Kemah, San Leon

Proceed south on SH 146

Turn left at Emmett F. Lowrey Expressway (FM 1764)

Turn right at 25th Street.

The County Building is on the corner.

SECURITY

For the safety of all visitors and Galveston County Community Supervision and Corrections Department (GCCSCD) employees, please observe the following security measures:

- All individuals must receive clearance before entering the office areas.
- Weapons are not allowed.
- Pocket knives or any other item that could be used as a weapon are not allowed.
- Individuals will be asked to leave when not dressed appropriately.

BEING ON PROBATION

Probation, or Community Supervision, in the State of Texas is an alternative to incarceration in a jail or prison. People on probation pled guilty, no contest, or were found guilty for a criminal offense and were sentenced to jail or prison as a punishment for the crime. However, after considering the evidence, the Court, permitted by law to suspend the imposition and execution of a sentence to jail or prison, granted probation.

Probation is a form of punishment for violating the laws of the land and it is an opportunity to make positive changes in the lives of probationers. Probationers are able to remain in the community, work, and be with families and friends as long as the conditions of probation are being abided. Conditions require that probationers obey all laws; pay fees; submit to drug testing; report to Community Supervision Officers (CSOs); and participate in programs or other requirements designed to help address problems contributing to criminal behavior.

There are two types of probation:

- Regular - criminal history will reflect a conviction;
- Deferred Adjudication - criminal history will reflect the arrest.

When deferred adjudication probation is successfully completed, records will not reflect convictions.

CSOs monitor compliance of conditions of probation and take appropriate actions which may include filing a violation report with the Courts when probationers fail to comply with conditions. CSOs are assigned to assist probationers in becoming successful while on probation. They are helpful in referrals to resources, answering questions, and guiding probationers in meeting the conditions of probation.

Standard Conditions of Probation

- Commit no offense against the laws of this state or any other state or the United States.
- Avoid injurious or vicious habits and abstain from the illegal use of controlled substances or consumption of alcoholic beverages.
- Avoid individuals or places of disreputable or harmful character.

- Report to your CSO as directed.
- Permit your CSO to visit you at your home or elsewhere.
- Work faithfully at suitable employment.
- Remain within the limits of Galveston County, Texas.
- Support your dependents.
- Within 48 hours from the date of the change, notify your CSO if your address or employment has changed and of any new arrests.
- Pay Supervision Fee to and through Galveston County CSCD.

Special Conditions of Probation (not limited to those listed below)

If your supervision is transferred to another county, you will report as instructed by your Galveston County CSO until your case is accepted by the receiving county. You must comply with the rules and regulations of the other county or state. You must also mail your court-ordered fees to Galveston County unless waived by the Court.

Complete Community Service Restitution hours as ordered by the Court at the rate scheduled by the CSO or court, to be completed at an approved agency. You must complete your hours in a timely manner as directed by your CSO.

Submit to urine or oral drug and alcohol testing for controlled substances and cannabinoids at the direction of the CSO and pay for urine or oral testing as required.

Complete education programs as directed by your CSO. You must provide documentation of completion. You may be required to take educational testing or participate in and complete adult education programs.

Observe a curfew as directed by your CSO or the Court. When a curfew is set, contacts will be made by CSOs to make sure you are home during curfew hours.

The Court may order you not to make contact with certain individuals or groups of people, or not to go to specific places.

Complete any Supplemental Conditions as ordered by the Court (i.e., counseling, residential programs, etc.)

FIRST VISIT CHECKLIST

You must bring the following items with you when you report to your CSO for your first appointment.

- Completed Budget Worksheet
- Driver's license and vehicle insurance card
- Texas ID (if you do not have a driver's license)

- High school diploma or GED documentation
- Documentation of any existing medical conditions
- Prescriptions for all drugs
- Verification of address (i.e., lease, water bill, etc.)
- Verification of employment (paycheck stub)
- Immigration registration (if applicable)
- Social Security card
- Certificates from all programs you have already completed
- Court costs and fine fees documentation

YOUR COMMUNITY SUPERVISION OFFICER (CSO)

Your CSO has been assigned to help you follow the conditions of your Community Supervision and is available to assist you with any problems and to refer you to community agencies for aid in dealing with your problems. At the same time, your CSO is responsible to the Court which granted your Community Supervision and helps protect the community. Talk to your CSO about things that concern you. Your CSO cannot excuse you from any of your conditions or supervision (such as reporting, making payments, completing community service restitution as ordered); only the Court has this authority.

HOW TO BE SUCCESSFUL ON PROBATION

The conditions of your probation explain what is expected of you. Following the conditions, you will complete your probation successfully and see positive changes in your life.

