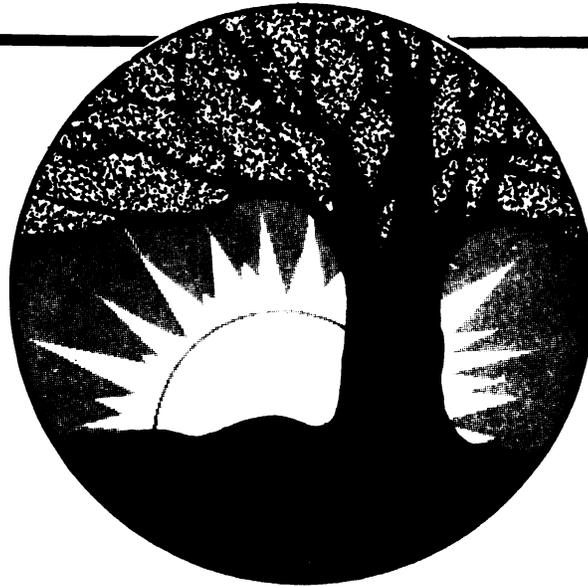


PERFORMANCE AUDIT

Board of Probation and Parole

May 2006



John G. Morgan
Comptroller of the Treasury



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John G. Morgan
Comptroller

May 23, 2006

The Honorable John S. Wilder
Speaker of the Senate
The Honorable Jimmy Naifeh
Speaker of the House of Representatives
The Honorable Thelma M. Harper, Chair
Senate Committee on Government Operations
The Honorable Mike Kernell, Chair
House Committee on Government Operations
and
Members of the General Assembly
State Capitol
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is the performance audit of the Board of Probation and Parole. This audit was conducted pursuant to the requirements of Section 4-29-111, *Tennessee Code Annotated*, the Tennessee Governmental Entity Review Law.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the board should be continued, restructured, or terminated.

Sincerely,

John G. Morgan
Comptroller of the Treasury

JGM/dlj
05-061

State of Tennessee

Audit Highlights

Comptroller of the Treasury

Division of State Audit

Performance Audit Board of Probation and Parole

May 2006

AUDIT OBJECTIVES

The objectives of the audit were to determine the following: whether probation and parole officers are supervising offenders as required; whether fee collection problems identified in the prior audit have been corrected; whether board staff are receiving the required amount of training; whether the community correction programs are being reviewed annually and are submitting the required reports and financial statements; whether the board is meeting statutory requirements regarding the release of information concerning the scheduling and results of parole hearings; the status of community correction pilot programs and collaborative programs the board has implemented with local law enforcement agencies; the status of a graduated intervention program to address offenders' technical violations; the results of Tennessee Bridges, a cooperative program between the board and the Tennessee Department of Correction; whether board members follow policies and procedures for the parole hearing process; and the board's responsibilities under the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004, whether the board is meeting those responsibilities, and the impact of the new requirements on board resources. Additional objectives were to summarize and assess information documenting the board's compliance with Title VI requirements and to recommend possible alternatives for legislative or administrative action that might result in more efficient and effective operation of the board.

FINDINGS

Board Field Officers Are Not Completing All of the Offender Supervision Requirements, Which Could Limit the Board's Ability to Meet Its Mission to Minimize Public Risk and Promote Lawful Behavior

The board's policies and procedures require that field officers responsible for supervising offenders on probation or parole perform a variety of monitoring activities, which vary (to some extent) in frequency and type depending on the offender's classification. We reviewed Tennessee Offender Management Information System (TOMIS) data and offender case files to determine whether field officers are meeting the

board's offender supervision standards. According to board policy 706.01, "Content of Offender Case Files," the computerized TOMIS record is the primary repository for interactions between the field officer and the offender. Our review of TOMIS indicated that field officers did not always meet the required supervision standards. When the minimum standards are not met, it is more difficult for the board to ensure it is accomplishing its stated mission, "to minimize public risk and promote lawful behavior by the prudent, orderly release and community supervision of adult offenders, at the least possible cost to the taxpayers" (page 27).

Parole Hearing and Final Decision Notification Procedures Still Need to Be Improved to Ensure That Requirements Are Clear and Complied With, and That Compliance Is Fully Documented

Sections 40-28-505(b) and (c), *Tennessee Code Annotated*, require the board to notify public officials such as the sentencing judge, the prosecuting district attorney, the sheriff of the county in which the crime was committed, and any victims or victims' representatives prior to a scheduled parole hearing and after a decision has been made. The June 2001 performance audit of the board found that public officials were not being notified of parole hearing results within the statutory time frame. During the current

audit, we found significant improvement but also found several weaknesses that need to be addressed. The board's "Grant Docketing Procedures Manual" and *Tennessee Code Annotated* have different time requirements for notifying interested parties of the board's final decision. In addition, a review of 50 hearing files found that board staff did not always document in TOMIS that they had given the offender the hearing notice or notification of the final decision, that the time from the final vote to offender notification was not always timely, and that offender paper files did not always include all original documents appropriately signed and dated (page 33).

FOLLOW-UP ON PRIOR AUDIT FINDINGS

The audit also details the results of our follow-up on prior audit findings related to the board's case management system, community corrections programs, collection of offender fees, and staff training (pages 6-13).

OBSERVATIONS AND COMMENTS

The audit also discusses the following issues: the need for the board to clarify requirements for field office supervisors' review of case files and documentation of that review; the graduated/progressive intervention program for technical violators; the Tennessee Bridges Program; community collaborative programs; the board's responsibilities for registration and fingerprinting of sex offenders; the community corrections pilot program; the use of global positioning satellite to supervise serious and violent sex offenders; and the parole hearing process (pages 13-26).

**Performance Audit
Board of Probation and Parole**

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Performance Audit Tennessee Board of Probation and Parole

INTRODUCTION

PURPOSE AND AUTHORITY FOR THE AUDIT

This performance audit of the Tennessee Board of Probation and Parole was conducted pursuant to the Tennessee Governmental Entity Review Law, *Tennessee Code Annotated*, Title 4, Chapter 29. Under Section 4-29-227, the board is scheduled to terminate June 30, 2006. The Comptroller of the Treasury is authorized under 4-29-111 to conduct a limited program review audit of the board and to report to the Joint Government Operations Committee of the General Assembly. The audit is intended to aid the committee in determining whether the board should be continued, restructured, or terminated.

OBJECTIVES OF THE AUDIT

The objectives of the audit of the board were

1. to determine whether probation and parole officers are supervising offenders as required;
2. to determine whether fee collection problems identified in the prior audit have been corrected;
3. to determine whether board staff are receiving the required amount of training;
4. to determine whether the community correction programs are being reviewed annually and are submitting the required reports and financial statements;
5. to determine whether the board is meeting statutory requirements regarding the release of information concerning the scheduling and results of parole hearings;
6. to determine the status of community correction pilot programs and collaborative programs the board has implemented with local law enforcement agencies;
7. to determine the status of a graduated intervention program to address offenders' technical violations;
8. to determine the results of Tennessee Bridges, a cooperative program between the board and the Tennessee Department of Correction;
9. to determine whether board members follow policies and procedures for the parole hearing process;
10. to determine the board's responsibilities under the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004,

whether the board is meeting those responsibilities, and the impact of the new requirements on board resources;

11. to summarize and assess information documenting the board's compliance with Title VI requirements; and
12. to recommend possible alternatives for legislative or administrative action that might result in more efficient and effective operation of the board.

SCOPE AND METHODOLOGY OF THE AUDIT

The activities of the board were reviewed for fiscal years 2001 through 2005, with the focus on procedures in effect at the time of fieldwork (February 2005 to August 2005). The audit was conducted in accordance with the standards applicable to performance audits contained in *Governmental Auditing Standards* issued by the Comptroller General of the United States and included

1. a review of statutes and board policies and procedures;
2. examination of board files, documents, and offender information in the Tennessee Offender Management Information System (TOMIS); and
3. interviews with the board chairman, board staff, and Tennessee Department of Correction staff.

ORGANIZATION AND STATUTORY DUTIES

The Board of Probation and Parole is a full-time board composed of seven members appointed by the Governor, charged with deciding which eligible felony offenders will be granted parole and released from incarceration to community-based supervision. In addition to the supervision of those granted parole, the board is also responsible for supervising felony offenders who are placed on probation by the Criminal Courts. As of June 2005, the board had 912 employees.

The administrative duties of the board include setting criteria for granting and revoking parole and developing a strategic plan, an annual budget and staffing plan, and policies and procedures.

The board's Executive Director is responsible for the day-to-day functioning of the agency and for assisting the board in the development and implementation of policies, procedures, strategic plans, budgets, and reports. The Executive Director also has responsibility for recruitment and supervision of staff and for developing and maintaining communication and cooperation between the Tennessee Department of Correction and the board. To manage the agency and its functional responsibilities, the agency is organized into twelve divisions:

Board Members and their support staff
Legal Services
Hearings Officers
Board Operations
Training
Community Corrections Program

Field Services
Human Resources
Fiscal Services
Technical Services
Policy and Forms
Information Systems

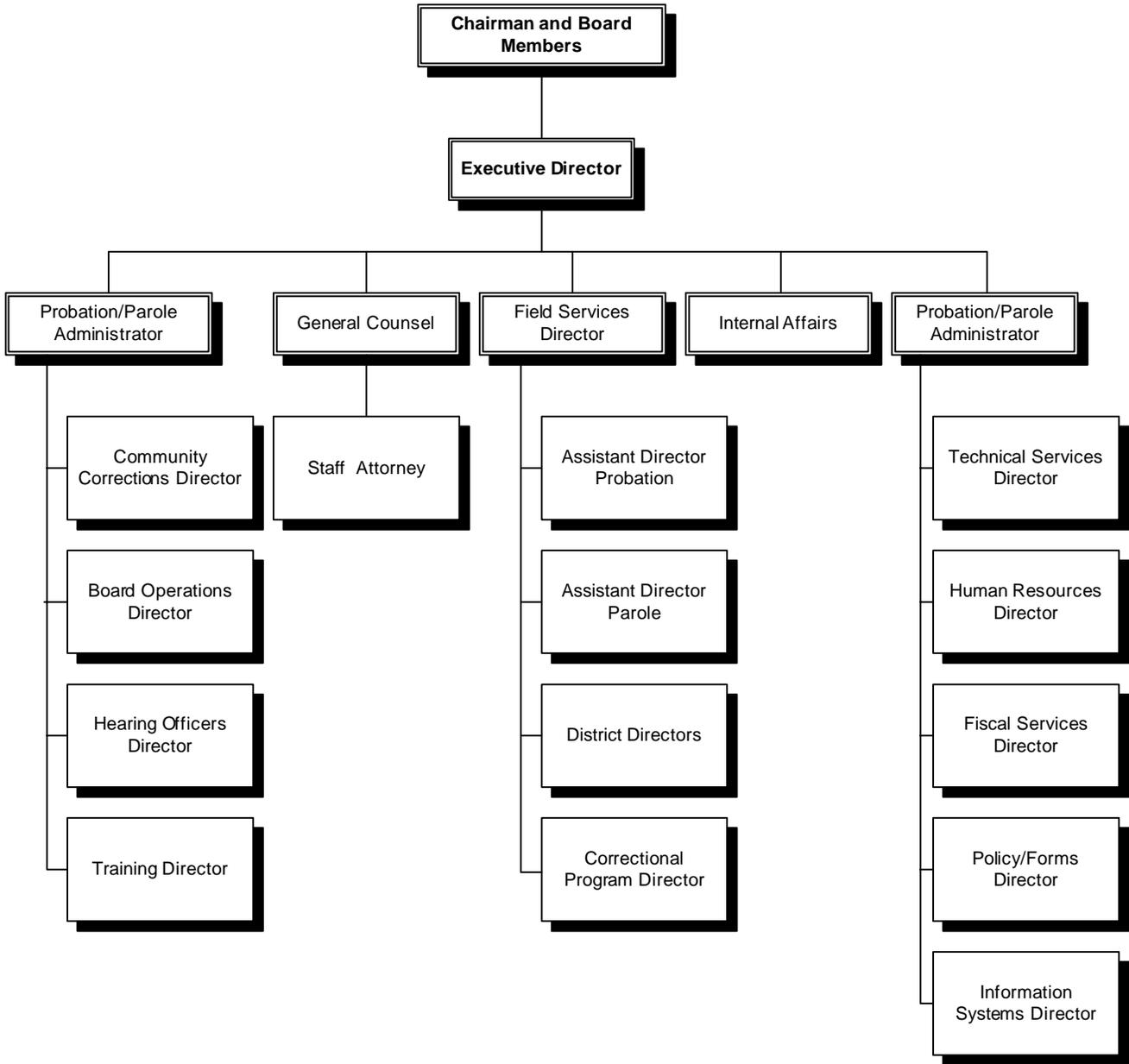
See organization chart on page 4.

Two Probation and Parole Administrators assist the Executive Director, and along with the Director of Field Services and Legal Services, provide the senior level of management for the board. Each administrator is responsible for several of the divisions. The board chairman appoints hearing officers to conduct parole hearings and make non-binding recommendations for review by board members. Hearings are conducted in all Department of Correction facilities and local jails for all eligible offenders.

Board Operations is responsible for scheduling parole hearings, issuing parole and determinate release certificates, maintaining the board offender files, obtaining psychological evaluations for offenders prior to parole hearings, processing requests for executive clemency, and providing victim services.

