

State of Tennessee
Board of Probation and Parole
404 James Robertson Parkway Suite 1300
Nashville, Tennessee 37243



Title VI of the
1964 Civil Rights Act

“No person in the United States shall, on the grounds of race/ethnicity, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.”

Title VI Implementation Plan
2009 Annual Report

Submitted By

Charles Traughber, Chairperson

James H. Austin, Member

Ronnie Cole, Member

Joe Hill, Member

Bo Irvin, Executive Director

Patsy Bruce, Member

Yusuf Hakeem, Member

Lisa Jones, Member

Gloria Johnson, Title VI Coordinator



STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE
404 JAMES ROBERTSON PARKWAY, SUITE 1300
NASHVILLE, TENNESSEE 37243-0850 (615) 741-1673

October 1, 2009

The Honorable Tommie Brown, Representative
36 Legislative Plaza
Nashville, TN 37243

Pursuant to *T.C.A.* 4-21-901 and established guidelines, enclosed is the Board of Probation and Parole 2009 Title VI Implementation Plan.

If you have any questions or need additional information, please call on us.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles M. Traugher".

Charles M. Traugher, Chairman, Board of Probation and Parole

cc: Debra Loveless, Division of State Audit, Comptroller of the Treasury

C u r r e n t B o a r d M e m b e r s

Chairman Charles Traugher

Mr. Traugher started his criminal justice career as an Institutional Counselor in the Department of Correction in 1969. In 1972, he was appointed Chairman of the Board of Paroles and served until June 1976. He served as a member of the Board from 1976 until July 1977, when he was re-appointed Chairman. He served in that capacity through June of 1979. He again served as a member until December 1985. From that date until December 1987, he worked as a consultant with a private correctional company. He was reappointed Chairman in January of 1988 and has served as Chairman since that date. He was reappointed to six-year terms on the Board in 2000 and again in 2006. A native of Chattanooga, Mr. Traugher is a graduate of Tennessee State University in Nashville. He is a member of the Tennessee Correctional Association, the American Correctional Association and serves as president of the Association of Paroling Authorities International. He has served on the Tennessee Sentencing Commission and on various other committees addressing prison capacity issues and the criminal justice system.\

James Austin

Mr. Austin was appointed to the Board of Probation and Parole on January 22, 2004. He is a Gallatin native with an extensive background in law enforcement and state government. Having worked more than 36 years for the State of Tennessee, he was most recently manager of the Office of Civil Rights and Compliance in the Tennessee Department of Health. From 1987 to 1990, he worked for the Tennessee Department of Correction, first as a Director of County Programs and then as Executive Director of Youth and Community Services. From 1980 until 1987, Mr. Austin worked as a counselor and an Administrative Assistant for the Metropolitan Davidson County Sheriff's Department, serving as a liaison between the Sheriff's Department and the Tennessee Sheriffs' Association. Mr. Austin was graduated with a bachelor's degree in Industrial Arts from Mississippi Valley State University in Itta Bena, Mississippi, and earned a master's degree in educational psychology from Tennessee Technological University in Cookeville. He has also completed additional studies at Middle Tennessee State University in Murfreesboro toward a master's degree in criminal justice.

Patsy Bruce

Patsy Bruce, a native of Nashville, was appointed to the Board of Probation and Parole on March 26, 2004. Before that, she operated a number of entertainment and event management and marketing companies, including Patsy Bruce Productions, Inc., a film and television production company, and Events Unlimited, an award-winning event management company. In addition to her business endeavors, Ms. Bruce is heavily involved in neighborhood advocacy work, where she organized the West Nashville Presidents Council, a Nashville consortium of neighborhood presidents.

Ronnie Cole

Ronnie Cole was appointed to the Board of Probation and Parole on January 22, 2004. He was born in Milan, but has lived in Dyersburg for more than 30 years. He is a retired Vice President of the Ford Construction Company, a Dyersburg paving and bridge building contractor, where he worked for 34 years. He also served in the Tennessee House of Representatives in the 98th through 102nd General Assemblies. Mr. Cole earned a bachelor's degree in business administration from Memphis State University. He is a Past President of both the Tennessee Road Builders Association and the Contractor's Division of the American Road and Transportation Builders Association. He is also a former member of the Tennessee Board for Licensing Contractors.

Yusuf Hakeem

Yusuf Hakeem was appointed to the Board of Probation and Parole on January 23, 2006. He is a graduate of Howard High School and Chattanooga State Technical Community College and is currently working toward a bachelor's degree from the University of Tennessee-Chattanooga. He served on the City Council of Chattanooga for 15 years as a representative of District 9 and was elected Council Chair in 1996, 2000 and 2001.

Joe Hill

Union City's Joe Hill was appointed to the Board of Probation and Parole in April of 2008. Mr. Hill came to BOPP following his retirement from the staff of Eighth District Congressman John Tanner. He is a native of Henry County, Tennessee. Mr. Hill is a 1964 graduate of Henry High School and earned his bachelor's degree from Bethel College in McKenzie in 1968. He served four years as Project Director of the Northwest Tennessee Development District. He was twice elected to the Henry County Commission. In 1973, Mr. Hill joined the staff of the late U.S. Representative Ed Jones as Field Assistant, and later served as District Director until Jones' retirement. In 1988, Mr. Hill managed Congressman Tanner's campaign for Congress and in 1989, joined Tanner's staff as District Director, where he served for almost two decades. When he retired in 2008, Mr. Hill was the longest-serving Congressional district aide in Tennessee history. He is an avid outdoorsman, a member of the Free and Accepted Masons, the Goodwill Shrine Club, the Elks Club, the Tennessee Wildlife Federation and the Methodist Church.

Lisa Jones

Lisa Jones was appointed to the Board of Probation and Parole in March 2008. An educator, Ms. Jones' previous professional experience includes 12 years of teaching at Savannah High School. She also taught for two years at Jackson State University's Savannah campus and served a term as a member of the Unemployment Security Board of Review. Ms. Jones is a graduate of the University of North Alabama, where she earned a bachelor of science degree in education.



MISSION STATEMENT

OUR MISSION IS TO MINIMIZE PUBLIC RISK AND PROMOTE LAWFUL BEHAVIOR BY THE PRUDENT, ORDERLY RELEASE AND COMMUNITY SUPERVISION OF ADULT OFFENDERS.