- Know the conditions of your probation.
- Abide by the conditions of your probation.
- Talk to your CSO when you have questions or need guidance.

HOPE DRUG COURT PROGRAM

The Galveston County Drug Court Program HOPE (Helping Ourselves with Positive Efforts) is designed to use the authority of the Court to enhance motivation for treatment as a cost-effective way to reduce drug use and criminal behavior in non-violent offenders. In addition to substance abuse problems, HOPE is designed to address co-occurring disorders including emotional, psychiatric, educational disabilities, and medical or neurological impairments. HOPE will also work with local agencies to guide offenders through the process of obtaining assistance in family issues, living accommodations, education, on-going counseling, child care, financial assistance, employment and other community issues that will aid offenders in creating a life beneficial to participants, their families, and the community.

FREQUENTLY ASKED QUESTIONS

What happens if I violate the conditions of my probation?

CSOs are required by the Court to take action when conditions are not followed. This action may include requesting a warrant for arrest; the Judge requiring you to return to Court to add more conditions to your probation; or your probation being revoked.

When probation is revoked, the Courts will order you to complete the prison or jail time you were originally sentenced to complete.

What kind of fees am I required to pay?

Fees are Court-ordered and include a Fine, Court Costs, and Probation Supervision fees. Depending on your particular case, the Court may add other fees such as Court-appointed Attorney fees, Crimestopper fees, Assessment fees, and Restitution which is repaying the victim for what was lost or damaged. If you are required to submit to drug or alcohol tests, you will be required to pay a \$10 co-payment for each drug testing event.

Where do I pay my fees?

You may make payment while at your appointment with your CSO. Both Galveston and Texas City offices accept payment; however, Texas City accepts only Money Orders. Neither office accepts personal checks. Kiosks are available for on-line payment for probationers who have been approved by the CSOs. On-line payments may be completed using American Express, Discover, Master Card and Visa credit cards.

Payments are accepted by mail (see Page 1 for mailing address). Money Orders and Cashier Checks must be made payable to Galveston County CSCD and should not be made payable to your CSO. Print your name, address, date of birth, and cause number on the Money Order or Cashier Check.

Cases dated June 1, 2012, to present can pay all fees except Supervision Fees at the Department of Court Services, 600 59th Street, Galveston, Texas, via Odyssey.

Call your CSO if you have questions about making payment for your fees.

What happens if I don't pay my fees?

Fees are Court-ordered and conditions of your probation. They must be paid. Failure to pay is a violation of your probation and could result in court action.

What about office visits?

Reporting to your CSO is one of the most important conditions of your probation. You will be required to report at least once per month, as directed by your CSO and the Court. It is important not to confuse the payment of your financial obligation with reporting to your CSO. You are required to report as directed regardless of whether you are able to make a payment. You must report for each office visit as scheduled. It is also important to be on time for your appointments.

What do I bring to my office visits?

Bring payment for any fees that are due and any paperwork requested by your CSO. *(Please see Page 9 for your first visit checklist.)*

Can I bring children to my office visit?

You should make every effort for child care prior to your visit. Bringing children to an office visit is highly discouraged since probationers for sex offenses may be present.

Will I be tested for drugs or alcohol?

If it is a condition of your probation, yes, you will be randomly tested. GCCSCD will use urine testing or any other forms of approved drug testing methods to test for drug or alcohol use. You will be monitored when submitting urine samples for testing.

What if I have an drug or alcohol problem or have been ordered to complete treatment?

You will be required to submit to an assessment before being referred to a treatment program. The assessment will determine if treatment is needed and what level of treatment is appropriate. Your CSO will assist you in completing the assessment and referral to the treatment program and can tell you about the fees.

What if I must complete a DWI or Drug Education class?

A Court Liaison Officer (CLO) or your CSO will provide you with a list of programs that offer classes you may be required to complete as part of the conditions of your probation. You will be required to pay the entire cost of any class you must complete. In order for your driver's license to be reinstated, these classes must be completed within a specified amount of time as indicated on the conditions of your probation. You will be responsible for contacting Texas Department of Public Safety regarding the status of your driver's license.

What if an ignition interlock device is ordered by the Courts?

Ignition Interlock is a piece of equipment that is installed in your vehicle, when ordered by the Court, used to verify you are not driving while using alcohol and prevents the vehicle from starting when alcohol is detected. A CLO or your CSO will refer you to companies that are approved to install the device.

How do I complete the Community Service Restitution (CSR) hours ordered by the Court?