The Field Services Division has eight District Directors in eight district offices (Delta [Memphis], West Tennessee [Jackson], Nashville, Clarksville, Columbia, Chattanooga, Knoxville, and Johnson City), each serving a designated number of counties within its district. In addition to the district offices, there are 37 field offices. Probation and Parole Officers (PPOs) supervise and monitor the conduct, behavior, and progress of probationers and parolees assigned to them. They also report to the court and to the board on the progress of probationers and parolees. Violation of any of the conditions of parole is a potential cause for revocation or other sanctions ordered by the board. PPOs report violations of parole to the board and may make recommendations about what action should be taken. Likewise, any violation of the conditions of probation is a potential cause of revocation or other sanctions by the court. For the fiscal year ending June 30, 2005, the total offender population was 55,385, consisting of 8,558 parolees, 40,765 probationers, and 6,062 offenders in the Community Corrections Program. During fiscal year 2005, 1,527 individuals had their parole revoked and were reincarcerated.

Board of Probation and Parole
Organization Chart
June 2005



Institutional Probation/Parole Officers (IPPOs) act as an on-site liaison among the board, the Department of Correction, and local jails, to ensure that the board has all the information it needs. The IPPOs provide information about parole policies and procedures to institutional staff and offenders, coordinate the approval of parole release plans, and participate in pre-release programs.

Administrative Services, consisting of Fiscal Services and Human Resource Services, provides support to all board programs. Technical Services offers assistance to develop policy drafts, coordinate or plan surveys and research, plan and conduct reviews and assessments, construct and utilize performance measures, revise or develop essential reporting or record keeping, and participate in strategic planning. Information Systems strives to provide cost-effective technology solutions to current business processes and also provides technical training, as well as hardware, software, and network support to improve the overall productivity of board staff.

The Training Division develops and implements an annual training plan at the district-level with a focus on adherence to policy, utilizing employees' talents, aiding staff in personal and professional development, and giving the staff knowledge and techniques to effectively supervise and manage adult offenders. Legal Services consists of a general counsel and staff attorney who provide legal counsel and advice for the board and board staff.

For fiscal year 2005, the board had total expenditures of \$60,309,313. Revenues included state appropriations of \$60,092,137, current services of \$147,862 (including Diversion Fund Revenues), and \$69,314 in interdepartmental monies.

COMMUNITY CORRECTIONS PROGRAM

The Community Corrections Program was created by the Tennessee Community Corrections Act of 1985, codified as Section 40-36-101 et seq., *Tennessee Code Annotated*. The program was established to provide community-based alternatives to incarceration by providing services and programs in local jurisdictions for eligible offenders in lieu of incarceration in state penal institutions or local jails and workhouses. Such alternatives include non-custodial community corrections options, short-term community residential treatment options, and individualized evaluation and treatment services. The program gives local courts increased options, assists victims, and provides public service to local governments in a cost-effective manner. Taxpayers avoid paying the cost of jail or prison for nonviolent offenders. According to board reports, the average cost for fiscal year 2004-2005 was \$3.93 per day for Community Corrections, while the average cost for incarceration in local jails was \$43.66 per day and \$54.33 per day in Department of Correction prisons.

There are 19 community corrections programs, consisting of 6 nonprofit agencies, 6 Human Resource Agencies, and 7 county programs. Of the 19 programs, 3 are residential programs (two housing males and one housing females) and/or "day reporting" centers, and 16 are supervision programs.

On September 1, 2004, Board of Probation and Parole management was reorganized to provide concentrated attention and supervision to Community Corrections. The program was placed under a division director with two staff persons as assistants, and strong emphasis was placed on compliance with contractual agreements, board directives, and board and community correction policies and standards. See page 7 for additional information regarding the Community Corrections programs.

FOLLOW-UP ON PRIOR AUDIT FINDINGS

BOARD OF PROBATION AND PAROLE'S CASE MANAGEMENT SYSTEM

The June 2001 performance audit of the board found that field officers did not meet the offender supervision requirements for face-to-face contacts, home visits, drug tests, arrest record checks, special condition monitoring, and risk assessments. The board's response to the finding stated that the board and the Department of Correction were working together to develop changes to the Tennessee Offender Management Information System (TOMIS) that would provide officers a method to track their individual caseload and their compliance with the current standards of supervision. During the current audit, we interviewed board staff and reviewed case management system documents and determined that the changes to the system had been implemented. It appears that the board has made substantial improvements in monitoring officer contacts with offenders, but we did identify some continuing weaknesses in offender supervision. (See Finding 1.)

The current system provides an officer a list of his or her offenders and the required contacts for each month. The officer obtains a report at the beginning of the month which indicates the required contacts for that month. The report is updated as the officer performs the required contacts with the offender. At the end of the month, the supervisor reviews a report that details each officer's extent of compliance with the supervision requirements. If an officer is below 90% compliance, the supervisor reviews the officer's work to determine why he or she failed to complete at least 90% of the supervision requirements. The supervisor will take into consideration circumstances such as unexpected sickness or lack of staffing at a particular office. If the supervisor determines that a failure to meet the requirement is because of a lack of effort by the officer, the supervisor will give the officer a verbal warning. If the officer has two consecutive months of noncompliance, the supervisor will give the officer a written warning which is filed in the officer's personnel file.

The supervisor is also supposed to review the officers' attempted contacts with offenders, to determine whether an officer should get credit for an unsuccessful contact attempt. An attempted contact is an unsuccessful contact with the offender but may not be the result of an officer's lack of effort. (For example, an offender may not show up for the monthly face-to-face meeting. The officer may note the offender's failure to show up in the system, attempt to contact the offender by telephone or letter, and document the attempted contact in the contact notes of

the case file in TOMIS. The supervisor must make a decision whether to count the attempted contact as compliant or noncompliant, depending on the additional information provided in the contact notes.)

COMMUNITY CORRECTIONS PROGRAMS

The June 2001 performance audit of the board contained three findings concerning the Community Corrections Program.

1. Only 13 of 20 community corrections grantees were reviewed during fiscal year 2000.
2. Some community corrections program providers did not submit required reports.
3. Not all community corrections program grantees submitted audited financial statements for fiscal year 1999.

During the current audit, we reviewed board documentation for fiscal years 2003 and 2004, and found that the community corrections programs were being reviewed as required, grantees were (with the exception of two missing reports) submitting required monthly reports, and the board was receiving audited financial statements from community corrections program grantees.

Annual Reviews

For fiscal years 2003 and 2004, board staff (i.e., Technical Services staff and staff from board field offices who volunteer to participate) reviewed each of the 19 community correction programs annually. (Weaknesses identified during these reviews are categorized as findings or observations and comments, depending on whether they are repeat weaknesses or newly identified weaknesses.) The majority of the findings dealt with offender-to-officer ratios exceeding the required 25:1 ratio. The program managers responded that a lack of funding prevented the hiring of additional staff to reduce the ratio to the required level. Another finding was that some programs did not meet the minimum intake level of offenders taken into the program for the fiscal year. Management's response was that the judges determine who is to be placed in the program and thus the program managers have no control over the number of offenders in the program. In fiscal year 2004, observations and comments included no documentation of DNA testing and no Level Security Index and Offender Profile Index information in the files (i.e., information to confirm that the appropriate types of offenders are being placed in the program). Board staff stated that they are placing special attention on the documentation of DNA testing during the fiscal year 2005 reviews.

The board's executive director stated that they are considering having board staff visit the programs during the year to evaluate whether corrective action plans to address findings have been implemented. Our review indicates that the board also needs to monitor the program management's initial responses to findings, because one of the community correction programs did not submit a response to all of the annual review findings.

Monthly Reports

Our review of programs' monthly report submissions showed that, in fiscal year 2004, only 9 (4%) of the 228 reports were submitted late. Two monthly reports could not be located. In fiscal year 2005, 12 reports (5%) were submitted late.

Independent Audited Financial Statements

Five of the 19 audited financial statements for fiscal year 2003 were submitted after the March 31, 2004, due date. For fiscal year 2004, there were six audited financial statements that were submitted past the March 31, 2005, due date. However, four of those six program grantees had requested a waiver for submitting the reports late.

COLLECTION OF OFFENDER FEES

The June 2001 performance audit found that the board collected only 53% of probation fees and only 42% of parolee fees owed by offenders because of data system inadequacies and because officers did not enforce requirements. During the current audit, board staff stated that the use of the Tennessee Offender Management Information System (TOMIS) as a fee collection system is still creating problems. The following problems with TOMIS were noted by the board's fiscal staff:

1. TOMIS was never intended to be used as an accounting system.
2. TOMIS is not able to create debit/credit entries. All funds entered into TOMIS are recognized as new money.
3. There have been a few deposits that did not post to TOMIS because of inaccurate information (such as an incorrect date) being entered.
4. TOMIS does not allow for the input of comments when staff make adjustments to the offender's account.
5. TOMIS does not allow an account to be flagged when it has been edited.
6. The Probation/Parole Officer must manually stop the calculation of fee payments when an offender is changed from active status to inactive status (e.g., is incarcerated for revocation of probation or parole, has absconded, etc.). Staff had incorrectly assumed that when an offender was changed from active to inactive status, TOMIS would stop calculating fee payments.

Fiscal staff stated that, although the Probation and Parole Officers (PPOs) must rely on the information that is in TOMIS, they are reluctant to initiate formal action against an offender when the system shows payments to be in arrears, given the problems with TOMIS noted above.

Fee Collection Committee

Because of the problems with TOMIS and the resulting problems in accurately tracking offender fee payments, the board formed a Fee Collection Committee in fiscal year 2005, which has been working with Department of Finance and Administration staff to acquire an accounting system to use for the recording of offender fee collection. The new system that is being considered would include the following changes:

- pre-printed coupons would not be used, thus eliminating the problems of coupons with incorrect fee amounts, offenders not having coupons to mail with payments, etc.
- the offender would receive a receipt when payments are made (if the payments are mailed in, the receipt would be forwarded to the PPO and given to the offender at the next contact meeting);
- the offender could make payments at the field office;
- the field office would forward the payments to the District Office for processing;
- at the District Office, one person would be responsible for opening the envelopes and creating a payment log, a second would record the payments and verify that the amounts agree with the payment log, and a third person would be responsible for making the deposit (incorporating the internal control of segregation of duties to reduce the opportunities for fraud); and
- the system would operate separately from TOMIS.

According to board staff, the requisition for the software has been submitted to the Department of General Services. By March 2006, the program should be available for use at one of the smaller districts (e.g., Jackson or Clarksville).

Review of Fee Collections and Fee Collection Process

Because of the unreliable information contained in TOMIS, we did not attempt to compare the amount of fees due and the amount of fees collected. (A review of the new collection system will be included in the next audit of the board.) We did, however, review the fee collection process and the amount of fees that were collected and deposited during fiscal years 2002 through 2005.

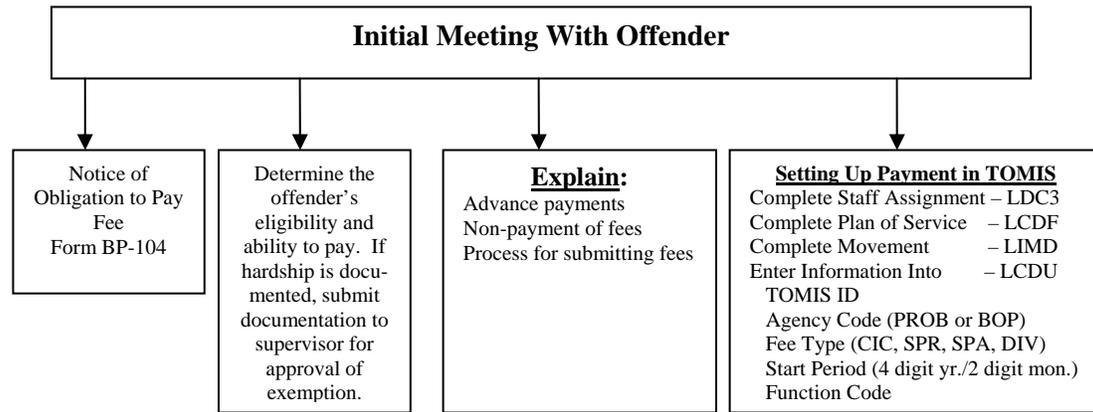
According to the board's *Fee Collection Manual* (see Exhibit 1), the field officer explains the fee collection process to the offender and sets up the offender's fees in TOMIS during the initial face-to-face visit with the offender. The board provides offenders with pre-printed payment coupons containing the offender's pertinent information (to help ensure payments are identified and credited appropriately). The coupons are printed quarterly and distributed to the field officers by the board's central office staff. An offender may mail the payment coupon and a money order or cashier's check directly to the Tennessee Department of Revenue or may put the payment in a "lock box" at the field office. If the offender does not have a coupon to accompany the payment, the officer should make a copy of the offender's relevant TOMIS information to include with the payment, and the offender mails the payment directly to the

board's central office or places it in the "lock box." Payment envelopes in the lock box are sorted by administrative staff and forwarded to the Tennessee Department of Revenue (payments with coupons) or the board's central office (payments without coupons).

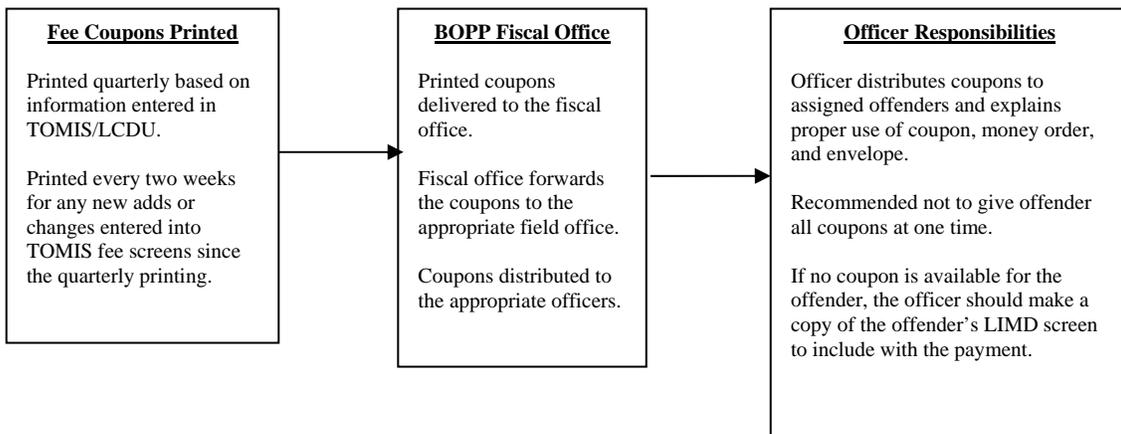
The total number of coupons and the amount deposited has consistently increased from fiscal year 2002 through fiscal year 2005. (See Table 1). One category that has fluctuated over time is the number of "Research Coupons." These are payments that cannot be credited to a specific offender's account on the day the payment is received, because of incomplete or incorrect information. The payments are deposited into a deferred revenue account on the day they are received and then moved to the revenue account when the correct information is determined. According to fiscal staff, the reason that the number of research coupons and deposits decreased in 2003 and 2004 was because an employee in Field Services devoted time to locating some of the information, such as the correct TOMIS number or amount due. But in fiscal year 2005, the staff member was assigned other duties and was unable to spend time researching payment information.

