

Chapter: Rules for State-Operated Programs and Facilities	Effective Date: 5/1/22
Subchapter: Admission, Placement, Release, and Discharge	Page: 1 of 2
Division: Program Completion and Release	Replaces: GAP.380.8555, 4/1/14
Rule: Program Completion for Non-Sentenced Offenders	
Statutes: HR Code §245.051 ; Education Code §30.106 ; Family Code §54.0491	

RULE

(a) **Purpose.**

The purpose of this rule is to establish criteria and the approval process for release of youth upon program completion.

(b) **Applicability.**

- (1) This rule does not apply to sentenced offenders.
- (2) This rule does not apply to decisions by the Release Review Panel. See [§380.8557 of this chapter](#) for more information on the Release Review Panel.

(c) **General Provisions.**

A detainer or bench warrant is not an automatic bar to earned release. The Texas Juvenile Justice Department (TJJJ) releases youth to authorities pursuant to a warrant.

(d) **Program Completion Criteria.**

Youth in high- or medium-restriction facilities are eligible for release to TJJJ parole when the following criteria have been met:

- (1) no major rule violations proven at a Level II due process hearing within 30 days before the program completion review or during the approval process; and
- (2) completion of the minimum and/or extension length of stay; and
- (3) participation in or completion of assigned specialized treatment programs or curriculum as required under [§380.8751 of this chapter](#); and
- (4) completion of the following rehabilitation program requirements:
 - (A) for TJJJ-operated facilities, assignment to the highest stage in the assigned rehabilitation program as described in [§380.8703 of this chapter](#); or
 - (B) for facilities operated under contract with TJJJ, completion of requirements for release to parole as defined in the TJJJ-approved rehabilitation program; and
- (5) participation in or completion of any statutorily required rehabilitation programming, including but not limited to:
 - (A) participation in a reading improvement program for identified youth to the extent required under [§380.9155 of this chapter](#);
 - (B) participation in a positive behavior support system to the extent required under §380.9155 of this chapter; and
 - (C) completion of at least 12 hours of a gang intervention education program, if required by court order.

(e) **Review and Approval Process.**

(1) **Program Completion Review.**

- (A) Before the expiration of a youth's initial or revocation minimum length of stay and before the expiration of an extension length of stay, a program completion review is conducted to determine whether the youth appears to meet program completion criteria.
- (B) If it is determined the youth does not meet program completion criteria, the youth's case is referred to the Release Review Panel. Staff will discuss with the youth the reasons for the decision to refer the youth's case to the panel.
- (C) If it is determined the youth appears to meet program completion criteria, the youth's case is referred to the final decision authority.

(2) **Final Decision Authority for Approval of Release.**

- (A) The final decision authority shall confirm whether the youth meets all release criteria and ensure the community reentry/transition plan adequately addresses risk factors prior to approving the release.
- (B) If the final decision authority approves the release, the youth must be placed on parole or parole status no later than 15 calendar days after the minimum length of stay date.
- (C) If the final decision authority does not approve the release, the youth's case is referred to the Release Review Panel.

(f) **Loss of Release Eligibility.**

If a youth loses release eligibility after the program completion review and before release to parole, the youth's case is referred to the Release Review Panel.

(g) **Active Warrants.**

At least ten calendar days before the youth's release, TJJJD notifies any entity that has issued an active warrant for the youth.

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- See [Case Management Standards Manual, Chapter 2](#), for procedures relating to the release process.
 - See [CMS.03.11](#) for procedures relating to the gang intervention education program.
 - See [EDU.13.51](#) for procedures relating to participation in the reading program and positive behavior support system.