

**TENNESSEE
PRIVATE PROBATION SERVICES COUNCIL
MINUTES**

DATE: June 4, 2010

PLACE: 2nd Floor Conference Room- Andrew Johnson Tower
710 James Robertson Parkway
Nashville, Tennessee

PRESENT: Board Members:
Judge Chris Craft, Chairman
Judge J. Klyne Lauderback
Judge Hugh Harvey
Judge John Hudson
Dena McCollough
Sidney Chism

PRESENT: Staff Members:
Donna Hancock, Interim Director
Adrian Chick, Staff Attorney
Susan Lockhart, Executive Administrative Assistant

ABSENT: Board Members:
Judy Harvey

CALL TO ORDER:

Chairman Craft called the meeting to order at 10:15 a.m. and the following business was transacted:

Roll Call - Ms. Hancock called the roll. Six of the seven Council members were present. Judy Harvey was absent.

Announcements - Chairman Craft welcomed the Council's newest member, Sidney Chism. Ms. Hancock advised that Mr. Chism was in attendance to observe the meeting as his orientation session would not be completed until after the meeting.

Agenda - Chairman Craft advised that the agenda would be adopted unless there was any opposition. No one opposed, the agenda was adopted.

Minutes - Judge Lauderback made a motion to approve the minutes of March 5, 2010, seconded by Judge Hudson. **MOTION CARRIED.**

LEGAL REPORT - ADRIAN CHICK, STAFF ATTORNEY

Mr. Chick advised that amended Rule 1177-01-.06, approved by the Council on December 4, 2009, was signed by the Attorney General on May 21, 2010; filed with the Secretary of State's Office on May 27, 2010; and

become effective on August 25, 2010. Judge Craft requested that the licensees be notified of the change in writing.

Mr. Chick presented the following Legal Report for consideration:

1. L10-PSC-RBS-2010012521 TENNESSEE COMMUNITY COUNSELING

Complaint: This complaint was opened by staff June 2, 2010 because the Respondent has not submitted quarterly reports since October 12, 2009. The Respondent's license expired June 1, 2010 and has not been renewed.

Response: None.

Recommendation: Send cease and desist letter with copy to the court in which they work. Require Respondent to appear before Council before renewing license. Request investigations to obtain information from court regarding how many probationers they may have supervised.

MOTION: After some discussion, Judge Lauderback made a motion to send a Cease and Desist to the Respondent (and send a copy to the appropriate judges for the county in which the Respondent works) if Respondent's registration is not renewed (with all fees paid) by June 30, 2010; and if the Respondent does renew their registration to advise Respondent to appear at the Council's next meeting. The motion was seconded by Judge Hudson. **ALL APPROVED. MOTION CARRIED.**

2. L10-PSC-RBS-2010002491 AMERICA PROBATION SERVICES

3. L10-PSC-RBS-2010002492 WILLIAM DOAK PATTON

Complaint: This entity's license expired in June, 2009. After receiving (late) quarterly reports for August 20, 2009 and November 20, 2009, it appeared that the company had operated without a valid license. The Respondents are no longer in business, and the company was sold to another entity, which is now properly licensed. The Respondent entity paid late fees for the late quarterly reports.

Response: No response received.

Prior Complaints: None.

Recommendation: Close.

MOTION: Judge Lauderback made a motion to accept Legal's recommendation, seconded by Judge Hudson. **ALL APPROVED. MOTION CARRIED.**

4. L10-PSC-RBS-2010002551 PSI-Probation, II, LLC

Complaint: This complaint was filed by a private probation entity and alleges that the Respondent began providing probation services on or about January 1, 2010. The Complainant alleges that the entity hired a probation officer that was not approved by the Council.

Response: The Respondent states that the probation officer was hired by Respondent on 12/31/09 and as of February 18, 2010 was still being trained under supervision, although the individual was approved by the Council as a probation officer on February 5, 2010.

Complaint History: None

Recommendation: Close with letter of caution regarding use of unapproved probation officers.

MOTION: Judge Lauderback made a motion to accept Legal's recommendation, seconded by Judge Hudson. **ALL APPROVED. MOTION CARRIED.**

5. L09-PSC-RBS-2009012091 WASHINGTON COUNTY PROBATION

Complaint: This complaint was opened by staff because an application for registration for the entity suggested that the entity might have already been operating prior to being licensed. An investigation was conducted which revealed that the entity was no longer in existence, but that it had been operated from July 2007 to July 2009 without being licensed. No documentation could be obtained from the CEO with regard to unlicensed

conduct, but statements from former employees indicated approximately 580 clients had been supervised. The Respondent's wife states that the Respondent will not provide any statements to the investigator.

Response: None

Recommendation: File formal charges against the unlicensed Respondent for operating without a license.

MOTION: Judge Lauderback made a motion to accept Legal's recommendation, seconded by Ms. McCollough. **ALL APPROVED. MOTION CARRIED.**

ADMINISTRATIVE REPORT - DONNA HANCOCK, DIRECTOR

Complaint Statistics & Comparison Report – Ms. Hancock presented report of the complaints open at this time last year compared to the ones currently open. She advised that there are four open complaints and Mr. Chick addressed all four in his Legal Report.

Budget Report – Ms. Hancock presented a budget report for the Commission's reference that lists the expenditures and revenues for the last four fiscal years.

Annual Report – Ms. Hancock reminded the Council that at their previous meeting they discussed the statutory requirement for an annual report which to her knowledge had never been done before. At that time, she was asked by the Council to submit a quarterly report at this meeting. She presented a draft for the Council's review and approval. She advised that the information was taken directly from the Regulatory Board's Annual Report to the Governor.

NEW BUSINESS / UNFINISHED BUSINESS:

Chairman Craft advised that the Council is required by statute to meet quarterly. In an effort to eliminate unnecessary meetings and travel costs, the Council discussed recommending that the law be changed. Chairman Craft asked Ms. Hancock and Mr. Chick to discuss possible statutory language and present it to the Council at their next meeting.

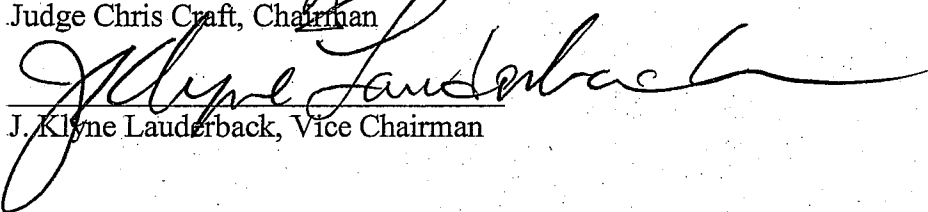
Ms. Hancock reminded the members that four (4) of them have terms that expire in August and reminded them to contact their appointing authority if they would like to be considered for reappointment.

ADJOURN:

Being no further business the meeting adjourned at 11:15 a.m.



Judge Chris Craft, Chairman



J. Klyne Lauderback, Vice Chairman