We also reviewed TOMIS information to determine whether PPOs were monitoring the offender's payment of fees. We reviewed 100 offender files (50 probationers and 50 parolees) and found only three instances where the PPO failed to properly monitor the offender's payment of fees according to the board's supervision standards.

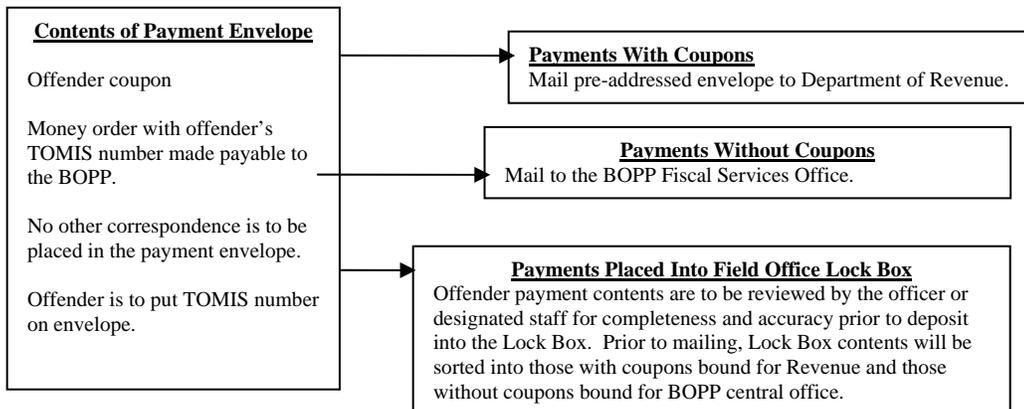
**Exhibit 1
Offender Fee Process**



Distribution of Fee Payment Coupons
Payment of Fees Monitored by Officer on a Monthly Basis



Submission of Fee Payment
Payment of Fees Monitored by Officer on a Monthly Basis



Source: Board of Probation and Parole *Fee Collection Manual*.

Table 1
Department of Revenue and Board of Probation and Parole
Offender Fee Payment Deposits
Fiscal Years 2002, 2003, 2004, and 2005

Fiscal Year	Department of Revenue			Board of Probation and Parole Fiscal Services									Total Deposits	Total Coupons
	Revenue Deposits	Revenue Coupons	Percent of Total	Probation Deposits	Probation Coupons	Percent of Total	Parole Deposits	Parole Coupons	Percent of Total	Research Deposits	Research Coupons	Percent of Total		
2005	\$4,816,008	136,642	75%	\$1,367,338	33,396	18%	\$411,715	12,267	7%	\$29,327	661	<1%	\$6,624,388	182,966
2004	\$4,703,895	131,754	76%	\$1,230,163	29,337	17%	\$379,410	12,084	7%	\$6,728	123	<1%	\$6,320,196	173,298
2003	\$4,627,130	126,697	76%	\$1,241,587	28,144	17%	\$411,637	12,027	7%	\$10,403	202	<1%	\$6,290,757	167,070
2002	\$3,962,712	100,579	66%	\$1,334,876	28,332	19%	\$825,747	22,713	15%	\$45,597	948	<1%	\$6,168,933	152,572

Source: Board of Probation and Parole, Fiscal Section.

BOARD STAFF TRAINING

The June 2001 performance audit included a finding stating that probation and parole staff did not receive all of the required training. Training requirements are detailed in the board's statutes and administrative policies. Each new full-time employee should receive 40 hours of pre-service orientation training. Thereafter, full-time support staff should receive at least 16 hours and specialized staff a minimum of 40 hours of training annually.

According to the board's Training Director, employee training is provided to enhance the technical and personal expertise of field officers who manage offenders. The training concentrates on board policies and procedures and is delivered through a collective of curriculums. The board tracks employee's training histories using an assessment program that keeps records of up to 900 individual files. Only the Training Director, six training officers, and one Information Systems staff person are authorized to access the system and pull up an employee's training record. Traditional paper files are no longer used for keeping track of training hours, although participants are still required to sign attendance rosters for each class as documentation to support the system.

The 2001 performance audit found that only 30% of board staff in the sample received the required hours of training. For the current audit, we reviewed files for 45 professional and 5 support staff. All of those employees had sufficient training hours to meet the minimum board training requirements. We also reviewed a random sample of 15 training course sign-in sheets to determine whether staff had properly recorded the appropriate training hours into the employee's training record. We found no problems with the proper recording of employee training hours in the system.

OBSERVATIONS AND COMMENTS

The issues discussed below are included in this report because of their effect or potential effect on operations of the board, on the offenders board staff supervise, and on the citizens of Tennessee. Several of the issues involve new or recently implemented programs about which we were only able to draw very tentative conclusions. A discussion of these issues was included, however, to provide information on recent activities and innovations of the board.

THE BOARD NEEDS TO CLARIFY REQUIREMENTS FOR FIELD OFFICE SUPERVISORS' REVIEW OF CASE FILES AND DOCUMENTATION OF THAT REVIEW

Board policies require that field office supervisors review Probation and Parole Officers' (PPOs') case files to ensure that the officers are monitoring offenders as required and are documenting their activities appropriately. (See Finding 1 for information on officers' completion of offender monitoring requirements.) However, the board's policies provide

contradictory guidance regarding how (or if) supervisors should document that review. As a result, board management (and auditors or others reviewing the case files) are unable to determine with any accuracy the extent to which supervisors are reviewing case files as required.

The board has two policies that relate to supervision and the use of “zzzz” codes in the Tennessee Offender Management Information System (TOMIS) to indicate that supervisors have reviewed PPO case files. (See Finding 1 for additional information regarding the board’s use of TOMIS.) Board policy 706.02, “Supervisory Review of Caseloads,” states the following:

- Officers should make chronological entries on TOMIS with enough descriptive information such that those reviewing the case have a clear understanding of case activities.
- Supervisors should review TOMIS from time to time, in order to remain informed about the promptness and quality of an officer’s narrative contact note entries.
- It is no longer necessary for a supervisor to enter code zzzz each time a case is reviewed. When a case is closed (offender discharge, revocation, death or sentence expiration), however, the supervisor should review the entry for compliance with policy.
- A supervisor should manually audit no less than 3% of each officer’s case files on a monthly basis.
- Within 60 days of opening a case, the supervisors should check the case files of assigned officers, to verify that documentation has been placed in the file as required. The supervisor should, on an official checklist form kept in the file, enter her or his initials and the date, verifying that the case file of each new offender contains the required documents.

According to the board’s Director of Field Services, the portion of the policy that no longer requires supervisors to enter code zzzz applies only to the supervisor’s review of contact notes each month to determine whether the PPO has met the 90% contact compliance (see page 6). It was not board management’s intent for supervisors to stop entering the code to document their review of a new case.

Adding to the confusion, board policy 706.03, “Offender Contact Notes,” requires supervisors of officers to routinely review the TOMIS contact notes screens to assure that all officers are making the required contacts, and to make an entry in TOMIS (code zzzz) indicating a supervisory review. The Director of Field Services agreed that the two policies appear to contradict each other concerning the use of “zzzz” codes to document supervisor reviews of officer case files. He agreed that the “zzzz” code should be used by the supervisor to document that a new case file has been reviewed and to document the required review of 3% of the officer case files. He noted, however, that supervisors are not able to use the “zzzz” code when reviewing a closed case, because changes to TOMIS have made it impossible for a supervisor to go back and make edits in the contact notes once a case has been closed.

A supervisor's failure to properly review case files, especially new cases, could result in certain important requirements not being met. Therefore, it is important that board management be able to ensure that supervisors conduct the required reviews of officers' activities. Board management should review the board's policies and revise those policies as needed to ensure the policies are consistent and clearly state how supervisors' reviews are to be documented. Management should consider developing a monitoring tool, similar to that developed by the board to track officers' compliance with requirements, which will allow district directors to monitor whether supervisors are appropriately reviewing case files. (See page 6 for a description of the monitoring tool for tracking officers' compliance with requirements.)

GRADUATED/PROGRESSIVE INTERVENTION PROGRAM FOR TECHNICAL VIOLATORS

Effective July 1, 2002, the Board of Probation and Parole implemented the Graduated Progressive Intervention Program, or Administrative Case Review Committee (ACRC), to use intermediate sanctions (as opposed to incarceration) to deal with offenders who commit minor infractions while on probation or parole. According to board policy 704.08, "Administrative Case Review Committee," which details the ACRC's procedures, the technical violations for which a parolee may be referred to ACRC include a pattern of missed appointments; drug or alcohol abuse; non-payment of fees or court obligations; unstable employment or chronic unemployment; unstable housing; noncompliance with special conditions; failure to follow instructions of the officer; and noncompliance with an imposed curfew. Certain misdemeanor arrests and convictions may also be considered appropriate for ACRC.

The process of referring an offender to ACRC begins with a Probation and Parole Officer (PPO) forwarding a memo to the supervisor, detailing the nature of the violation, and requesting approval to recommend the offender to ACRC. If the supervisor determines that the offender is appropriate for ACRC, the supervisor forwards the request to the ACRC chairman. The chairman schedules a meeting with the offender and notifies the offender of the date, time, and place of the meeting and the alleged violations to be discussed. The three PPOs on the ACRC panel should not include the supervising officer.

The panel's sanctions for an offender found in violation can include, but are not limited to, substance abuse or mental health counseling and treatment, anger management classes, educational programs, electronic monitoring, community service work, or special conditions (e.g., increased reporting or drug screens, curfews). In fiscal years 2002 through 2005, the total number of cases referred to ACRC ranged from 1,546 to 1,745 (see Table 2). Parolees make up the largest number of the offenders referred to the ACRC because the sentencing judge must approve whether probationers may go before the ACRC rather than reappearing in court. The number of offenders deemed as having successful ACRC interventions (i.e., resulting in no revocations of parole or probation) ranged from 1,052 to 1,292. According to the board's cost estimates, these successful interventions resulted in a cost-avoidance for the state, ranging from \$18,216,000 to \$21,626,268 annually.

Table 2

**Progressive Intervention Program—Administrative Case Review Committee (ACRC)
Fiscal Years 2002 Through 2005**

	FY 2002	FY 2003	FY 2004	FY 2005
Statistical Information				
Parolees Referred	1,268	1,099	1,116	971
Probationers Referred	<u>463</u>	<u>526</u>	<u>629</u>	<u>575</u>
Total Referred	1,731	1,625	1,745	1,546
Successful Interventions (1)	1,290	1,157	1,292	1,052
Percent Successful	75%	71%	74%	68%
Annual Cost-Avoidance (2)	\$20,790,853	\$19,016,043	\$21,626,268	\$18,216,000

(1) Resulting in no revocation.

(2) See Appendix 2 for calculations of cost-avoidance.

Source: Board of Probation and Parole Annual Reports.

The board will also be working with the Tennessee Department of Correction in the development of a Technical Violation program to better use the 300 beds at the Wayne County Boot Camp that have been set aside for technical violators. According to Department of Correction and board staff, the department will develop a three-phase program that will last six months and will provide treatment for substance abuse and prepare the offender for employment and reentry into the community. The board will maintain more consistent contact with the offender while at the boot camp and work with the offender, the offender's family, employers, and service providers to make the offender's reentry more successful. The program's objective is to reduce the recidivism rate, reduce offender substance abuse, and reduce the amount of time that the offender is incarcerated. The projected outcomes of the program are an increase in the parolee's success in the community and lowered cost to the state (because parolees are more consistently employed and spend less time in correctional facilities).

TENNESSEE BRIDGES—OFFENDER REENTRY PROGRAM

The Tennessee Bridges Program was a reentry program for high-risk offenders, which operated with funding from a three-year grant from the U.S. Department of Justice. (Federal funding of the program began in November 2002 and ended October 31, 2005. According to Department of Correction staff, any services provided after October 31, 2005, are funded using state money.) The Tennessee Department of Correction and the board coordinated efforts in implementing the three-phase program. The program contracted with Project Return, Inc., (a Nashville-based nonprofit organization specializing in the rehabilitation of the Tennessee prison population) to facilitate the program. The overall goal of the program was to increase public safety by reducing the state's offender recidivism rate and the victimization of citizens from offenders returning to the communities. The program addressed housing, employment, education, life skills, and treatment-related issues.

Phase I of the program was a six-month component made up of educational programs, career training, and intensive treatment. The program included classes in cognitive behavior, anger management, victim impact, family reunification, and job readiness and retention. Inmates in this phase began work-release at the half-way point. Phase II was an intensive parole period of 12 months which included curfews and weekly visits with an employment specialist. This phase allowed for a case management concept and scheduled contacts between the participant, the field parole officer, and the case manager, who also met with the family or community support system for the offender. Phase III was a stabilization process where offenders moved to a more traditional parole supervision where their progress was monitored for another 12 months.