VISION STATEMENT

THE BOARD OF PROBATION AND PAROLE WILL BE COMMITTED TO A PARTNERSHIP WITH THE CITIZENS OF TENNESSEE IN PROMOTING PUBLIC SAFETY AND WILL BE RECOGNIZED AS A LEADER IN THE AREA OF PROBATION AND PAROLE BY:

- 1. PROVIDING A CONTINUUM OF SERVICES FOR OFFENDERS FROM PRE-SENTENCE INVESTIGATION THROUGH THE EXPIRATION OF SENTENCES.**
- 2. PARTICIPATING IN COOPERATIVE EFFORTS SUCH AS COMMUNITY POLICING, MULTI-PURPOSE SERVICE CENTERS, COORDINATED VICTIM SERVICES AND INTERAGENCY EFFORTS.**
- 3. PROVIDING EMPLOYEES WITH ACCESS TO AND TRAINING IN THE USE OF ADVANCED TECHNOLOGIES.**
- 4. FOSTERING A HIGHLY PROFESSIONAL STAFF THAT IS PROFICIENT IN OFFENDER MANAGEMENT AND SUPPORT SERVICES.**
- 5. PROMOTING EFFECTIVENESS AND EFFICIENCY THROUGH THE USE OF OUTCOME MEASURES AND INNOVATIVE APPROACHES TO SERVICE DELIVERY.**

Historical Background

On February 18, 1961, Governor Buford Ellington signed into law an act passed by the Eighty-Second Session of the General Assembly, placing a part-time Board of Probation and Paroles as a division of the Department of Correction. The Commissioner of Correction served as Chair and members were appointed from the business and education fields.

In 1963, legislation was passed increasing the size of the Board to five part-time members with the Governor appointing four of its members. In 1970, the Governor began appointing all five members, with the Commissioner of Correction no longer serving as Chair.

On April 4, 1972, Governor Winfield Dunn signed House Bill 582, creating the Tennessee board of Pardons and Paroles with full-time three-members.

In 1979, the Ninety-First General Assembly presented to Governor Lamar Alexander the "Pardons and Paroles Reform Act of 1979, which created an autonomous full-time Board functionally and administratively separate from any other agency. On May 25, 1979, Governor Alexander signed the Pardons and Paroles Act of 1979 into law. With new autonomy came new and greater responsibilities. Previously, field staff had been under the supervision of the Department of Correction. On July 1, 1979, Parole Officers and support staff were placed directly under the supervision of the Board, the Executive Director, and the State Director of Paroles. The Governor appointed four members, two to terms of four years and two to terms of two years. Thereafter, all members were to be appointed or re-appointed to terms of six years.

In 1972, Charles Traugher was appointed as Chairman of the Board and was re-appointed as Chairman from June 1976 through June 1979. In January 1988, he was re-appointed to a six-year term on the Board and has served as chair since.

In 1989, the Board was expanded from five members to seven members

On May 18, 1999, Governor Don Sundquist signed House Bill 3307/Senate Bill 3305 which moved the Division of Probation and Community Correction Grant Programs from the Department of Correction and merged them with the Board of Paroles creating a new agency, the "Board of Probation and Parole" (BOPP) effective July 1, 1999.

About the Board and the Executive Director

The Board of Probation and Parole is a full-time independent Board composed of seven members (three African American males, two Caucasian females, two Caucasian males) appointed by the Governor. The Board is charged with deciding which eligible felony offenders will be granted parole and released from incarceration to community-based supervision. Along with the supervision of those granted parole, the Board is also responsible for supervising felony offenders who are placed on probation by Criminal Courts (TCA 40-28-103).

The administrative duties and responsibilities of the Board are to establish criteria for granting and revoking parole; to develop and adopt the planning documents, the annual budget, a staffing plan, and policies and procedures; to visit correctional institutions and maintain contact with criminal justice agencies and agency field staff; and to participate in regional, federal and local criminal justice planning efforts (TCA 40-28-104).

The Executive Director has responsibility for day-to-day functioning of the agency and for assisting the Board in the development and implementation of policies, procedures, planning documents, budgets and reports. The Executive Director is also responsible for recruitment and supervision of staff and for developing and maintaining communication and cooperation between the Department of Correction and the Board (TCA 40-28-104).

