

RELEASE/TRANSFER HEARING CHECKLIST
(FROM TYC TO TDCJ)

Practical Note:

**Do not forget Transfer Order. Must be signed by Judge;
Leonard Cuculo needs a certified copy to take with him.**

Ask court to take JUDICIAL NOTICE of:

At beginning of hearing:

- All evidence, findings, and judgments entered in underlying case
- Court's notice to DA, Respondent, Victims, Parent of Respondent
If no, judicial notice parties are present and bench warrant for Respondent
- Other _____

At a later point:

- Summary Report
- Master File
- Security File
- Other _____

Leonard Cuculo, TYC:

Introduction of witness.

Summary Report written by L. Cuculo: Mark it, have him ID it.

What did you use to prepare this report?

What is the TYC number on the Summary Report?

Is that the same TYC number on the compiling information?

OFFER SX1 (Summary Report)

Ask Court to take **JUDICIAL NOTICE** of Master File and Security File for TYC Number _____.

Have L. Cuculo ID the Respondent.

How old is R?

What was R committed to TYC for?

When was R committed?

For how long? Determinate Sentence.

When was the petition filed requesting this court to transfer R to TDCJ?

Is this hearing being conducted within **60 days** of the court's receipt of the request from TYC?

Was the R provided a **psychological evaluation** for the purposes of this hearing?

What is the purpose of the evaluation?

Who conducted the evaluation?

What were the results?

What is the **recommendation** of the examiner?

Is there any reason to believe the R lacks responsibility for R's conduct?

Is there any reason to believe the R's mental condition does not allow R to be held responsible for R's conduct?

Do you know what R's IQ is?

What has been R's **progress at TYC**?

Do you know what R's educational progress has been?

Do you know if R is cooperative with staff and instructors?

Do you know if R treats TYC staff with respect?

Do you know if R treats peers with respect?

Does R take responsibility for R's behavior?

What are **referrals**?

How many referrals has R had at TYC?

Over what period of time?

How many of them are for assault behavior or for being a danger to others?

What are the other referrals for?

What does it mean to be placed in **security**?

How many times was R placed in security?

Can you tell us how R behaved while in security?

Discuss assaultive and gang-related referrals.

Did TYC provide intervention or treatment for this behavior?

What are **Behavior Management Programs**?

What did R's treatment consist of?

Were plans implemented to **rehabilitate and re-socialize** R so that R could be released into society and be a productive citizen?

Were they successful?

Was R aware that R could be transferred to TDCJ?

Was R aware that R's potential transfer was dependent on R's performance at TYC, including completing all programs and having good behavior?

How was R made aware of this information?

Do you believe R understood these admonishments?

What are the different **phases of TYC**? (0-4)

Please explain these phases.

What phase is R in?

Has R ever been in a different phase?

How long did it take R to reach phase _____?

How long was R in phase _____?

Do you believe that R could successfully receive further treatment at TYC?

What is predicted if R were to be released into society today?

What is predicted if R were to continue at TYC today?

Is R a danger to staff and peers at TYC?

What is **TYC's recommendation** to the court today?

Is that also **your recommendation**?

What is this recommendation based on?