Offenders could be dismissed from any stage of the program if they failed to meet the requirements of that stage. A participant could be suspended from Phase I for various reasons—a request by the participant, a disciplinary conviction, or a lack of progress—at which point, he would be scheduled for a rescission hearing. After the hearing, his parole grant status would be changed, he would be transferred to a time-building institution, and the case would be reheard by the board at a later date or declined for the balance of the sentence. A Phase II or III dismissal would be a parole violation, either because of a technical violation or a new charge.

As of November 2005, Department of Correction records indicated that a total of 261 offenders had been paroled to the program. The status of these offenders was as follows:

- 76 offenders had been dismissed from Phase I (29.1% failure rate);
- 22 were in work release in Phase I;
- 66 were active in Phase II;
- 21 were active in Phase III; and
- 76 had been revoked, had pending warrants, or were absconders from Phase II or III (for a recidivism rate of 46.6%).

The Department of Correction compared the recidivism results for offenders in the Tennessee Bridges program (46.6%) to results for offenders in three control groups. The average recidivism rate for the three control groups was 71%.

COMMUNITY COLLABORATIVE PROGRAMS

In several of the state's metropolitan areas, collaborative programs involving the Board of Probation and Parole, local law enforcement, and (in some cases) local service providers have been developed in an attempt to improve supervision of offenders and offenders' outcomes. The Knoxville Police Department (KPD) received a grant from the U.S. Department of Justice and the KPD chose to specifically focus on the proactive management of high-risk offenders released on parole to the city of Knoxville. The KPD collaborated with the Tennessee Board of Probation and Parole (BOPP) and Knoxville area human services providers (Child & Family Tennessee and the Helen Ross McNabb Center), forming the Knoxville Public Safety Collaborative

(KPSC). According to Board of Probation and Parole staff, the grant has expired but the KPD is continuing to fund the program as a part of its annual budget.

According to an August 2001 evaluation of the collaborative program by the University of Tennessee College of Social Work, Office of Research and Public Service (UT-SWORPS), the KPSC parole officers, police officers, and human service practitioners made many contacts and referrals in support of the targeted parolees. To determine what available support might be helpful, they considered the specific needs, traits, criminal and treatment history, and current circumstances of the participant and family members. As the state’s official case manager, the parole officers entered contact notes into the Tennessee Offender Management Information System (TOMIS) and reported monthly performance measurement data to the Community Corrections Program Manager.

For its evaluation, UT-SWORPS used as its target population 265 parolees whose cases were managed by the KPSC from September 1998 through February 2001. The evaluation used 261 parolees who would have been selected for the program had there been a program in place in 1996–1997, as a historical comparison group to the target population. Program success was defined in terms of extent of recidivism—reincarceration for new charges (misdemeanors or felonies) or for technical violations (e.g., absconding, positive drug screens, repetitive failure to comply with conditions of parole). Participants were considered program successes if any of the following applied:

- The parolee transferred from the target population to regular supervision because of proven stability and lowered needs/risk level.
- The parolee made an approved move to another jurisdiction while still in good standing.
- The parolee died in good standing.
- The parolee reached termination of his or her parole and sentence.

The evaluation’s findings are detailed below.

Comparison of Groups by Parole Status
1996-1997 Historical Comparison Group (n = 261) as of December 31, 2000
Knoxville Public Safety Collaborative Study Participants (n = 265) as of February 28, 2001

Status	Historical	KPSC
Technical Violation	170 (65%)	103 (39%)
Successes	29 (11%)	78 (29%)
Open	15 (6%)	68 (26%)
New Charges	47 (18%)	16 (6%)

Source: *Knoxville Police Department’s Advancing Community Policing Demonstration Center Grant Evaluation*, August 2001, by the University of Tennessee College of Social Work, Office of Research and Public Service.

UT-SWORPS also concluded the following in its evaluation:

- 12,625 contacts and 329 referrals were made on behalf of 265 parole participants during the study period.
- KPSC's successes exceeded the comparison group's by 18%.
- KPSC's decrease in new charges exceeded the comparison group's by 12%.
- Target group stability indicated a 2-year level of 45% recidivism.
- KPSC potential cost savings for 2000 were \$1,279,536 in institutional costs.

A Knoxville Probation and Parole Officer (PPO) who works closely with the program stated that he meets with the offender before he or she is released from jail/prison and addresses (if appropriate) alcohol/drug and/or mental health treatment issues, as well as living situations. The purpose of this program is to transition the offender into established residency and have applicable medications/treatment available when released into the community. But, there are sometimes not enough service providers in the community.

According to the Board of Probation and Parole's Director of Field Services, there are also collaborative programs in metropolitan areas such as Memphis, Nashville, Jackson, and Chattanooga. These programs are not identical to the Knoxville program because the program in Knoxville was funded initially by a federal grant. (Based on our conversations with field staff, the board's current collaborative programs in most areas focus on working with local law enforcement, for example, having parole officers ride along with the officers from the sheriff's office or police department to monitor offenders.) The director stated that the board is interested in restructuring the way that offenders are supervised by the board, i.e., moving away from contact supervision and going towards performance-based supervision. The board would like to identify what the offenders need to successfully complete their supervision period and remain out of Department of Correction facilities, and then develop agreements with local law enforcement and service providers for those identified services.

BOARD RESPONSIBILITIES FOR REGISTRATION AND FINGERPRINTING OF SEX OFFENDERS

The Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004 (codified as Section 40-39-201 et seq., *Tennessee Code Annotated*) requires that, within 48 hours of release on probation or any other alternative to incarceration, excluding parole, the sex offender must register in person with the appropriate authority (e.g., Board of Probation and Parole). A sex offender who is incarcerated in this state in a local, state, or federal jail, or a private penal institution must, within 48 hours prior to such offender's release, register in person with the warden or sheriff (as appropriate), completing and signing a Tennessee Bureau of Investigation (TBI) registration form.

According to the board's Director of Field Services, the new legislation has added the following responsibilities to the Probation and Parole Officers' (PPOs') duties:

- providing the offender a copy of the sex offender law;

- going over the TBI registration form;
- having the offender sign the form;
- photographing, fingerprinting, and palm printing the offender;
- registering the offender on the TBI website;
- registering the offender's vehicle information;
- obtaining the offender's secondary-residence information;
- explaining the sex offender supervision rules;
- explaining that the offender must notify the officer of any changes in address within 48 hours; and
- explaining the payment of fees (\$100 once a year to cover the cost of registration and fingerprinting).

Although our analysis was limited because of the relative newness of the requirements, it appears (based on interviews with central office and field staff and information obtained as part of our review of offender files—see Finding 1) that the board's field offices are carrying out their responsibilities of registering sex offenders placed under their supervision. The registration and fingerprinting procedures differ among field offices based on the availability of resources. For example, the more remote locations send the sex offender to the district office or to the local sheriff's office to be fingerprinted. The field offices in larger cities are able to perform the registration and fingerprinting in-house. (See below.)

In the metropolitan areas, there is an officer or officers dedicated to the supervision of sex offenders and scanners available for fingerprinting and palm printing (scanning equipment costs about \$11,000, and the money comes from the sex offender fee fund). The officers are experts in supervision of sex offenders, and these are the only cases the PPO will supervise. In the urban areas, if the county reaches a critical mass of sex offenders (usually about 40 cases), then an officer will be dedicated to supervision of sex offenders; otherwise, the sex offenders will be distributed among the available officers. In the rural areas, there may only be six to seven sex offenders, and the field offices do not have the resources to dedicate one person solely to sex offenders.

During our site visits to several board field offices, we discussed registration procedures with office staff.

- The manager of the Lebanon Field Office stated that sex offenders assigned to the Lebanon office are registered, fingerprinted, and have their picture identifications made at the board's Clarksville district office.
- According to the manager of the Madisonville Field Office, sex offenders are fingerprinted by the local sheriff's office, which has staff trained in fingerprinting. There are approximately 15 to 20 sex offenders assigned to the Madisonville Field Office.

- Sex offenders assigned to the Morristown Field Office are registered at the Morristown office but must be fingerprinted at the board's Knoxville District Office. One officer is responsible (in addition to other supervision duties) for the approximately 15 sex offenders assigned to the office. The Morristown office began a sex offender treatment class in August 2005 and had ten sex offenders initially enrolled.
- A Probation and Parole Officer (PPO) in the Charlotte Field Office stated the sex offenders are sent to the Clarksville office for online registration, fingerprinting, and making of the photo identification card. At the time of the interview, sex offenders had to go to Clarksville to re-register but as of September 2005, are able to update their information at the Charlotte Field Office.
- At the Murfreesboro Field Office, a PPO stated that the sex offenders are registered and have their identification cards made at the field office. The sex offender is taken to the Rutherford County Sheriff's Office to be fingerprinted. An indictment is prepared for any sex offender who does not register in the Murfreesboro area. (The field office does the paperwork to get the indictment before the Grand Jury.) The officer stated that there were a lot of indictments when the new law first went into effect, but now there is less of a problem with failure to register.
- An interview with staff at a Community Corrections Program indicated that sex offenders placed on probation are required to go to the police department to have their photo IDs made and have their fingerprints taken. The offenders must also register as sex offenders. The offenders must provide the case officer a receipt from the police department that will have their thumb print, registration information, and next required registration date. Staff stated that the case officer will also randomly compare the information provided by the offender with the information in the TBI sex offender database for verification of accuracy.

COMMUNITY CORRECTIONS PILOT PROGRAM

In 2004, the General Assembly approved \$429,400 to establish a demonstration program that would employ six Community Corrections Officers to divert 258 felony offenders from local jails and/or state institutions. The program was implemented at three sites—programs at two sites ran from December 15, 2004, through December 14, 2005, and the program at the third site began January 15, 2005, and will run through January 14, 2006. The demonstration program's purpose is to use, as an initial sentencing option for a select group of nonviolent felony offenders, community-based alternatives to incarceration, thereby reserving secure confinement facilities for violent felony offenders. One goal is to have a positive impact on the Tennessee Department of Correction's contracts with the counties by decreasing the amount of funding required to house these felons in local jails. The demonstration program will also serve as an intermediate sanction for nonviolent offenders in technical violation of the terms of their state or Community Corrections probation.

This program is designed to have strict controls, monitoring an offender through the use of increased face-to-face contacts, curfew checks in person and/or by means of electronic

monitoring equipment, drug testing, court-ordered special conditions, treatment alternatives, behavioral contracts, and individual plans. Offenders in the program will be required to pay \$30 per month to the state’s General Fund and \$15 per month for supervision fees, as authorized by Section 40-36-306, *Tennessee Code Annotated*, and may be subject to any applicable restitution payments, court costs, and community service work, as well as any other court-ordered special conditions.

Offenders are admitted into the program by a court order from direct sentencing; state probation revocation hearings; petitions to suspend a local jail sentence; or by a consent order of agreement with the judge, district attorney, and offender. The project was implemented at three sites, chosen based on the following criteria: (1) judicial willingness to participate in the program; (2) the amount the state prosecution’s account pays the identified county [i.e., for housing Department of Correction inmates in local jails, etc.]; and (3) the number of offenders sentenced locally to the identified county. The following are site locations:

Site Location	Pilot Program Site	Number of Officers
Davidson County	Davidson County Correction Program	3
Sumner County	Mid-Cumberland Human Resource Agency	2
Carter, Johnson, Unicoi, and Washington Counties	First Tennessee Human Resource Agency	1

The board will track the program results for a one-year period to determine if sufficient cases can be diverted by the courts to the Community Corrections Program rather than sentenced to a local jail site, and if so, whether the sentence to Community Corrections has a positive impact by providing a cost savings to the Department of Correction and stemming the growth of the state’s prison population. At the conclusion of the demonstration project, the Department of Correction and the board will evaluate the program to determine if it has met its objectives. Periodic, quarterly reports are being completed to track the progress of the pilot project and are being submitted to all appropriate staff and agencies. Two of the pilot programs will be evaluated for the period December 15, 2004, through December 14, 2005, and the third pilot program will be evaluated for the period January 15, 2005, through January 14, 2006 (due to later entry into the pilot program contract). As of August 2005, program information submitted to the board shows that the program has admitted 177 of the planned 258 felony offenders. Table 3 details activity information for the three pilot programs.

Table 3
Community Corrections Pilot Program
Summary of Three Pilot Programs
As of August 2005

	<u>Davidson County</u>	<u>Mid Cumberland HRA</u>	<u>First Tennessee HRA</u>	<u>Total</u>
Number of working officers currently employed	3	2	1	6
Number of contracted officers	3	2	1	6
Number of support staff currently employed	0	0	0	0
Number of contracted support staff	0	0	0	0
Community service hours	2,442	925	825	4,192
Restitution collected	\$100	\$300	\$0	\$400
Child support collected	\$0	\$3,382	\$195	\$3,577
Fines/Court costs collected	\$945	\$6,319	\$1,940	\$9,204
Supervision fees collected	\$2,935	\$1,770	\$855	\$5,560
CCF fees collected	\$2,190	\$2,912	\$1,645	\$6,747
Wages/Salary earned	\$100,813	\$44,400	\$41,654	\$186,867
Number electronically monitored	4	11	0	15
Drug screens administered	122	345	208	675
Drug tests administered	0	1	0	1
Positive test results	31	0	29	60
Number of offenders in outpatient treatment	135	59	0	194
Number of offenders in inpatient treatment	10	2	0	12
Number of offenders in residential treatment	0	2	0	2
Face-to-face contacts	1244	800	872	2916
Home visits	194	41	111	346
Doctor visits	0	69	0	69
Number of intakes	100	37	40	177
Number of transfers in	0	0	3	3
Number of discharges	16	2	4	22

Source: Administrative Services, Community Correction Program, Board of Probation and Parole

According to staff of the Davidson County Correction Program (DCCP), the pilot program has allowed them the flexibility, within the guidelines, to develop a program that would meet the needs of the offenders. Staff indicated that about 60 individuals of the 129 assigned cases were in need of mental health treatment. DCCP has been able to send some offenders to outside mental health programs and has treated some of the offenders in-house. The DCCP has been tracking data comparing offenders who receive treatment in-house and those who receive treatment from private providers, as part of the pilot program analysis.