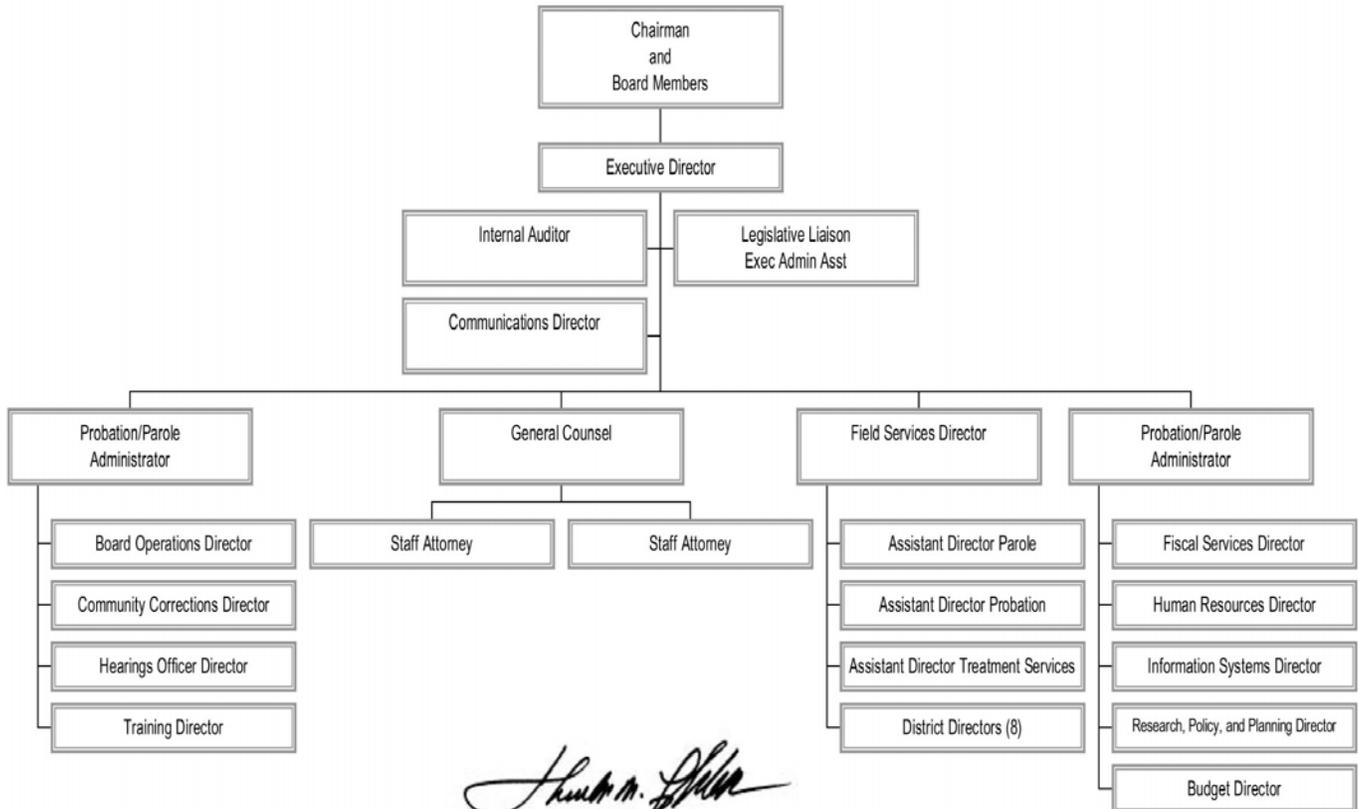
Organizational Chart



STATE OF TENNESSEE BOARD OF PROBATION AND PAROLE

404 JAMES ROBERTSON PARKWAY, SUITE 1300
NASHVILLE, TENNESSEE 37243-0850

June 2009



Charles M. Traugher
APPROVED:
Charles M. Traugher, Chairman

June 24, 2009

About the Agency

The Executive Director, two Probation and Parole Administrators, the Director of Field Services, the Communications Director, the Legislative Liaison and the General Counsel provide the senior level management for the agency (one African American male, three Caucasian females and three Caucasian males). Each Administrator is responsible for assigned divisions as cited in the organizational chart (page 5) and each division has a Director.

Along with the Board Members, the Executive Director and support staff, the Agency has eleven administrative divisions. The eleven divisions are:

1. Parole Hearings Officers
2. Board Operations
3. Field Services
4. Human Resources
5. Budget Division
6. Fiscal Services
7. Research, Policy and Planning
8. Information Systems
9. Training
10. Legal Services
11. Community Corrections

Of the Division Directors, three (28%) are African American females, four (36%) are Caucasian females and four are (36%) Caucasian males.

The division of Field Services includes eight statewide districts. Offenders in all the counties within the State of Tennessee are supervised through these offices. The eight Field Services district main offices are located in:

1. Johnson City;
2. Knoxville;
3. Chattanooga;
4. Nashville;
5. Murfreesboro;
6. Jackson;
7. Memphis; and
8. Clarksville;

Each district has a director, three (37%) are African American females, one (13%) is Caucasian female, and four are (50%) Caucasian males.

As of June 30, 2009, the Agency employed 1065 employees. Of that number, 337 (32%) are African American, 709 (66%) are Caucasian, and 19 (2%) are classified as other. Of that number, 215 are managers/supervisors: 73 (34%) are African American, 140 (65%) are Caucasian and, 2 (1%) are classified as other.

As of April 30, 2008, the Agency employed 1124 employees. Of that number, 362 (32%) are African American, 742 (66%) are Caucasian, and 20 (2%) are classified as other. Of that number, 204 are managers/supervisors: 64 (31%) are African American, 138 (68%) are Caucasian and, 2 (1%) are classified as other.

Agency employees decreased by 9% this fiscal year. The number of African Americans and Caucasians employed decreased, but the percentages remain the same as the previous year. Those classified as others increased by 1%. BOPP Manager/Supervisor positions increased by 3% for African Americans and decreased 3% for Caucasians employed. Those other remained the same.

All employees are monitored for compliance and trained annually on Title VI. (Appendix A)

On The Horizon

Joint Offender Management Plan- The Board worked closely with the Department of Corrections (TDOC) on a joint offender management plan to reduce expenses, increase offender accountability and effectively manage the offender population without the forced early releases that occurred in some other states because of budget issues. The plan, to be implemented during FY 09-10, provides tools to reduce the risk of new offences and to improve offender outcomes to keep communities safe. The plan involves the use of evidence-based practices shown to be effective in other states.

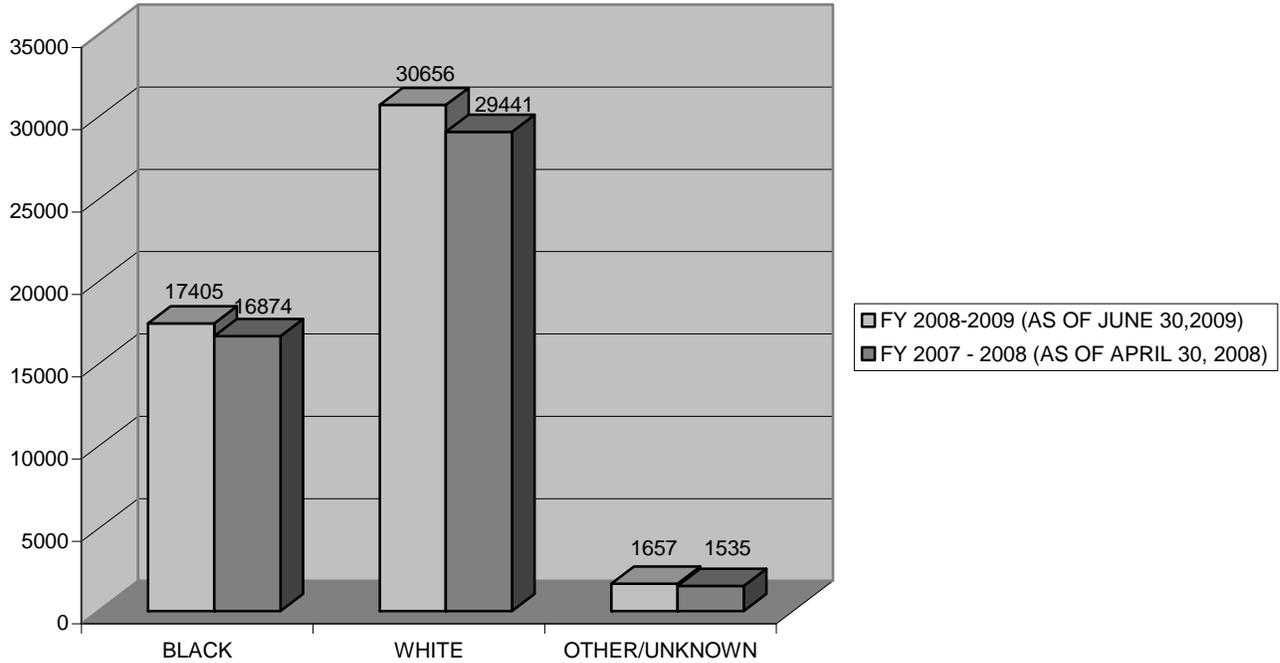
The Board, Community Corrections agencies and TDOC will all use a common risk and needs assessment so all offenders are evaluated by the same criteria. Offenders will receive proven treatment interventions that have been successful in other jurisdictions, based on assessments. The plan also provides additional Master Social Workers and Probation/Parole Officers to carry out its provisions.