GCCSCD has a list of agencies approved for CSR work. The agencies are either government or non-profit agencies that have entered into agreements with GCCSCD to provide worksites for CSR. No CSR hours will be awarded for work completed at agencies that are not on the approved GCCSCD list. The CSR Coordinator will refer you to one of the approved agencies.

Agencies make available various duties for CSR hours such as clerical work, janitorial work, computer data entry, customer service, kitchen help, warehouse loading and unloading, animal maintenance, yard work, office organization, carpentry, etc. ***You may not report to any agency to work until you have been referred by the CSR Coordinator.***

Can I get off probation early?

Some offenses are not permitted by law for Early Discharge. Early Discharge can be granted only by the Court. You may hire an attorney to petition the courts to consider you for Early Discharge or your CSO may initiate the process if you meet certain criteria. The minimum criteria that must be met is that you have served a specific amount of time; completed all conditions of probation; paid fees; have not been arrested; demonstrated a history of compliance with your conditions of probation; and not be considered a risk to the community in committing future crimes. Your CSO can provide you with further information.

Certain defendants, if granted by the Court, may qualify for Time Credits as passed in HB 1205 that became effective September 1, 2011. Time Credits apply only to defendants who are granted community supervision, including deferred adjudication community supervision, for an offense punishable as a state jail felony or a felony of the third degree. Ineligible offenses include all misdemeanor cases; intoxication and alcoholic beverage offenses; family violence cases as defined by Section 71.004, Family Code; sex related offenses; kidnapping; and arson.

**COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT
GALVESTON COUNTY**

123 ROSENBERG SUITE 4040 GALVESTON, TEXAS 77550
409-766-2425

FAX: 409-770-5530

Janis Bane, Director



Dan Moore, Deputy Director

Dear Client,

This letter is to inform you that the hurricane season in this area is June 1 through November 30 and that you understand what to do in the event of a mandatory evacuation due to your being on probation through Galveston County Community Supervision and Corrections Department. The following are two important things for you to remember if you are affected by a hurricane this season.

1. If you decide to evacuate, you must request a travel permit (if time allows) from this department. In the event you are unable to obtain a travel permit, you must speak directly to me, your CSO, and:
 - give the exact location where you intend to stay;
 - provide contact information of family, friend, or hotel where you will seek shelter;
 - provide your current cell phone number and other numbers of people who will know how to contact you during the evacuation and relocation.
2. Within seven (7) days following hurricane landfall, you must again contact me at the number below or one of the following numbers:
 - 409-766-2425
 - 409-770-5808

If you are unable to contact me by phone, you must report in person to the GCCSCD office in Texas City located at 2516 Texas Avenue.

Sincerely,

Community Supervision Officer

SERVING THE DISTRICT AND COUNTY COURTS OF GALVESTON COUNTY

COUNTY HOLIDAYS

Galveston County observes the following holidays. The dates and duration may change depending on their occurrence within the week.

New Years Day - January
Martin Luther King, Jr. Day - January
Presidents' Day - February
Good Friday - March or April
Memorial Day - May
Independence Day - July
Labor Day - September
Thanksgiving Day - November
Christmas - December

CIVIL RIGHTS

Being placed on Community Supervision, retrial diversion, or bond supervision affects your civil rights. The following information addresses those civil rights.

The Right to Vote

Misdemeanor Supervision

Individuals on misdemeanor supervision are not affected and may vote.

Deferred Felony Supervision

Individuals on deferred felony supervision are not affected and may vote.

Regular or Shock Felony Supervision

Individuals on either of these types of supervision may not vote until they are discharged from sentences, including any term of incarceration, parole supervision, or a period of Community Supervision ordered by any Court. Individuals can immediately register and be eligible to vote in an election once the terms of Community Supervision has been completed.

For complete information on voting rights, contact an attorney; the United States Department of Justice, Civil Rights Division, Voting Section; your state or local election officials; or the Texas Secretary of State, Election Division.

The Right to Hold Public Office

Misdemeanor Supervision

Individuals on misdemeanor supervision may hold public office.

Deferred Felony Supervision

Individuals on deferred felony supervision may hold public office.

Regular or Shock Felony Supervision

Individuals on either of these types of supervision may not hold public office until discharged with rights restored. If rights are not restored, the probationer may not hold public office.

Exception

Individuals who are on Felony DWI, Involuntary Manslaughter, or Intoxication Manslaughter supervision; who were placed on regular supervision for a state jail felony offense before September 1, 2007; who are on regular Community Supervision for sexual offense listed in Chapter 62 of the Code of Criminal Procedure; or who are placed on regular Community Supervision for a 3g offense on or after September 1, 2007, may not hold public office, even after discharge from Community Supervision.