Because the program had not completed its initial year during our audit fieldwork, we were unable to determine whether the program is effective and has achieved its intended purpose. The board and Department of Correction's analysis at the conclusion of the program's initial year of operation should be completed by the middle or end of April 2006.

USE OF GLOBAL POSITIONING SATELLITE TO SUPERVISE SERIOUS AND VIOLENT SEX OFFENDERS

Pursuant to the Tennessee Serious and Violent Sex Offender Monitoring Pilot Project Act, codified as Section 40-39-301 et seq., *Tennessee Code Annotated*, the board implemented Global Positioning Satellite (GPS) supervision of serious and violent sex offenders. According to the board's Executive Director, the pilot program was implemented in East Tennessee (Sullivan, Knox, Bradley, McMinn, and Polk counties) the first week of September 2005. The following week, the program was implemented in Memphis, and then Middle Tennessee (Davidson, Rutherford, Cannon, Montgomery, and Sumner counties). The board set up a central monitoring center at the field office in Nashville. As of September 2005, there were about 250 to 270 offenders that had been hooked up for the GPS monitoring.

According to board information, GPS tracking technology was first used in Florida in the late 1990s and since has spread to several other states. The system allows law enforcement to build maps with "zones of exclusion" for sex offenders. It also allows officers to determine whether the offenders they supervise are going to work during the day, going home at night, and staying away from restricted areas, such as schoolyards or playgrounds. The bracelet sets off an alarm if an offender enters those restricted areas or tries to remove the device, actions which could result in a violation of probation or parole.

Because the GPS pilot program was not implemented until September 2005, we were unable to evaluate the program's effectiveness. We have noted this program as an issue to be reviewed in the next performance audit of the board.

PAROLE HEARING PROCESS

In our review of the parole hearing process, we evaluated the notification procedures which were the subject of a finding in the prior performance audit. (See Finding 2.) As part of our review, however, we also reviewed applicable policies and procedures, discussed the process with the board chairman, and attended parole hearings (parole revocation hearings at West

Tennessee State Penitentiary and parole hearings via teleconference at the board's central office). (See Exhibit 2 for a brief description of the parole hearing process.) We did not observe any actions during those hearings that conflicted with parole hearing policies and procedures.

During calendar year 2005, two significant changes in the board's hearing process occurred. First, since March 2005, the board has used video hearings to allow more board members to be present at parole hearings. Because board-level hearings require decisions by a certain number of board members (three or four board members depending on the type of case), use of video hearings may allow the board to decrease the number of times hearing documents must be shipped to board members and may help decrease the amount of time needed to come to a final decision. The second change took place at the board's administrative meeting in September 2005, when the board members approved a policy stating that no inmate would be deferred for a parole review for more than six calendar years. This change in the process was in reaction to *Baldwin v. Tennessee Board of Paroles, et al.*, the case of a prisoner who filed a petition after the board denied him parole and also decided to defer further parole consideration for 20 years. The petition, while denied by the Chancery Court of Davidson County, was remanded on appeal. The state appellate court ruled, in 2003, that while the procedural rule amendment instituted by the board was not facially unconstitutional, the application of the rule to Mr. Baldwin's case was applied unconstitutionally. *Baldwin* was the first of several cases in which the appellate court found that the board was acting arbitrarily in deferring parole hearings for more than six years. Approximately 400 cases (i.e., all cases where an inmate's next parole review was deferred for more than six years) were affected by the decision, and the board decided, on the advice of the state Attorney General, that it must rehear every case where the parole decision was offset by more than six years. New hearings began in August 2005 and were anticipated to be completed in February 2006.

FINDINGS AND RECOMMENDATIONS

1. Board field officers are not completing all of the offender supervision requirements, which could limit the board's ability to meet its mission to minimize public risk and promote lawful behavior

Finding

The board's policies and procedures require that field officers responsible for supervising offenders on probation or parole perform a variety of monitoring activities, which vary (to some extent) in frequency and type depending on the offender's classification. We reviewed Tennessee Offender Management Information System (TOMIS) data and offender case files to determine whether field officers are meeting the board's offender supervision standards. According to board policy 706.01, "Content of Offender Case Files," the computerized TOMIS record is the primary repository for interactions between the field officer and the offender. Our review of TOMIS indicated that field officers did not always meet the required supervision standards.

Using the offender information in TOMIS from the Tennessee Department of Correction, we selected a random sample of 50 probationers and 50 parolees. Using the board's "Standards of Offender Supervision," effective March 1, 2005, we determined whether the field officer performed the following contact requirements: face-to-face contact, home visits, drug test, arrest record checks, special condition monitoring, employment verification, fee payment monitoring, and risk assessments. We also compared the offender's address in TOMIS with the address on the monthly reports in the case file to determine whether that information (necessary for keeping track of an offender) was consistent. The results of our review are detailed below.

Offender Address

We found seven instances where the address in TOMIS did not agree with the address on the monthly report in the offender's case file. (See Table 4.) Five of the seven instances were differences between TOMIS and the monthly report; one case file involved an offender who was being supervised in California but had a Kingsport, Tennessee, address in TOMIS; and one file involved an offender who was being supervised in Georgia, but the address on the annual progress report in the file was not entered into TOMIS. Board staff perform an annual review of the central office and field offices which includes a review of offender case files. We reviewed the reports resulting from those reviews and noted that, in fiscal year 2003, 61 (5%) of 1,255 files were mentioned in the board's Observation and Comments section as not having the correct address. For fiscal year 2004, the review's Observation and Comments section indicated that 205 (11%) of 1,876 files reviewed had incorrect addresses, and the Findings section of the review stated that 146 (8%) of the files had incorrect addresses. (According to board staff, the difference between an observation and comment and a finding is that a finding is a repeat of a weakness mentioned in the prior year's observations and comments.) The board is not able to

guarantee that the offender will receive necessary correspondence if TOMIS does not have the correct address.

Table 4
Summary of TOMIS and Case File Review
Cases Not in Compliance With Supervision Standards
Fiscal Year 2005

	East Tennessee (31 Cases)	Middle Tennessee (36 Cases)	West Tennessee (24 Cases)	Out of State (9 Cases)	Total (100 Cases)
Address Did Not Agree	3	2	1	1	7
Some Required Home Visits Not Made	5	5	5	–	15
Some Drug Tests Not Done/Recorded	1	3	3	–	7
Some Arrest Record Checks Not Done	5	6	2	–	13
Special Conditions Not Monitored	–	3	3	–	6
Employment Verification Not Done	1	3	4	–	8
Payment of Fees Not Monitored (See page 10)	–	3	–	–	3
Initial Risk Assessments Not Done or Late	4	6	4	–	14
Annual Risk Assessments Not Done or Late	1	9	6	–	16

Home Visits

Board standards require that officers conduct home visits with offenders, ranging from two visits each month for offenders classified as “enhanced supervision” to one visit annually for offenders classified as “minimum supervision.” The field officers failed to make the appropriate number of home visits in 15 of the 100 cases we reviewed (see Table 4). According to comment notes in the TOMIS case files, field officers conduct home visits to verify the offender’s residence address and to determine whether the offender is in compliance with his/her special conditions for curfews. There were 11 cases where the field officer was to visit the offender’s home and the visits were not made during fiscal year 2005. One of these cases did not have any record of a home visit in TOMIS since supervision began in June 2004. There was one offender whose supervision expired during fiscal year 2005, but who did not have a home visit prior to the expiration date. Two offenders were to receive a home visit every other month, but TOMIS did not have a record that the field officers conducted all of the required visits. There was also one case where the field officer was to do a home visit twice a month; however, there were five months in fiscal year 2005 in which the field officer failed to do any home visits.

Drug Screen Test

The offender's classification (required level of supervision) determines the frequency of the drug screen testing. Offenders required to be tested regularly are tested every three months or every six months (depending on the requirements for their supervision level). Offenders not required (because of their classification level) to be tested regularly may be randomly selected for drug testing. Monthly, staff at the board's central office selects from active cases a random sample of offenders to be tested.

Six cases we reviewed did not have the appropriate drug screen test, and one case had evidence of a drug screen test in the paper file, but the test was not recorded in TOMIS (see Table 4). Details regarding the six cases without the required drug screen are as follows:

- One of the offenders was scheduled to have a random drug screen test performed in March 2005, but the office was out of drug testing supplies and the test was not performed until July 2005.
- One offender was to be tested every six months and was due for a drug screen test prior to his supervision expiring, but the test was not done.
- One offender who was required to have a drug screen test every six months did not have the two tests scheduled for July 2004 and January 2005.
- An offender whose supervision expired in February 2005 was required to have a drug screen test every six months, and there is not a record of any drug test in TOMIS during the 12-month period prior to his supervision expiring.
- One offender was randomly selected for a drug screen test but was in an accident at the time the test was required. There is not any indication in TOMIS that the drug screen test was performed at a later date.
- An offender who began supervision in January 2005 was required to have a drug screen test every other month, and the only test recorded in TOMIS for the remainder of fiscal year 2005 was in February 2005.

The board's annual review of field offices in fiscal year 2003 also found that 169 (13%) of 1,255 files reviewed did not have drug screen tests. (The fiscal year 2004 annual review found only minor problems—less than 1% of 1,876 files reviewed lacked documentation of drug screen tests.)

Arrest Record Checks

According to the board's standards, the field officer is to conduct an arrest record check ranging from once each month to once every six months, depending on the offender's classification. The board's Director of Field Services stated that field officers normally are required to check offender arrest records at the local or county law enforcement office. We identified 13 cases where field officers failed to conduct the appropriate arrest record check during fiscal year 2005 (see Table 4):

- For six offenders requiring monthly arrest record checks, the field officers failed to check arrest records, for periods ranging from two to seven months. Five of the six cases that did not comply with the arrest record check standard were located in Middle Tennessee. The other case was located in East Tennessee.
- Officers conducted no arrest checks for three offenders who were required to have an arrest check every other month and three who were to have an arrest check every three months. Two of these cases were in West Tennessee, three cases were in East Tennessee, and one case was in Middle Tennessee.
- In August 2004, one offender in Chattanooga stopped coming in for the face-to-face visits with the field officer. The field officer did not know where the offender was but did not perform any arrest checks from December 2004 to June 2005 to try and locate the offender. The field officer also failed to enter the offender's January 2005 violation report in TOMIS.

The purpose of the arrest record checks is to determine whether the offender has had an incident that would be a violation of his/her probation or parole. The offender may not willingly report incidents to the field officer, and if the offender is an absconder, this information can be helpful in locating the offender.

Special Conditions and Employment

The board's supervision standards require the field officer to verify that special conditions (substance abuse treatment, sex offender treatment, payment of court costs, etc.) are being followed and that the offender is employed. For most of the supervision classifications, the required frequency for special conditions and employment verifications range from once per month to once every three months. There were six instances where officers did not verify the special conditions according to supervision standards and eight instances where officers did not verify employment (see Table 4). In most instances, officers verify special conditions by contacting the treatment provider or court clerk (for payment of court costs) and verify employment by obtaining a copy of the offender's pay stub.

Offender Risk Assessments

The review of TOMIS information indicated that the field officers were not performing offender risk assessments according to board standards (see Table 4). According to board policy, officers should perform a risk assessment at the end of the first three months of the offender's supervision and annually thereafter. Our review of contact notes recorded in TOMIS found that officers did not complete six of the initial risk assessments, and eight were done late (i.e., after the initial three months of supervision). In seven cases, the field officers had failed to perform the annual risk assessments, and in nine cases, the annual assessments were done late.

During fieldwork for the June 2001 performance audit, board staff attributed the failure to meet supervision standards to inexperienced staff (the merger of Probation staff from the Department of Correction and the Board of Parole occurred in 1999), high caseloads (an average of 95 cases per officer), staff covering for absent employees, and multiple functions to be

performed on each case. Our review of the TOMIS information and the field office case files for the current audit revealed that the board staff has made improvements in the documentation of offender supervision contacts, but there are still some areas where improvements can be made, as noted above. According to the Director of Field Services, high case loads only allow field officers enough time to meet the minimum standards for offender supervision. Interviews with board staff during the current audit indicate that the officer case load averages about 100 for regular probation/parole supervision and 25 to 50 cases for officers with intensive supervision responsibilities. When the minimum standards are not met, however, it is more difficult for the board to ensure it is accomplishing its stated mission “to minimize public risk and promote lawful behavior by the prudent, orderly release and community supervision of adult offenders, at the least possible cost to the taxpayers.”

Recommendation

Board management should work with Probation and Parole Officers to develop corrective actions to ensure that officers meet appropriate supervision standards including (1) updating the offender’s address whenever there is an address change on the monthly report so that residence and mailing information is accurately recorded; (2) performing home visits to verify the offender’s place of residence and/or compliance with curfew requirements; (3) preparing risk assessments at the end of the initial three-month period and annually; and (4) performing arrest record checks, drug screen tests, and verification of employment and compliance with special conditions. The board should review and approve the corrective actions developed, establish a timetable for these corrective actions to be completed, and assign specific responsibility for ensuring corrective actions are implemented and for monitoring staff’s continuing compliance with the supervision standards.

Management’s Comment

We concur with this finding and accept the corrective action recommendations contained in the audit report. The specific areas of supervision requirements identified in the report as not being met and the corrective action for each area are listed below. [Detailed, step-by-step corrective action procedures submitted by the board are included on page 45 as Appendix 3.]