System of reporting for low risk offenders-The State has secured a contract with Fieldware for an Interactive Voice Response Offender Tracking System for low risk offenders. This program will allow offenders to phone in each month and answer a series of questions rather than reporting in person. The officer can then use this information to track his or her caseload. This will allow officers to focus more of their energies on medium and high-risk offenders.

Additional Community Resource Centers-The Jackson Office will have a Resource Center fully up and running during this next year. Staff have already started some in-house classes and are working on employment and other resource development.

Additional Employment Resources for Offenders- Statewide, BOPP will have an employment specialist in each of the four major urban areas: Memphis, Nashville, Chattanooga and Knoxville. These staff will complement the work already begun in employment, such as inclusion of computers for offender job search, application practice in BOPP offices, and promotion of the Work Opportunity Tax Credit and Federal Bonding Program as incentives for employers to hire offenders. During the next year, BOPP will implement job readiness classes in some offices. Additionally BOPP will begin Victim Impact classes for women offenders who are victims of domestic violence and batterers' intervention programming.

STATEWIDE PROBATION POPULATION BY RACE

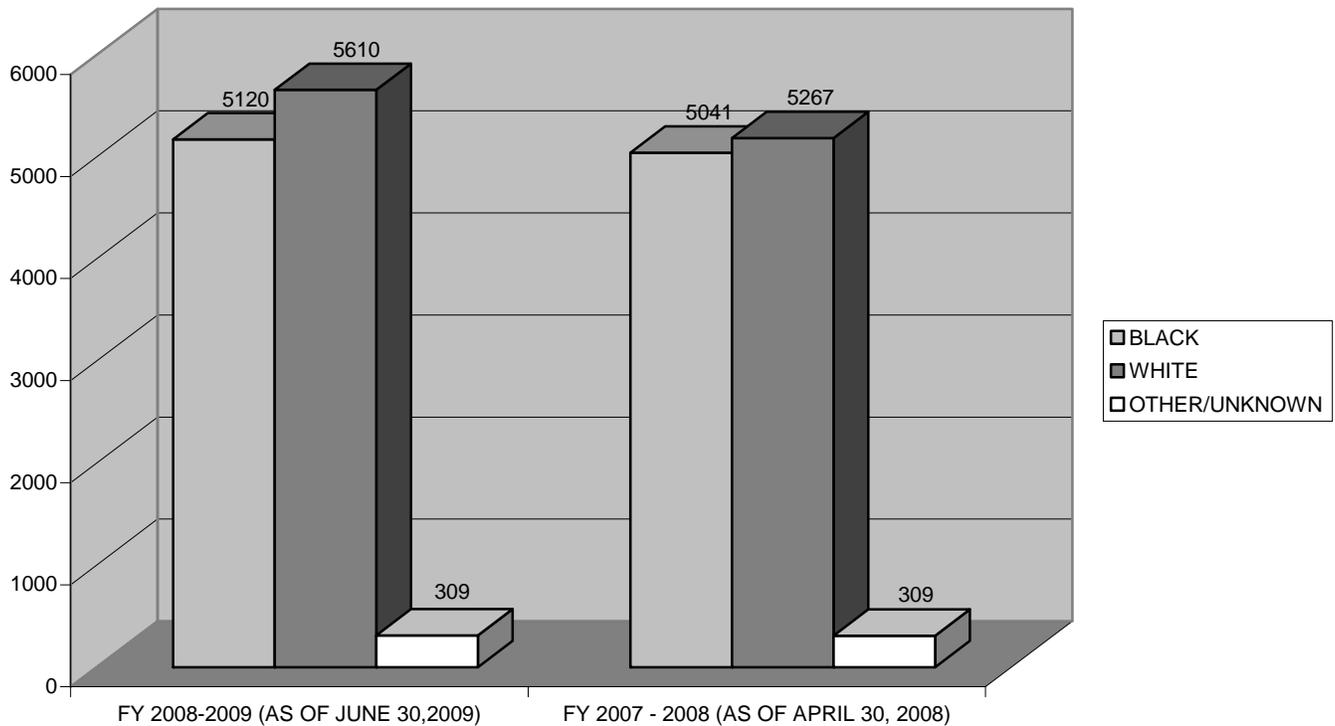


The total probation population as of June 30, 2009 was 49,718. The population by race/ethnicity was 35% African American, 62% Caucasian, and 3% classified as other.

The total probation population as of June 30, 2008 was 47,850. The population by race/ethnicity was 35% African American, 62% Caucasian, and 3% classified as other.

The total population increased by 4%, however, the percentages regarding race/ethnicity remained the same.

STATEWIDE PAROLE POPULATION BY RACE



The total parole population as of June 30, 2009 was 11,039. The population by race/ethnicity was 46% African American, 51% Caucasian and 3% classified as other.

The total parole population as of June 30, 2008 was 10,617. The population by race/ethnicity was 47% African American, 50% Caucasian and 3% classified as other.

The total population increased by 4%. The percentage of African Americans decreased by 1%, Caucasians increased by 1% and other stayed the same 1%.

RESOURCE CENTERS

The Agency mission and vision statements encompass the concept of coupling supportive community supervision and offender accountability. To be successful in carrying out the mission and vision statements, both components must be in place. Offender resource centers have been established, or are in the process of being established, across the state to provide services beyond basic supervision to offenders and serve as an outreach mechanism to local communities. No additional funding is required, as existing resources of the agency are used to support the Resource Centers. Currently Resource Centers are located in the Knoxville, Memphis and Nashville offices.

Title VI literature is available to those who are served in the program.