NOTE: This exception no longer applies to individuals placed on regular Community Supervision for a state jail felony offense on or after September 1, 2007, who have had their rights restored upon discharge from Community Supervision. If rights are not restored, defendants may not hold public office.

For complete information, contact an attorney.

The Right to Serve on a Jury

Misdemeanor Supervision

Individuals on misdemeanor supervision may serve on a jury.

Exceptions

For a criminal trial, individuals who are on supervision for misdemeanor theft (including a deferred adjudication) cannot serve until discharged with rights restored. If rights are not restored, probationers may not serve on a jury.

For a civil trial, individuals who are on deferred adjudication for a misdemeanor theft cannot serve. Moreover, individuals who have convictions for misdemeanor theft cannot serve on a jury unless they have had their rights restored upon discharge from Community Supervision. If rights are not restored, the probations may not serve on a jury.

Felony Supervision

Individuals on any type of felony supervision (including deferred adjudication Community Supervision) may not serve on either a criminal or civil jury until they are discharged and the court sets aside accusations and dismisses charges against the offenders.

Exception

Individuals who are on Felony DWI, Involuntary Manslaughter, or Intoxication Manslaughter supervision; who were placed on regular supervision for a state jail felony offense before September 1, 2007; who are on regular Community Supervision for sexual offenses listed in Chapter 62 of the Code of Criminal Procedure; or who have been placed on regular Community Supervision for a 3g offense on or after September 1, 2007, may never serve on a jury.

NOTE: This exception no longer applies to individuals placed on regular Community Supervision for a state jail felony offense on or after September 1, 2007, who have had their

rights restored upon discharge from Community Supervision. If rights are not restored, defendants may not serve on a jury.

For complete information, contact an attorney.

The Right to Keep and Bear Arms

Misdemeanor Supervision

Individuals on misdemeanor supervision are not affected except that individuals placed on regular Community Supervision for a domestic violence offense may not possess firearms.

For individuals who have been convicted of a misdemeanor crime of domestic violence, the prohibition on the possession of firearms and ammunition does not apply if they have received pardons for the crime; convictions have been expunged or set aside; or individuals have had their civil rights restored and they are not otherwise prohibited from possessing a firearm or ammunition.

Deferred Felony Supervision

Individuals on deferred felony supervision may possess a firearm and ammunition and can go hunting but they cannot buy additional firearms or ammunition nor carry them across state lines.

Regular or Shock Felony Supervision

Individuals on either of these types of supervision may not possess, ship, transport, or receive firearms or ammunition. Even if probationers are discharged from Community Supervision and the court sets aside verdicts and dismisses accusations against individuals, they may still be barred from possessing firearms, depending on the position taken by each local office of the Federal Bureau of Alcohol, Firearms, and Tobacco. In such situations, a release from the Bureau of Alcohol, Tobacco, and Firearms is necessary. To request information on a release, write to the Assistant Director, Criminal Enforcement Division Bureau of Alcohol, Tobacco, and Firearms, POB 784, Ben Franklin Station, Washington, DC 20044.

In the cases where a probationers obtains a release, State law still prohibits a felon from possessing firearms before the fifth anniversary of their releases from Community Supervision, and thereafter they can possess only firearms on the premises of which they live. This provision applies to felons discharged from Community Supervision whose convictions were not set aside by the court in accordance with Article 42.12, Section 20, Code of Criminal Procedure. See Cuellar v. State, 70 S. W. 3d 815 (Tex. Cr. App. - 2002).

Exceptions

Individuals who are on Felony DWI, Involuntary Manslaughter, or Intoxication Manslaughter supervision; who were placed on regular supervision for a state jail felony offense before September 1, 2007; who are on regular Community Supervision for sexual offenses listed in Chapter 62 of the Code of Criminal Procedure; or who have been placed on regular Community Supervision for a 3g offense on or after September 1, 2007, may not possess, ship, transport, or receive firearms or ammunition unless full pardons are obtained from the Governor or releases are obtained from the Bureau of Alcohol, Tobacco, and Firearms.

For further information, Contact the Federal Bureau of Alcohol, Tobacco and Firearms, Austin office, at 512-349-4545.

**Galveston County Community Supervision and Corrections Department
PROBATIONERS' HANDBOOK**

Probationer's Acceptance

I acknowledge having received a copy of the Galveston County Community Supervision and Corrections Department Probationers' Handbook. I understand this signature acknowledgement will be retained in my file.

Printed Name

Date

Signature