Offender Addresses

Recording and maintaining offender addresses in ETOMIS/TOMIS is not part of the current policy and is required only by directive. The Director of Field Services will revise existing policy to require that addresses be updated at the time the address change becomes known. The policy change notice will be presented to the Board for approval at the June 14, 2006 Board Meeting. Policy implementation will occur within 30 days of approval by the Attorney General. While the policy change notice is pending, the Director of Field Services will issue a directive implementing the changes. The directive will be issued by May 15, 2006. Field supervisors will monitor compliance on an ongoing basis.

Home Visits, Drug Screen Tests, Arrest Record Checks, and Special Conditions

Home visits, drug screen tests, arrest record checks, and special conditions are required by Policy 704.01, Standards of Offender Supervision, and are monitored according to Policy 706.02, Supervisor Review of Caseloads. The Director of Field Services will revise the existing policy to make it clear that officers must correct non-compliant supervision activities within 10 working days with supervisory follow-up. The policy change notice will be presented to the Board for approval at the June 14, 2006 Board Meeting. While the policy change notice is pending, the Director of Field Services will issue a directive implementing the changes. The directive will be issued by May 15, 2006. The Division of Field Services will develop a standard format by July 1, 2006 for the written response to officers regarding non-compliance. The Director of Field Services, Assistant Directors of Field Services, Administrative Secretary, and the Division of Technical Services will monitor the standards of supervision (monitoring in place by September 1, 2006). Additionally, the entire supervision standards chart will be expanded into a narrative manual by September 1, 2006.

Employment

On April 18, 2006, BOPP initiated a process to track our percentage of offenders who are employed, unemployed, and unemployable. The Director of Field Services, Assistant Directors of Field Services, Administrative Secretary, and the Division of Technical Services will monitor offender employment (monitoring in place by July 1, 2006). Offender employment will also be addressed in the expanded supervision standards manual that will be accomplished by September 1, 2006.

Offender Risk Assessments

The existing manual on Risk and Needs Assessments and Reassessments is sufficient in its content to satisfy the needs of this area of non-compliance. This is a supervisory omission at the local level. The Director of Field Services will revise Policy 706.02 to make it clear that officers correct noncompliant supervision activities within 10 working days with supervisory follow-up. The policy change notice will be presented to the Board for approval at the June 14, 2006 Board Meeting. While the policy change notice is pending, the Director of Field Services will issue a directive implementing the changes. The directive will be issued by May 15, 2006. The Division of Field Services will develop a standard format by July 1, 2006 for the written response to officers regarding noncompliance. The Director of Field Services, Assistant Directors of Field Services, Administrative Secretary, and the Division of Technical Services will monitor the offender risk assessments (monitoring in place by September 1, 2006). Additionally, the supervision standards chart will be expanded into a narrative manual by September 1, 2006.

2. Parole hearing and final decision notification procedures still need to be improved to ensure that requirements are clear and complied with, and that compliance is fully documented

Finding

Sections 40-28-505(b) and (c), *Tennessee Code Annotated*, require the board to notify public officials such as the sentencing judge, the prosecuting district attorney, the sheriff of the county in which the crime was committed, and any victims or victims' representatives prior to a scheduled parole hearing and after a decision has been made. The June 2001 performance audit of the board found that public officials were not being notified of parole hearing results within the statutory time frame. A file review found that 74% of the cases selected showed an average notification time of 52 days, rather than the required 30 days. The delay occurred because the notices were being sent out quarterly. During the current audit, we found significant improvement but also found several weaknesses that need to be addressed.

Since the last audit, the board has modified the hearing notification process to attempt to better ensure that the statutory requirements are met. According to the board's Director of Operations, the process of sending notices of parole hearings, final decisions, and releases has been automated. The board's Information Systems division designed an automated package to pull notification-related offender information from TOMIS and prepare appropriate notices. The director stated that while the automation process has been in place for only a year, development started four years ago.

As of November 2005, the board used the guidelines detailed in Exhibit 3 for notification of offenders and interested parties concerning the scheduling of hearings and the board's final decisions.

We identified one weakness in the notification process. The board's *Grant Docketing Procedures Manual* and *Tennessee Code Annotated* have different time requirements for notifying interested parties of the board's final decision. As noted in Exhibit 3, the board's *Grant Docketing Procedures Manual* states that the board should notify interested parties within seven days of the finalizing vote. Staff stated that notifying interested parties within seven days is very difficult, especially if the board member making the final vote is located in East or West Tennessee. Section 40-28-505(c), *Tennessee Code Annotated*, allows 30 days to send a notice following the date the decision is finalized. The staff stated that the board has plans to revise the manual, and one of the changes will be to change the notification time requirement from 7 days to 30 days.

**Exhibit 3
Parole Hearing Notification Requirements**

Hearings		
Activity	Number of Days	Authority
Notice to Offender	14 days prior to scheduled hearing	BOPP Policy 501.04
Notice to Officials and Interested Parties	30 days prior to scheduled hearing	Section 40-28-505(b), <i>Tennessee Code Annotated</i>

Final Decisions		
Activity	Number of Days	Authority
Notice to Offender	Within 21 days of the hearing date	BOPP Policy 501.30 (effective 4/15/91)
Notice to Officials and Interested Parties	Within 30 days after the board's finalized decision	Section 40-28-505(c), <i>Tennessee Code Annotated</i> Note: <i>Grant Docketing Procedures Manual VIII.5, Final Disposition of Hearings</i> , states that interested parties should be notified within 7 days of the finalizing vote.

We reviewed 50 randomly selected hearing files, obtained from the Director of Board Operations. Of the 50 files reviewed, all the offenders had at least a 14-day notice of the scheduled hearing date (based on the information in the offender's paper file). The average number of days from the offender's notice of a hearing to the actual hearing was 51 days. We also reviewed notification information in TOMIS and determined that Institutional Probation and Parole Officers (IPPOs) did not document giving the offender the hearing notice in TOMIS. Use of the code "OHSC" indicates that the hearing notice was given to the offender but board staff do not use the code consistently across the different districts. Board staff stated that board policy does not require that this information be placed in TOMIS. But, as noted earlier, TOMIS is considered the primary source of offender information, and this type of information would be beneficial if staff are questioned whether an offender was notified of the scheduled hearing and the offender's file is not accessible at that time (e.g., out of the central office because of warrants, board hearings, and/or board member review).

According to board policy, staff have 21 days to notify the offender of the final decision. In the files we reviewed, the average number of days from the date of the finalized decision to the date the offender was notified was 21 days. However, we found 17 instances where the time from the final vote to offender notification exceeded 21 days (ranging from 24 to 85 days). Board policy (*IPPO Policy & Procedures Manual*, Section XVI.B) requires the IPPO to enter the code "OFSC" in TOMIS to indicate that the final decision was given to the offender. We found six (12%) of the 50 files reviewed that did not have the "OFSC" code entered into TOMIS.

In addition to reviewing TOMIS documentation, we also reviewed the offender paper files for the 50 cases and found several weaknesses concerning the “Offender Hearing Decision Notice.” Five files did not have the “Offender Hearing Decision Notice” in the file. Two files had a copy of the “Offender Hearing Decision Notice” instead of the original signed form. Two “Offender Hearing Decision Notices” did not have an offender’s signature and date. Eleven “Offender Hearing Decision Notices” did not have the witness name printed, the witness signature, and/or date. The IPPO is to sign and date the notice as the official witness when the notice is signed by the offender. Original documents appropriately signed by the offender and the witness may be needed if legal questions arise regarding notification to the offender.

Our limited reviews of offender files and TOMIS information indicated that the board is appropriately sending notices of hearing dates and final decisions to interested parties. The board also sent Parole Board Decision Notifications to the judicial districts across the state to inform the appropriate officials of parole board decisions on a monthly basis.

Recommendation

Board management should carry out the planned revision of the *Grant Docketing Procedures Manual*. The board should change the time guidelines for notification of interested parties to agree with the time requirements in statute. Board management should also include in the manual a requirement that IPPOs document in TOMIS their presentation of hearing notices to offenders, in addition to their already required documentation of the final decision notifications.

The Board Operations section should monitor the “Offender Hearing Decision Notice” and make sure all of the required signatures (both offender’s and witness’s) and the date are on the original notice. The section should only accept and file the notice that has the original signatures of the offender and witness. If information is missing, the notice should be returned to the appropriate facility for the IPPO to obtain and/or provide the required information.

Management’s Comment

We concur with this finding and accept the corrective action recommendations contained in the audit report. The specific recommendations and corrective actions are as follows:

The board should change the time guidelines for notification of interested parties to agree with time requirements in statute. Currently the *Grant Docketing Procedures Manual* requires that interested parties be notified of a final decision within seven days. The Board Operations Division will change the *Grant Docketing Procedures Manual* to agree with the *Tennessee Code Annotated* requirement for interested parties to be notified of a final decision within thirty days. This change will be made by July 1, 2006.

According to board policy, staff has twenty-one days to notify the offender of the final decision. In 17 instances, it was found that the time from the final vote to offender notification exceeded 21 days. The Division of Field Services will provide training by July 1,

2006 for the Institutional Probation/Parole Officer (IPPO) staff to include the importance of meeting this 21-day notification of a final decision to the offender. The IPPO supervisors will begin conducting monthly audits effective July 1, 2006 of the hearing notification process. Corrective action will be taken based on these monthly audits.

Board management should also include in the manual a requirement that IPPOs document in TOMIS their presentation of hearing notices to offenders, in addition to their already required documentation of the final decision notifications. The Board Operations section should monitor the “Offender Hearing Decision Notice” and make sure that all the required signatures (both offender’s and witness’s) and the date are on the original notice. The section should only accept and file the notice that has the original signatures of the offenders and witnesses. If information is missing, the notice should be returned to the appropriate facility for the IPPO to obtain and/or provide the required information. The IPPO manual requires that the IPPO document in TOMIS that the offender has been presented the hearing notice and the final decision notice. As mentioned above, the Field Services Division will provide training to the IPPOs by July 1, 2006 regarding the documentation of notification information (both hearing notices and final decision) in TOMIS. The IPPO supervisors will conduct monthly audits effective July 1, 2006 to monitor compliance. Also, IPPOs will be trained by July 1, 2006 on the proper procedure for ensuring that the original “Offender Hearing Decision Notice” is received by Board Operations. The IPPO will sign the original notice in blue ink. If the offender is released to parole prior to the IPPO receiving the final decision, the IPPO will sign and date the decision and note the date the offender was released to parole supervision and return it to Board Operations. Also, effective immediately, the “Offender Hearing Decision Notice” form will be checked by the file room staff for original signatures before filing. If the original signatures and dates are not on the form, the form will be returned to the appropriate facility for the IPPO / PPO to obtain the required information.

RECOMMENDATIONS

ADMINISTRATIVE

The Board of Probation and Parole should address the following areas to improve the efficiency and effectiveness of its operations.

1. Board management should work with Probation and Parole Officers to develop corrective actions to ensure that officers meet appropriate supervision standards including (1) updating the offender's address whenever there is an address change on the monthly report so that residence and mailing information is accurately recorded; (2) performing home visits to verify the offender's place of residence and/or compliance with curfew requirements; (3) preparing risk assessments at the end of the initial three-month period and annually; and (4) performing arrest record checks, drug screen tests, and verification of employment and compliance with special conditions. The board should review and approve the corrective actions developed, establish a timetable for these corrective actions to be completed, and assign specific responsibility for ensuring corrective actions are implemented and for monitoring staff's continuing compliance with the supervision standards.
2. Board management should carry out the planned revision of the *Grant Docketing Procedures Manual*. The board should change the time guidelines for notification of interested parties to agree with the time requirements in statute. Board management should also include in the manual a requirement that IPPOs document in TOMIS their presentation of hearing notices to offenders, in addition to their already required documentation of the final decision notifications.
3. The Board Operations section should monitor the "Offender Hearing Decision Notice" and make sure all of the required signatures (both offender's and witness's) and the date are on the original notice. The section should only accept and file the notice that has the original signatures of the offender and witness. If information is missing, the notice should be returned to the appropriate facility for the IPPO to obtain and/or provide the required information.

Appendix 1

Title VI Information

All programs or activities receiving federal financial assistance are prohibited by Title VI of the Civil Rights Act of 1964 from discriminating against participants or clients on the basis of race, color, or national origin. In response to a request from the members of the Government Operations Committees, we compiled information concerning the board's activities to comply with Title VI requirements. The results of the information gathered are summarized below.

The Board of Probation and Parole received no direct federal funding during fiscal years 2004 or 2005. The board routinely files a Title VI plan, however, because of federal funding received by other agencies of the State of Tennessee, which may impact the board. The board submitted its Title VI Implementation Plan to the Office of the Comptroller – Division of State Audit by June 30, 2005, as required.

The board has appointed one employee to serve as the Title VI coordinator. Her duties include:

- handling claims filed in the central office,
- filing and tracking all claims filed statewide,
- preparing the Title VI Implementation Plan,
- providing support for the district coordinators, and
- developing current materials for use by the board's Training Director in annual mandatory training about Title VI and LIP (Language Interpreter Program).

Within the first 60 days of employment, all board employees are informed of their responsibilities under Title VI and the penalties for noncompliance. This orientation is documented in the employee's personnel file. Probation and Parole Officers who supervise offenders must also have an offender sign a "Notification of Title VI and Grievance Procedure" form during the initial meeting with the offender. The signed form becomes a part of the offender's supervision case file. The subrecipient agencies also provide mandatory Title VI training for their employees, and the agencies are given assistance as needed by the Title VI Coordinator and the board's Training Division.

The board performs an annual review of the 19 community correction programs and the board's eight district offices and 37 field offices. These reviews include procedures to determine compliance with Title VI requirements.

The board reported receiving one Title VI complaint during fiscal year 2005. The complaint was lodged by letter in August 2004 regarding allegations against a Probation/Parole Officer and a revocation hearing. The complaint was assigned by the Executive Director to the board's Internal Affairs Officer. The investigation concluded that the allegations were

unfounded, and the Executive Director sent a letter to the complainant on November 12, 2004, stating the result of the investigation. According to board staff, the matter is now closed.