Staff and volunteers teach the following classes:

- Anger Management/Domestic Violence;
- GED;
- Adult Literacy;
- Job Readiness;
- J.O.B.S. Newsletter;
- Project Craft;
- Thinking for a Change;
- Basic Parenting;
- Basic Computer Skills;
- Advanced Computer;
- Computer Applications;
- Financial and Consumer Management;
- Life skills;
- Responsible Fatherhood; and
- Basic Parenting.

| Community Resource Centers Community Members Served | African American | Caucasian | Hispanic | Asian | American Indian And Others | Total served: April 08- June 09 |
|---|------------------|-----------|----------|-------|----------------------------|---------------------------------|
| Knoxville | 7 | 68 | 2 | 0 | 0 | 77 |
| Memphis | * | * | * | * | * | * |
| Nashville | * | * | * | * | 42 | 42 |
| TOTALS | 7 | 68 | 2 | 0 | 42 | 119 |

| Community Resource Centers Offenders Served | African American | Caucasian | Hispanic | Asian | American Indian And Others | Total served: April 08- June 09 |
|---|------------------|-----------|----------|-------|----------------------------|---------------------------------|
| Knoxville | 11 | 118 | 2 | 0 | 0 | 131 |
| Memphis | * | * | * | * | * | * |
| Nashville | 83 | 38 | 6 | 6 | 1 | 134 |
| TOTALS | 94 | 156 | 8 | 6 | 1 | 265 |

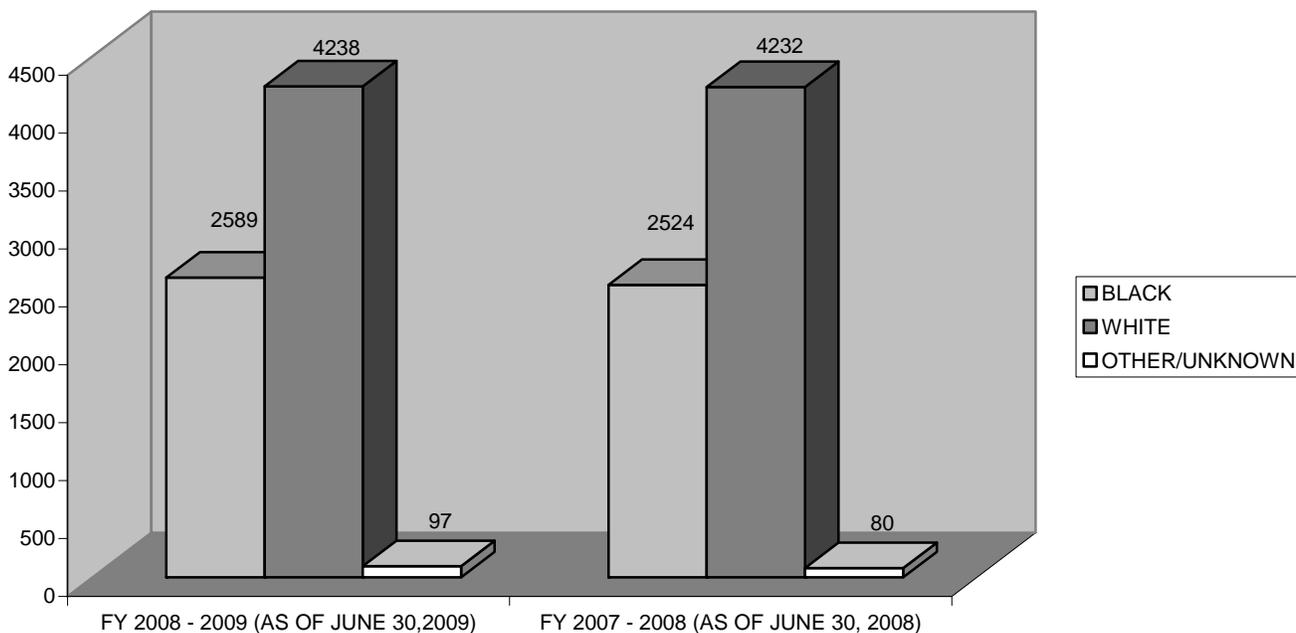
*Data not available at time of publication.

Community Corrections Grant Program

In 1985, the legislature created the Community Corrections Grant Program in a special session to address prison over crowding. The Community Corrections Grant Program diverts felony offenders from the prison system and provides supervision and services to the offenders. The Community Corrections programs are varied statewide and designed to serve the needs of the local communities and judicial districts. Local advisory boards approve policies and procedures based on state standards and rules. The boards are made up of law enforcement staff, Criminal Court Judges, Public Defenders, District Attorneys, Sheriffs and other interested citizens. The grant programs are funded by the State through the Board of Probation and Parole. Programs are reimbursed monthly. The total for Community Corrections awarded contracts was \$35,946,563 over a three year contract period. Of this amount \$3,096,372 (about 9%) was awarded to minority programs.

The goal of the Community Corrections Grant Program is to reduce the probability of criminal behavior while maintaining the safety of the community in a cost effective manner. The Community Corrections Agencies incorporate offender treatment services into their programs.

STATEWIDE COMMUNITY CORRECTION POPULATION BY RACE



The total Community Corrections population as of June 30, 2009 was 6,924. The population by race/ethnicity was 37% African American, 61% Caucasian and 2% other.

The total Community Corrections population as of June 30, 2008 was 6,836. The population by race/ethnicity/ethnicity was 37% African American, 62% Caucasian and 1% other.

The total population increased by 1%; however, the percentages regarding race/ethnicity were the same with an increase by 1% in the category other.

Composition of Community Corrections Staff By Race, Ethnicity and National Origin

| AGENCY | BLACK | WHITE | HISPANIC | ASIAN | NATIVE AMERICAN | OTHER | TOTALS |
|--|-----------|------------|----------|-------|-----------------|-------|------------|
| Cocaine & Alcohol Awareness Program Memphis, TN. | 13 | | | | | | 13 |
| Correctional Alternative Memphis, TN | 9 | 8 | | | | | 17 |
| Corrections Management Somerville, TN | | 14 | 1 | | | | 15 |
| Davidson County Nashville, TN | 8 | 19 | | | | | 27 |
| 24 th Judicial District Decatur County Decaturville, TN | 1 | 10 | | | | | 11 |
| East TN HRA Knoxville, TN | | 29 | | | | | 29 |
| First TN HRA Johnson City, TN | | 8 | | | | | 8 |
| Hamilton County Chattanooga, TN | 1 | 5 | | | | | 6 |
| John R. Hay House Kingsport, TN | 3 | 19 | | | | | 22 |
| Knox Co Alternative to Prison Knoxville, TN | | 14 | | | | | 14 |
| Madison County Jackson, TN | 1 | 9 | 2 | | | | 12 |
| Mid Cumberland HRA Erin, TN | 2 | 20 | | | | | 22 |
| Montgomery Robertson County Clarksville, TN | 3 | 10 | | | | | 13 |
| Project WIT Memphis, TN | 11 | | | | | | 11 |
| South Central HRA Fayetteville, TN | 3 | 5 | | | | | 8 |
| Southeast TN Cleveland, TN | 1 | 5 | | | | | 6 |
| Southeast TN HRA Dunlap, TN | | 5 | | | | | 5 |
| Upper Cumberland HRA Cookeville, TN | | 8 | | | | | 8 |
| Westate Corrections Network Union city, TN | 2 | 8 | | | | | 10 |
| Totals | 58 | 196 | 3 | | | | 257 |

The total population of Community Corrections staff as of June 30, 2009 was 257. The population by race/ethnicity was 23% African American, 76% Caucasian, and 1% other.

