



PRIVATE PROBATION SERVICE COUNCIL
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-1166
615-741-1831

**Meeting Minutes
February 3rd, 2017
First Floor Conference Room (1-B)
Davy Crockett Tower**

The Private Probation Services Council met on February 3, 2017 in Nashville, Tennessee, at the Davy Crockett Tower in the first floor conference room 1-B. Judge Craft, acting chair, called the meeting to order at 10:00 a.m. and the following business was transacted:

COUNCIL MEMBERS PRESENT

David Nimmo
Judge Chris Craft (via teleconference)
Judge John P. Hudson (via teleconference)
Stancil Ford (via teleconference)

COUNCIL MEMBERS ABSENT

Judge J. Klyne Lauderback
Judge Hugh Harris Harvey
Linda Byford

STAFF MEMBERS PRESENT

Roxana Gumucio, Cherelle Hooper, Pamela Spicer, Kerensa Crum

ROLL CALL & STATEMENT OF NECESSITY

Executive Director Roxana Gumucio confirmed that notice of the meeting had been posted to the Private Probation Service Council website on January 26, 2017. Director Gumucio took a roll call and noted quorum. At this point Judge Craft, recognizing the absence of a physical quorum, requested that Director Gumucio read the Statement of Necessity into the record.

ADOPT AGENDA

Mr. Ford made a motion to adopt the agenda as written. This was seconded by Mr. Nimmo. The motion passed unanimously by roll call voice vote.

MINUTES

Upon review of the minutes from the previous meeting, Judge Craft noticed a grammatical error in the language used to record the statement of necessity. He recommended that the minutes be adopted as amended. Mr. Ford put forward a motion to that effect, which Judge Hudson seconded. The motion passed by unanimous voice vote.

LEGAL REPORT

Pamela Spicer, Assistant General Counsel, presented the following case for review:

1. 2016056271

This case was received as a consumer complaint from a county employee. The complaint alleges that the Respondent is providing unlicensed probation services. Subject to an investigation, the investigative report reveals that the Respondent is providing private probation services without registering with the Private Probation Council.

History: None

Recommendation: Authorize for formal hearing. Authorize settlement by consent order with \$1,000 civil penalty.

Decision: Judge Hudson made a motion to accept counsel's recommendation. This was seconded by Mr. Ford. The motion carried unanimously by roll call vote.

DIRECTOR'S REPORT

Director Gumucio provided the Council with a current reporting of revenues and expenses.

NEW BUSINESS

Regarding the General Assembly's Joint Operations Committee Rules of Professional Conduct, Judge Craft requested an update on the Office of Attorney General's opinion of the definitions of what might be considered hostile or disrespectful conduct. Cherelle Hooper, Assistant Legal Counsel, noted that an opinion was not sought from the AG's Office as there was concern that defining the terms too narrowly beyond the original language may unnecessarily burden and limit future action. Director Gumucio assured the Council that a written response would be drafted in response to the General Assembly's request for a further definition of terms and forwarded to the Council for record.

A letter from "Online Justice Training" was presented to the Council requesting a review of online course material. The Council was concerned that the material presented would eventually be marketed. As a result, the Council did not feel it would be appropriate to provide any feedback that could create a conflict of interest or be perceived as an endorsement.

Having no further business, Mr. Ford made a motion to adjourn the meeting, and Judge Hudson seconded it. Judge Craft adjourned the meeting at 10:18 a.m.