The breakdown of the board's employees by title, gender, and ethnicity is detailed below. As of June 2005, the board's staff was 43% male, 57% female, 65% White, 33% Black, and 2% other ethnic minorities.

**Board of Probation and Parole Staff
By Title, Gender, and Ethnicity
As of June 2005**

Title	Gender		Ethnicity						Total
	Male	Female	White	Black	Hispanic	Asian	Other		
Accounting Clerk	2	11	7	5	0	1	0	13	
Accounting Technician 1	1	0	0	0	0	1	0	1	
Accounting Technician 2	0	1	1	0	0	0	0	1	
Accountant 3	0	1	1	0	0	0	0	1	
Administrative Assistant 1	0	1	0	1	0	0	0	1	
Administrative Assistant 2	0	3	2	1	0	0	0	3	
Administrative Assistant 3	0	1	0	0	0	1	0	1	
Administrative Services Assistant 2	0	1	0	1	0	0	0	1	
Administrative Services Assistant 3	1	4	3	2	0	0	0	5	
Administrative Services Assistant 5	0	1	0	1	0	0	0	1	
Administrative Services Manager	0	1	1	0	0	0	0	1	
Clerk 2	1	2	1	1	0	0	1	3	
Clerk 3	0	2	2	0	0	0	0	2	
Correctional Program Director 1	0	1	1	0	0	0	0	1	
Correctional Program Director 2	1	2	2	1	0	0	0	3	
Correctional Program Manager 1	1	1	1	1	0	0	0	2	
Correctional Program Manager 2	1	0	1	0	0	0	0	1	
Data Entry Operator	0	3	2	1	0	0	0	3	
Distributed Programmer/Analyst Supervisor	1	0	1	0	0	0	0	1	
Distributed Programmer/Analyst 3	1	0	1	0	0	0	0	1	
Distributed Programmer/Analyst 4	1	0	1	0	0	0	0	1	
Executive Administrative Assistant 2	0	1	1	0	0	0	0	1	
Executive Secretary 2	0	7	5	2	0	0	0	7	
Fiscal Director 1	0	1	0	1	0	0	0	1	
General Counsel 1	1	0	1	0	0	0	0	1	
Information Resource Specialist 3	3	2	2	3	0	0	0	5	
Information Resource Specialist 4	2	1	3	0	0	0	0	3	
Information Resource Specialist 5	1	0	1	0	0	0	0	1	
Information Systems Coordinator	1	0	1	0	0	0	0	1	

Title	Gender		Ethnicity						Total
	Male	Female	White	Black	Hispanic	Asian	Other		
Information Systems Director 2	1	0	1	0	0	0	0	1	
Legal Assistant	0	1	1	0	0	0	0	1	
Parole Hearings Assistant Director	0	1	1	0	0	0	0	1	
Parole Hearings Regional Supervisor	3	1	3	1	0	0	0	4	
Parole Board Chairman	1	0	0	1	0	0	0	1	
Parole Board Member	4	2	5	1	0	0	0	6	
Parole Hearing Director	1	0	0	1	0	0	0	1	
Parole Hearing Officer	5	7	10	2	0	0	0	12	
Personnel Analyst 1	0	1	1	0	0	0	0	1	
Personnel Analyst 2	0	1	1	0	0	0	0	1	
Personnel Director 2	1	0	1	0	0	0	0	1	
Personnel Manager 1	0	1	1	0	0	0	0	1	
Personnel Technician 1	1	0	1	0	0	0	0	1	
Personnel Technician 3	0	1	1	0	0	0	0	1	
Program Monitor 2	0	1	1	0	0	0	0	1	
Probation/Parole Assistant Director	2	0	0	2	0	0	0	2	
Probation/Parole Administrator	1	0	1	0	0	0	0	1	
Probation/Parole Executive Director	1	0	1	0	0	0	0	1	
Probation/Parole Field Director	1	0	1	0	0	0	0	1	
Probation/Parole Investigator	0	1	1	0	0	0	0	1	
Probation/Parole Manager 1	35	27	40	22	0	0	0	62	
Probation/Parole Manager 2	4	4	5	3	0	0	0	8	
Probation/Parole Officer 1	21	35	36	18	0	0	2	56	
Probation/Parole Officer 2	225	246	307	155	3	3	3	471	
Probation/Parole Officer 3	62	59	81	39	0	0	1	121	
Program/Parole Program Specialist	0	2	1	1	0	0	0	2	
Probation/Parole Director	1	0	0	1	0	0	0	1	
Probation/Parole Training Director	0	1	0	1	0	0	0	1	
Procurement Officer 2	1	0	1	0	0	0	0	1	
Secretary	3	65	40	27	0	1	0	68	
Sentence/Docketing Managing Supervisor	0	1	1	0	0	0	0	1	
Sentence/Docketing Technician 2	0	6	5	0	1	0	0	6	
Sentence/Docketing Technician 3	1	4	2	3	0	0	0	5	
Statistical Analyst 3	0	1	0	1	0	0	0	1	
Training Specialist 2	0	1	0	1	0	0	0	1	
Overall Total	394	518	593	301	4	7	7	912	
Percent of Total	43%	57%	65%	33%	0.4%	0.8%	0.8%		

The Board of Probation and Parole had the following contracts for fiscal year 2005.

Contractor/Location	FY 04-05 Maximum Liability	Contractor Gender/Ethnicity	Description of Services
Cocaine Alcohol Awareness Program Memphis	\$365,786	Not Applicable*	Offender residential substance abuse program for women-Shelby County.
Correctional Alternatives, Inc. Memphis	\$568,907	Not Applicable*	Offender supervision program serving Shelby County.
Corrections Management Corporation Somerville	\$482,017	White Female	Offender supervision program serving Fayette, Hardeman, Lauderdale, McNairy, Tipton, Crockett, Gibson, and Haywood Counties
Davidson County Community Corrections Nashville	\$840,511	Not Applicable*	Offender supervision program serving Davidson County.
East Tennessee HRA Knoxville	\$1,145,179	Not Applicable*	Offender supervision program serving Greene, Hamblen, Hancock, Hawkins, Cocke, Grainger, Jefferson, Sevier, Blount, Campbell, Claiborne, Fentress, Scott, Union, Loudon, Meigs, Morgan, and Roane Counties.
First Tennessee HRA Johnson City	\$366,063	Not Applicable*	Offender supervision program serving Johnson, Carter, Unicoi, and Washington Counties
Hamilton County Community Corrections Chattanooga	\$238,094	Not Applicable*	Offender supervision program serving Hamilton County.
Hay House Inc. Kingsport	\$529,513	White Male	Offender supervision program serving Sullivan County.
Knox County Community Alternatives to Prison Knoxville	\$486,861	Not Applicable*	Offender supervision program serving Knox County.
Madison County Community Corrections Jackson	\$428,404	Not Applicable*	Offender supervision program serving Madison, Chester, and Henderson Counties.
Mid-Cumberland HRA Erin	\$469,511	Not Applicable*	Offender supervision program serving Williamson, Hickman, Lewis, Perry, Cheatham, Dickson, Houston, Humphries, Stewart, and Sumner Counties.
Montgomery-Robertson County Community Correction Clarksville	\$322,084	Not Applicable*	Offender supervision program serving Montgomery and Robertson Counties.
Project WIT (Whatever It Takes) Memphis	\$375,527	Not Applicable*	Offender residential substance abuse program for men- Shelby County.
South Central HRA Fayetteville	\$290,696	Not Applicable*	Offender supervision program serving Bedford, Coffee, Giles, Lawrence, Lincoln, Marshall, Maury, Moore, and Wayne Counties.

Contractor/Location	FY 04-05 Maximum Liability	Contractor Gender/Ethnicity	Description of Services
Southeast Tennessee Community Corrections Cleveland	\$281,961	Not Applicable*	Offender supervision program serving Bradley, Polk, McMinn, and Monroe Counties.
Southeast Tennessee HRA Dunlap	\$243,389	Not Applicable*	Offender supervision program serving Rhea, Bledsoe, Sequatchie, Grundy, Marion, and Franklin Counties.
Twenty-Fourth Judicial District Decaturville	\$272,928	Not Applicable*	Offender supervision program serving Benton, Decatur, Hardin, and Henry Counties.
Upper Cumberland HRA Cookeville	\$282,791	Not Applicable*	Offender supervision program serving Clay, Cumberland, DeKalb, Overton, Putnam, Pickett, White, Jackson, Smith, Van Buren, and Warren Counties.
Westate Corrections Network Union City	\$367,158	White Female	Offender supervision program serving Dyer, Lake, Obion, and Weakley Counties.
Department of Correction Nashville	\$10,000	Not Applicable*	Psychological evaluations- Davidson County
Washington County Jonesboro	\$84	Not Applicable*	Automated court systems access- Washington County.
Carter County Elizabethton	\$84	Not Applicable*	Automated court systems access- Carter County.
Shelby County Memphis	\$1,200	Not Applicable*	Access to Shelby County automated tracking system.
Midtown Counseling Center Memphis	\$5,000	Black Male	Written psychiatric and psychological evaluation- Shelby County.
Aegis Services Nashville	\$150,000	Not Applicable*	Confirmation of drug testing samples.
Centerstone Madison	\$14,667	Not Applicable*	Substance abuse treatment services- Davidson County.
Child & Family Tennessee Knoxville	\$14,667	Not Applicable*	Substance abuse treatment services-Knox County.
Memphis Alcohol and Drug Court Memphis	\$14,667	Not Applicable*	Substance abuse treatment services- Shelby County.

* Not Applicable – The program is operated by a corporation or county, and gender cannot be assigned to the contract.

Appendix 2

Graduated/Progressive Intervention Cost-Avoidance Assumptions and Calculations Fiscal Years 2002, 2003, 2004, and 2005

Fiscal Year 2002

Offenders referred to the program	1,731
Offenders successfully completed the program	1,290
Assumptions:	
60% of offenders come from TDOC	1,290 X 60% = 774
40% of offenders come from local jails	1,290 X 40% = 516
TDOC cost to house an inmate	\$47.63 per day
Local jail cost to house an inmate	\$45.62 per day
Cost of probation/parole supervision	\$2.67 per day
Calculation of cost-avoidance	
TDOC Inmate Housing Cost–	
774 inmates X \$47.63 per day X 365	\$13,455,951
Jail Inmate Housing Costs–	
516 X \$45.62 per day X 365	<u>\$8,592,071</u>
Total	\$22,048,022
Probation/Parole Supervision Cost–	
1,290 X \$2.67 per day X 365	\$1,257,170
Total Annual Cost-Avoidance (Inmate Housing Costs – Supervision Cost)	\$20,790,852

Fiscal Year 2003

Offenders referred to the program	1,625
Offenders successfully completed the program	1,157
Assumptions:	
60% of offenders come from TDOC	1,157 X 60% = 694
40% of offenders come from local jails	1,157 X 40% = 463
TDOC cost to house an inmate	\$49.56 per day
Local jail cost to house an inmate	\$44.76 per day
Cost of probation/parole supervision	\$2.61 per day
Calculation of cost-avoidance	
TDOC Inmate Housing Cost–	
694 inmates X \$49.56 per day X 365	\$12,554,043
Jail Inmate Housing Costs–	
463 X \$44.76 per day X 365	<u>\$7,564,216</u>
Total	\$20,118,259
Probation/Parole Supervision Cost–	
1,157 X \$2.61 per day X 365	\$1,102,216
Total Annual Cost-Avoidance (Inmate Housing Costs – Supervision Cost)	\$19,016,043

Fiscal Year 2004

Offenders referred to the program	1745
Offenders successfully completed the program	1292
Assumptions:	
60% of offenders come from TDOC	1,292 X 60% = 775
40% of offenders come from local jails	1,292 X 40% = 517
TDOC cost to house an inmate	\$50.50 per day
Local jail cost to house an inmate	\$45.15 per day
Cost of probation/parole supervision	\$2.50 per day
Calculation of cost-avoidance	
TDOC Inmate Housing Cost–	
775 inmates X \$50.50 per-day X 365	\$14,285,187
Jail Inmate Housing Costs–	
517 X \$45.15 per day X 365	<u>\$8,520,031</u>
Total	\$22,805,218
Probation/Parole Supervision Cost–	
1,292 X \$2.50 per-day X 365	\$1,178,950
Total Annual Cost-Avoidance (Inmate Housing Costs – Supervision Cost)	\$21,626,268

Fiscal Year 2005

Offenders referred to the program	1,546
Offenders successfully completed the program	1,052
Assumptions:	
60% of offenders come from TDOC	1,052 X 60% = 631
40% of offenders come from local jails	1,052 X 40% = 421
TDOC cost to house an inmate	\$54.33 per day
Local jail cost to house an inmate	\$43.66 per day
Cost of probation/parole supervision	\$2.62 per day
Calculation of cost-avoidance	
TDOC Inmate Housing Cost–	
631 inmates X \$54.33 per day X 365	\$12,513,014
Jail Inmate Housing Costs–	
421 X \$43.66 per day X 365	<u>\$6,709,014</u>
Total	\$19,222,028
Probation/Parole Supervision Cost–	
1,052 X \$2.62 per day X 365	\$1,006,028
Total Annual Cost-Avoidance (Inmate Housing Costs – Supervision Cost)	\$18,216,000

Source: BOPP Annual Reports for Fiscal Years 2002 through 2005

Appendix 3

Detailed Corrective Action Procedures Submitted by the Board of Probation and Parole in Response to Finding 1

- 1. Board field officers are not completing all of the offender supervision requirements, which would limit the board's ability to meet its mission to minimize public risk and promote lawful behavior.**

We concur with this finding and accept the corrective action recommendations contained in the audit report. The specific areas of supervision requirements identified in the report as not being met are:

Offender Addresses. Recording and maintaining offender addresses in ETOMIS/TOMIS is not part of the current policy and is required only by directive. This will change, with approval of a PCN to policy 706.05 Offender Reporting and Documentation. The PCN will modify section VI. PROCEDURES B. All changes in offender address information from the written record will be entered into ETOMIS/TOMIS conversation Offender Attributes/Social Information (LCLA Option 2) at the time the address change becomes known. In the event the PPO does not have immediate access to ETOMIS/TOMIS the change of address will be done at the time the contact note is entered into ETOMIS/TOMIS. The officer shall also record any changes in telephone number(s) at the same time.