The total population of Community Corrections staff as of April 30, 2008 was 252. The population by race/ethnicity was 24% African American, 75% Caucasian, and 1% other.

Community Corrections has shown a 1% decrease in African American Staff, a 1% increase in Caucasian staff and staff classified as other remained the same.

Composition of Community Corrections Advisory Board By Race/ethnicity, Ethnicity and National Origin

| AGENCY | BLACK | WHITE | HISPANIC | ASIAN | NATIVE AMERICAN | OTHER | TOTALS |
|--|-----------|------------|----------|-------|-----------------|-------|------------|
| Cocaine & Alcohol Awareness Program Memphis, TN. | 4 | 1 | | | | | 5 |
| Correctional Alternative Memphis, TN | 1 | 8 | 1 | | | | 10 |
| Corrections Management Somerville, TN | 3 | 12 | | | | | 15 |
| Davidson County Nashville, TN | 1 | 9 | | | | | 10 |
| 24 th Judicial District Decatur County Decaturville, TN | 1 | 10 | | | | | 11 |
| East TN HRA Knoxville, TN | 7 | 86 | 1 | | | | 94 |
| First TN HRA Johnson City, TN | 2 | 13 | | | | | 15 |
| Hamilton County Chattanooga, TN | 7 | 4 | | | | | 11 |
| John R. Hay House Kingsport, TN | 1 | 13 | | | 1 | | 15 |
| Knox Co Alternative to Prison Knoxville, TN | 2 | 11 | | | | | 13 |
| Madison County Jackson, TN | 2 | 9 | | | | | 11 |
| Mid Cumberland HRA Erin, TN | 3 | 82 | | | | | 85 |
| Montgomery Robertson County Clarksville, TN | 3 | 10 | | | | | 13 |
| Project WIT Memphis, TN | 9 | 3 | | | | | 12 |
| South Central HRA Fayetteville, TN | 2 | 41 | 1 | | | | 44 |
| Southeast TN Cleveland, TN | 1 | 20 | 2 | | | | 23 |
| Southeast TN HRA Dunlap, TN | 3 | 10 | | | | | 13 |
| Upper Cumberland HRA Cookeville, TN | 2 | 14 | | | | | 16 |
| Westate Corrections Network Union city, TN | | 13 | | | | | 13 |
| Totals | 54 | 369 | 5 | | 1 | | 429 |

The total population of Community Corrections Advisory Boards as of June 30, 2009 was 449. The population by race/ethnicity was 13% African American, 86% Caucasian and 1% other.

The total population of Community Corrections Advisory Boards as of April 30, 2008 was 429. The population by race/ethnicity was 13% African American, 86% Caucasian and 1% other.

The percentages for the Advisory Boards remained the same.

TITLE VI COORDINATORS

| NAME | DISTRICT | OFFICE | RACE/ETHNICITY & GENDER |
|--------------------|-----------------|-----------------------|------------------------------------|
| Gloria Johnson | | Central Office | Black / Female |
| Margie Collins | 1 | Johnson City | White/ Female |
| Pam Upton | 2 | Knoxville | White / Female |
| Rebecca Robinson | 3 | Chattanooga | White / Female |
| James Fields | 4 | Nashville | Black / Male |
| Benjamin J. Arnell | 5 | Murfreesboro | Black / Male |
| Fred Short | 6 | Jackson | Black / Male |
| Joyce Terry | 7 | Memphis | Black / Female |
| Bobby Smith | 8 | Clarksville | White / Male |
| Teresa Thornhill | | Community Corrections | White / Female |

Coordinator’s Role

The Executive Director or designee appoints the Title VI Coordinators. Coordinators review and ensure response to any allegation of violation. The Director of Community Corrections or designee acts as the Coordinator for the Community Corrections Grant Programs. The Executive Director also appoints a Coordinator in Central Office, whose responsibilities includes but are not limited to:

- Handling claims filed in Central Office;
- Filing and tracking all claims statewide;
- Coordinating with the Agency’s Internal Investigator on all Title VI claims being investigated;
- Preparing the annual report for the Governor’s Office (Title VI Implementation Plan);
- Providing support for the Coordinators in the districts; and
- Developing current materials for annual mandatory training about Title VI and LEP.

Complaint Processing Procedures

Title VI complaints can be filed at any of the following three levels:

- The local level (Districts and Central Office);
- The State of Tennessee Human Rights Division; or
- The Department of Justice (Federal).

When a Title VI complaint is reported, written or verbal, the Executive Director appoints a staff person to review the matter and file a report. The investigative report of the investigation may show either:

- The BOPP/person was found to be in violation of Title VI;
- The BOPP/person was not found to be in violation of Title VI; or
- The Title VI complaint was withdrawn.

If BOPP, one of its employees or vendors are found to be in violation of Title VI, the remedial action taken to ensure future compliance are noted in the report. A copy of the investigative report is provided in writing to the Executive Director, the Division Director, the complainant, and the Central Office Coordinator.

All parties involved in the complaint have the right to appeal the findings or results of the investigation. The appeal shall include:

- Name of the appellant;
- Date of the finding and the investigators name;
- Whether the finding was considered nondiscrimination or whether a remedial action is proposed;
- Who filed the original complaint and date filed;
- The name of the person or agency the appeal is against and the location; and
- The date the appeal was filed.

The withdrawal of a complaint must include the reason(s) and be signed by the complainant. (Appendix D-G)

Agency Goals and Plan

Continuing Goals to Monitor Title VI Compliance

1. To comply with Title VI of the Civil Rights Act of 1964.
2. To maintain rule and policy compliance.
3. To handle all Title VI grievances as prescribed by law.
4. To provide all non-English speaking offenders with the written conditions of Board of Probation and Parole in their language and to use interpreters as needed.
5. To assure availability of literature at each worksite about Title VI and Language Interpretation for recipients and providers.
6. To continue the Agency effort to increase the number of minorities employed as staff and volunteering as Advisory Board Members for the Community Corrections agencies, by proactively contacting churches, community service organizations, colleges and universities, etc.
7. To monitor Title VI compliance through the annual inspection process.
8. To ensure that every offender under BOPP supervision receives Form #BP0065 *Notice to Offender Of Non-Discrimination* from their Probation and Parole or Community Corrections, Officer. A copy of the form with all appropriate signatures affixed is to be placed in the offender case file. (Appendix C)

Accomplishments 2008/09

1. BOPP has actively recruited and selected a diverse population of people seeking employment.
2. BOPP has used translators in the Hearings process of the agency.
3. Probation/Parole Officers use, translating services, and other officers fluent in languages to communicate with offenders who have LEP (Limited English Proficiency)

Implementation Plan 2009/10

1. Continue to distribute Title VI information to the community through the Resource Programs, Victim Liaison Program and community outreach.
2. Actively recruit a diverse employment population by participating in community activities such as job fairs, university appearances and speaking to community and civic organizations.
3. Make efforts to diversify select boards and staff within Community Corrections.
4. Serve the community and offenders in a more effective way through the Joint Offender Management Plan.

BOPP Results July 08-June 09

No Title VI complaints were reported during this time period.

BOPP strives to have an employee base reflective of the community it serves. In the Nashville offices alone the nationalities represented are: Russia, Jamaica, India, Egypt, Ireland, Ethiopia, Philippines Nigeria, Ghana, Columbia, and Mozambique. BOPP will continue to make every effort to equally serve offenders and the community through services provided by this agency.

APPENDICES

Appendix-A

| | | | | |
|---|---|--|-------------|---|
|  | STATE OF TENNESSEE BOARD OF PROBATION AND PAROLE |  | INDEX | #104.03. |
| | | | PAGE | 01 of 02 |
| ADMINISTRATIVE POLICIES AND PROCEDURES | | | EFFECTIVE: | 08-03-07 |
| | | | SUPERSEDES: | 104.03 (09-01-00) PCN #001-01 (05-15-07) |
| SUBJECT: | <u>TITLE VI AND NON-DISCRIMINATION</u> | | | |
| APPROVED BY: |  | | | |

- I. **AUTHORITY:** Title VI of the Civil Rights Act of 1964, 42 USC 2000d et seq.; TCA 4-21-901, 40-21-904, and 4-21-905.
- II. **RELATED ACA STANDARDS:** None.
- III. **APPLICATION:** This policy governs the actions of the Executive Director, District and Division Directors; Agency staff designated "Title VI Site Coordinators" (Coordinator) and the Agency Title VI Coordinator, all providers and recipients of Agency services including contracted parties, all Agency staff, and all offenders.
- IV. **DEFINITIONS:**
- Title VI (6) of the Civil Rights Act of 1964 (Title VI): Federal statute that states "no person in the United states shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."
- V. **POLICY:** *The Board requires that its Agency not discriminate on the basis of race, color or national origin in any aspect of its provision of services.*
- VI. **PROCEDURES:**
- A. BOPP shall provide for prompt and equitable resolution of complaints alleging any action prohibited by Title VI.
1. The Chair will designate an Agency Title VI Coordinator (who may also be designated as a site Coordinator) to organize and oversee Agency-wide compliance with the requirements of Title VI.
 2. Coordinators shall review and ensure response to any allegation of violation under Title VI.
 - a. Each District Director shall designate a Coordinator for the respective district.
 - b. The Executive Director shall designate a Coordinator for Central Office.
 - c. The Director of the Community Corrections grant programs shall act as Coordinator for that program.
 3. A person alleging discrimination based on race, color, or national origin in the delivery of any service or program covered by Title VI may file a complaint with BOPP. All such complaints must be filed within one hundred eighty days of the occurrence of the alleged discriminatory act.

- a. Probationers and parolees shall utilize the offender grievance procedure to resolve a complaint alleging a violation under Title VI.
 - b. All other complainants shall submit details of alleged violations via letter to the respective Title VI Site Coordinator.
4. Detailed written complaints are preferred for clarity and reference.
 - a. A verbal complaint, which the complainant refuses to reduce to writing, shall be taken and set forth on paper by the person to whom the complaint is made.
 - b. A copy of all Title VI complaints and local responses shall be forwarded to the Executive Director and the designated Agency Title VI Coordinator.
- B. The right of a person to a prompt and equitable resolution of a complaint filed relating to Title VI shall not be impaired by the person's pursuit of other remedies.
 1. The filing of a complaint(s) with the responsible federal department or agency shall not impair the person's right to file a Title VI complaint with the Agency.
 2. Use of the BOPP grievance procedure by an employee is not a prerequisite to the pursuit of other remedies.
- C. BOPP shall monitor compliance with Title VI as follows:
 1. As part of the annual inspection process.
 2. Through the collection and review of data concerning compliance, outlined in the BOPP Title VI plan, at the direction of the Executive Director.
 3. In addition, each BOPP office shall complete the form titled "Program Participation-Title VI Tracking" on a quarterly basis and submit it to the Executive director and Agency Title VI Coordinator.
 4. BOPP shall maintain a Title VI implementation plan and submit annual compliance reports and plan updates to the Division of State Audit by October 1 of each year.
- D. BOPP shall provide staff training, offender information and assistance with form completion.
 1. New employees shall receive training regarding the requirements of Title VI during orientation. Current employees shall receive training during their annual in-service.
 2. Offenders under the supervision of BOPP shall be provided information relative to Title VI during an initial probation or parole interview. Information shall also be posted in each BOPP office location.
3. Questions about form completion may be referred to a Coordinator or the Agency Title VI Coordinator.