- A. The PCN will be written by 5/15/06. Responsibility of Director of Field Services (DFS).
- B. It will be submitted to the Board for its approval at its next administrative meeting June 14, 2006. Responsibility of DFS and Executive Director (ED).
- C. Upon approval by the board the PCN will be sent to the Attorney General for approval if required. Responsibility of DFS and ED.
- D. Implementation will occur within 30 days of approval by the Attorney General. Responsibility of DFS.
- E. Because this information is so critical a new directive from the Director of Field Services will be issued by 5/15/06 implementing these changes while the PCN is pending. Responsibility of DFS.
- F. Monitoring will be by monthly review under policy 706.02 by Probation and Parole Manager 1s (PPM1) and supervising Probation and Parole Officer 3s (PPO3).
- G. Policy 706.02 Supervisor Review of Caseloads VI. PROCEDURES A. 2. (b) a PCN will be written to read: "The supervisor shall note non-compliance instances with the Officer and establish a deadline for completing any officer omitted supervision activities. The period for remedial action shall not exceed 10 working days." This will be rewritten no later than May 15, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1s.
- H. Responsibility for implementation will be Probation and Parole Officer, Supervisor, and District Director.

Home Visits. Home visits are required by policy 704.01, Standards of Offender Supervision, and are monitored according to policy 706.02, Supervisor Review of Caseloads, and Policy Change Notice #002-04. Policy 706.02 provides that supervisors note instances of non-compliance as outlined in the Compliance Exception Report (BI01MJQ) from Document Direct. It also provides that non-compliance be discussed with officers and then followed up within 10 working days to verify a caseload activity is brought into compliance. The wording of the policy misses the point that once compliance is missed in a given month, it cannot be made compliant, but the thrust of the policy is that non-compliant supervision activities are corrected by the officer. Policy 706.02 will be revised as follows:

- A. VI. PROCEDURES A. 2. (b) a PCN will be written to read: “The supervisor shall note noncompliance instances with the Officer and establish a deadline for completing any officer omitted supervision activities. The period for remedial action shall not exceed 10 working days.” This will be rewritten no later than May 15, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1s.
- B. A standard format for the written response to the officer will be developed by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1.
- C. A standardized file name for saving both the Compliance Exception Report (BI01MJQ) from Document Direct and the supervisor written response to folders on N Drive will be established by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1, Administrative Secretary.
- D. A monthly spreadsheet of district/office compliance scores will be developed to be used by the DFS to track compliance scores by July 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- E. As part of the performance measures project we will develop a standard monthly report by officer, by office, by district and statewide that counts the number and percentage of successful home visits. This will be done by September 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- F. It is possible for officers to “reset” the due dates for required standards by changing or reentering the offender’s classification on the PLAN OF SUPERVISION conversation (LCDF) thus avoiding review of the omitted standard on the Compliance Exception Report (BI01MJQ) from Document Direct. To avoid this the BOPP *Risk and Needs Manual* will be modified on page 20 to require that prior to reassessing an offender, the officer will review the home visit, drug testing and record check standards to ensure that they have been met under the existing classification before a reassessment is entered on PLAN OF SUPERVISION conversation (LCDF) and that merely “resetting” the standards by this means does not relieve the officer of the supervision requirement. This will be done no later than July 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.
- G. The entire supervision standards chart will be expanded into a narrative manual explaining all nuances of managing the standards and giving better direction on what constitutes an acceptable “X” code. This will be accomplished by September 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.

- H. While the policy change notice is pending, the Director of Field Services will issue a directive implementing the changes. The directive will be issued by May 15, 2006.
- I. Responsibility for implementation will be Probation and Parole Officer, Supervisor, and District Director.

Drug Screen Tests. The same process as for Home Visits will be followed for Drug Screens. Responsibility for implementation will be Probation and Parole Officer, Supervisor, and District Director.

Arrest Record Checks. Arrest Check monitoring is required by policy 704.01, Standards of Offender Supervision, and is monitored according to policy 706.02, Supervisor Review of Caseloads, and Policy Change Notice #002-04. Policy 706.02 provides that supervisors note instances of non-compliance as outlined in the BI01MJQ report. It also provides that non-compliance be discussed with officers and then followed up within 10 working days to verify a caseload activity is brought into compliance. The wording of the policy misses the point that once compliance is missed in a given month, it cannot be made compliant, but the thrust of the policy is that non-compliant supervision activities are corrected by the officer. Policy 706.02 will be revised as follows:

- A. VI. PROCEDURES A. 2. (b) a PCN will be written to read: “The supervisor shall note noncompliance instances with the Officer and establish a deadline for completing any officer omitted supervision activities. The period for remedial action shall not exceed 10 working days.” This will be rewritten no later than May 15, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1s.
- B. A standard format for the written response to the officer will be developed by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1.
- C. A standardized file name for saving both the Compliance Exception Report (BI01MJQ) from Document Direct and the supervisor written response to folders on N Drive will be established by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1, Administrative Secretary.
- D. A monthly spreadsheet of district/office compliance scores will be developed to be used by the DFS to track compliance scores by July 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- E. As part of the performance measures project we will develop a standard monthly report by officer, by office, by district and statewide that counts the number and percentage of successful completions of special conditions. This will be done by September 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- F. It is possible for officers to “reset” the due dates for required standards by changing or reentering the offender’s classification on PLAN OF SUPERVISION (LCDF), thus avoiding review of the omitted standard on the Compliance Exception Report (BI01MJQ) from Document Direct. To avoid this the *Risk and Needs Manual* will be modified on page 20 to require that prior to reassessing an offender, the officer will review the home visit, drug testing and record check standards to ensure that they have been met under the existing classification before a reassessment is entered on PLAN OF SUPERVISION (LCDF) and

that merely “resetting” the standards by this means does not relieve the officer of the supervision requirement. This will be done no later than July 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.

- G. The entire supervision standards chart will be expanded into a narrative manual explaining all nuances of managing the standards and giving better direction on what constitutes an acceptable “X” code. This will be accomplished by September 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.
- H. We are exploring obtaining an automated case management system that will have the capability of tracking many individual conditions. Responsibility of DFS, ADFS, Information Services Division, DDs, PPM1.
- I. While the policy change notice is pending, the Director of Field Services will issue a directive implementing the changes. The directive will be issued by May 15, 2006. Responsibility for implementation will be Probation and Parole Officer, Supervisor, and District Director.

Special Conditions and Employment. Non-compliance for Special Conditions and Employment were grouped together in the Performance Audit Report; however, the corrective action plan for each issue is different enough that for clarity they have been separated in this response.

Special Conditions. ETOMIS/TOMIS currently offers no direct method to monitor individual special condition monitoring but can monitor it in broad terms of lumping all special conditions into one Contact Note in ETOMIS/TOMIS. Monitoring these conditions will be accomplished similarly to Home Visits and Reassessments. Special Condition monitoring is required by policy 704.01, Standards of Offender Supervision, and is monitored according to policy 706.02, Supervisor Review of Caseloads, and Policy Change Notice #002-04. Policy 706.02 provides that supervisors note instances of non-compliance as outlined in the BI01MJQ report. It also provides that non-compliance be discussed with officers and then followed up within 10 working days to verify a caseload activity is brought into compliance. The wording of the policy misses the point that once compliance is missed in a given month, it cannot be made compliant, but the thrust of the policy is that non-compliant supervision activities are corrected by the officer. Policy 706.02 will be revised as follows:

- A. VI. PROCEDURES A. 2. (b) a PCN will be written to read: “The supervisor shall note noncompliance instances with the Officer and establish a deadline for completing any officer omitted supervision activities. The period for remedial action shall not exceed 10 working days.” This will be rewritten no later than May 15, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1s.
- B. A standard format for the written response to the officer will be developed by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1
- C. A standardized file name for saving both the Compliance Exception Report (BI01MJQ) from Document Direct and the supervisor written response to folders on N Drive will be established by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1, Administrative Secretary.

- D. A monthly spreadsheet of district/office compliance scores will be developed to be used by the DFS to track compliance scores by July 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- E. As part of the performance measures project we will develop a standard monthly report by officer, by office, by district and statewide that counts the number and percentage of successful completions of special conditions. This will be done by September 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- F. It is possible for officers to “reset” the due dates for required standards by changing or reentering the offender’s classification on PLAN OF SUPERVISION (LCDF), thus avoiding review of the omitted standard on the Compliance Exception Report (BI01MJQ) from Document Direct. To avoid this, the *Risk and Needs Manual* will be modified on page 20 to require that prior to reassessing an offender, the officer will review the home visit, drug testing and record check standards to ensure that they have been met under the existing classification before a reassessment is entered on PLAN OF SUPERVISION (LCDF) and that merely “resetting” the standards by this means does not relieve the officer of the supervision requirement. This will be done no later than July 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.
- G. The entire supervision standards chart will be expanded into a narrative manual explaining all nuances of managing the standards and giving better direction on what constitutes an acceptable “X” code. This will be accomplished by September 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.
- H. A manual means of tracking individual special condition completion will be discussed at the field level and forms will be devised that will make tracking the conditions part of the case review process of PPM1s. This will be done by September 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1.
- I. We are exploring obtaining an automated case management system that will have the capability of tracking many individual conditions. Responsibility of DFS, ADFS, Information Services Division, DDs, PPM1.
- J. While the policy change notice is pending, the Director of Field Services will issue a directive implementing the changes. The directive will be issued by May 15, 2006.
- K. Responsibility for implementation will be Probation and Parole Officer, Supervisor, and District Director.

Employment. We have within the last week initiated a process to track our percentage of offenders who are employed, unemployed and unemployable. The entire supervision standards chart will be expanded into a narrative manual explaining all nuances of managing the standards and giving better direction on what constitutes an acceptable “X” code as it relates to offender employment. This will be accomplished by September 1, 2006.

- A. Officers will have a baseline employment percentage established by September 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.
- B. Officers will be given target employment rates to reach by July 2007.

- C. Tracking will be monthly by means of a standard report of employment rates by officer, by office, by district, and by state to be established September 2006.
- D. Responsibility of DFS, ADFS, Technical Services, DDs, PPM1, Administrative Secretary. Central Office staff person will direct the employment program and will be evaluated on the number and percentage of jobs we can locate for our offenders. The timeline is in accordance with the rest of this section. Responsibility of DFS, ADFS, Technical Services, DDs, PPM1, Administrative Secretary.

Offender Risk Assessments. The manual on *Risk and Needs Assessments and Reassessments* is sufficient in its content to cover the needs of this non-compliant section. As with Home Visits this is more of an omission of supervision at the local level and will be handled in the same manner as home visits. Reassessments are required by policy 704.01, Standards of Offender Supervision, and are monitored according to policy 706.02, Supervisor Review of Caseloads, and Policy Change Notice #002-04. Policy 706.02 provides that supervisors note instances of non-compliance as outlined in the Compliance Exception Report (BI01MJQ) from Document Direct. It also provides that non-compliance be discussed with officers and then followed up within 10 working days to verify a caseload activity is brought into compliance. The wording of the policy misses the point that once compliance is missed in a given month, it cannot be made compliant, but the thrust of the policy is that non-compliant supervision activities are corrected by the officer. Policy 706.02 will be revised as follows:

- A. VI. PROCEDURES A. 2. (b) a PCN will be written to read: “The supervisor shall note noncompliance instances with the Officer and establish a deadline for completing any officer omitted supervision activities. The period for remedial action shall not exceed 10 working days.” This will be rewritten no later than May 15, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1s.
- B. A standard format for the written response to the officer will be developed by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1.
- C. A standardized file name for saving both the Compliance Exception Report (BI01MJQ) from Document Direct and the supervisor written response to folders on N Drive will be established by July 1, 2006. Responsibility of DFS, Assistant DFS, DDs, PPM1, Administrative Secretary.
- D. A monthly spreadsheet of district/office compliance scores will be developed to be used by the DFS to track compliance scores by July 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- E. As part of the performance measures project we will develop a standard monthly report by officer, by office, by district, and statewide that counts the number and percentage of successful assessments and reassessments. This will be done by September 1, 2006. Responsibility of DFS, ADFS, Administrative Secretary, Technical Services.
- F. It is possible for officers to “reset” the due dates for required standards by changing or reentering the offender’s classification on PLAN OF SUPERVISION (LCDF), thus avoiding review of the omitted standard on the Compliance Exception Report (BI01MJQ) from Document Direct. To avoid this the *Risk and Needs Manual* will be modified on page 20 to require that prior to reassessing an offender, the officer will review the home visit, drug

testing and record check standards to ensure that they have been met under the existing classification before a reassessment is entered on PLAN OF SUPERVISION (LCDF) and that merely “resetting” the standards by this means does not relieve the officer of the supervision requirement. This will be done no later than July 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.

- G. The entire supervision standards chart will be expanded into a narrative manual explaining all nuances of managing the standards and giving better direction on what constitutes acceptable PPO remedial action for offender non-compliance. This is documented in ETOMIS/TOMIS Contact Notes commonly known as an “X” code. This will be accomplished by September 1, 2006. Responsibility of DFS, ADFS, DDs, PPM1, Administrative Secretary.
- H. While the policy change notice is pending, the Director of Field Services will issue a directive implementing the changes. The directive will be issued by May 15, 2006.
- I. Responsibility for implementation will be Probation and Parole Officer, Supervisor, and District Director.