STATE OF TENNESSEE BOARD OF PROBATION AND PAROLE

OFFICE OF THE EXECUTIVE DIRECTOR

404 James Robertson Parkway Suite 1300 Nashville, TN 37243-0850 Phone: 615.741.1673



LANGUAGE INTERPRETATION

TITLE VI CIVIL RIGHTS ACT 1964

Appendix-B

| | |
|---|---------------------------|
| <input type="checkbox"/> املا هذا المربع اذا كنت تقرأ أو تتحدث العربية. | Arabic |
| <input type="checkbox"/> Մարդուկ՝ ե՞նք է՞նք՝ կատարե՞ք աշխատանքու՞մ, երբ խոսու՞մ կամ կարդու՞մ ե՞ք հայերէն: | Armenian |
| <input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন। | Bengali |
| <input type="checkbox"/> សូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយខ្មែរ។ | Cambodian |
| <input type="checkbox"/> Matka i kahhon komu un taitai pat un sang i Chamorro. | Chamorro |
| <input type="checkbox"/> 如果您具有中文閱讀和會話能力，請在本空格內標上X記號。 | Chinese |
| <input type="checkbox"/> Make kazyè sa a si ou li oswa ou pale kreyòl ayisyen. | Creole |
| <input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik. | Croatian (Serbo-Croatian) |
| <input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky. | Czech |
| <input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken. | Dutch |
| <input type="checkbox"/> Mark this box if you read or speak English. | English |
| <input type="checkbox"/> اگر خواندن و نوشتن فارسی بدرهستین، این مربع را علامت بگذارید. | Farsi |

STATE OF TENNESSEE BOARD OF PROBATION AND PAROLE OFFICE OF THE EXECUTIVE DIRECTOR

LANGUAGE INTERPRETATION TITLE VI CIVIL RIGHTS ACT 1964

Cocher ici si vous lisez ou parlez le français.

French

Înseninați această căsuță dacă citiți sau vorbiți Românește.

Romanian

Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.

German

Поставьте этот квадратик, если вы читаете или говорите по-русски.

Russian

Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.

Greek

Maka pe fa'ailoga le pusa lea pe afai e te faitau pe tusitusi i le gagana Samoa.

Samoa

अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस घोले पर चिह्न लगाएँ।

Hindi

Обележите ovaj kvadratić ukoliko читате или говорите српски језик.

Serbian (Serbo-Croatian)

Kos lub voj no yog koj paub twm thiab hais lus Hmoob.

Hmong

Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.

Slovak

Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.

Hungarian

Marque esta casilla si lee o habla español.

Spanish

Markaan daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.

Ilocano

Markahan ang kahon na ito kung ikaw ay nagsasalita o nagbabasa ng Tagalog.

Tagalog

Marchi questa casella se legge o parla italiano.

Italian

ทำเครื่องหมายบนกล่องนี้ถ้าท่านอ่านหรือพูดภาษาไทย.

Thai

日本語を讀んだり、話せる場合はここに印を付けてください。

Japanese

Faka'ilonga'i 'ae puha ko'eni kapau 'oku te lau pe lea 'ac lea fakatonga.

Tongan

한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.

Korean

Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.

Ukrainian

ຈຳນວນເລື່ອງນີ້ ຈົ່ງໝາຍເຫດຖານຢ່າງເໝາະເໝາະ.

Laotian

اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانہ میں نشان لگائیں.

Urdu

Zaznacz tę kratkę jeżeli czyta Pan/Pani lub mówi po polsku.

Polish

Xin đánh dấu vào ô này nếu quý biết đọc và nói được Việt Ngữ.

Vietnamese

Assinale este quadrado se vocc lê ou fala Português.

Portuguese

צייכנט דעם קעסטל אויב איר שרייבט אדער ליינט אידיש.

Yiddish



APPENDIX-C

State of Tennessee BOARD OF PROBATION AND PAROLE FIELD SERVICES DIVISION



NOTICE TO OFFENDER OF NON-DISCRIMINATION AND GRIEVANCES AND REPORTING REQUIREMENTS

NON-DISCRIMINATION:

All offenders under the supervision of a Probation/Parole Officer are afforded the opportunity to file grievances concerning matters that arise from their status as a probationer or parolee if they feel the agency is not in compliance with the following:

“No person shall on the grounds of race/ethnicity, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated by the Tennessee Board of Probation and Parole, it being the intention of the Board to bind all agencies, disbursing units, or organizations operating under its jurisdiction and control to fully comply with and abide by the spirit and intent of the *TITLE VI CIVIL RIGHTS ACT OF 1964, THE AMERICAN DISABILITIES ACT*, and other statutory requirements.”

GRIEVANCE:

The offender may request a grievance form from any employee of the Board of Probation and Parole. Grievance may be filed without fear of reprisal. A meeting will be held within five (5) working days of the filing of the grievance to assist the offender in resolving the complaint. Assistance and full explanation of the grievance process and the appeal procedure will be provided to the offender.

EXAMPLES OF GRIEVABLE MATTERS:

- Abusive and distasteful language directed at the offender or their family
- Sexual abuse or harassment
- Conflict of interest, such as Officer receiving personal benefit from actions of offender said actions being directed by Officer
- Denial of rights that are set forth by policy and statute

EXAMPLES OF NON-GRIEVABLE MATTERS:

- Warrants for revocation of probation or parole
- Court ordered probation rules or parole conditions that are mandated by the Board
- Program requirements such as home visits, employment verification, psychological counseling, supervision fees, restitution
- Final decisions concerning grievance

REPORTING REQUIREMENTS:

| | | |
|-------------------|-----------------------------|---------------------------------|
| Report to: | _____ | |
| | L o c a t i o n | A d d r e s s |
| Telephone: | _____ | _____ |
| | T o R e a c h O f f i c e r | F o r 2 4 - h o u r A c c e s s |
| Schedule: | _____ | |
| Officer Comments: | _____ | |
| | _____ | |
| | _____ | |

A copy of the above information regarding non-discrimination and the grievance procedure and my obligation to report to my assigned Officer has been provided to me, the offender. I have read it or had it read to me. By my signature I express my complete understanding thereof.

_____ DATE

OFFENDER SIGNATURE

_____ DATE

OFFICER SIGNATURE

Appendix-D



STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE
OFFICE OF THE EXECUTIVE DIRECTOR

404 James Robertson Parkway Suite 1300 Nashville, TN 37243-0850
Phone: (615) 741-1673



WITHDRAWAL OF COMPLAINT OR APPEAL FOR FAIR HEARING TITLE VI CIVIL RIGHTS ACT 1964

Date: _____

To: _____

I, _____ hereby withdraw my

*complaint or **appeal, _____ against
DATE

NAME OF PERSON OR AGENCY

LOCATION

Person with the Title VI complainant's name:

Person with the Title VI complainant's address:

Reason for withdrawal: _____

Signed _____

*Check appropriate term, Complaint or Appeal

**Appeal from finding

BP0191

RDA S836-1b

Appendix-E



STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE
OFFICE OF THE EXECUTIVE DIRECTOR
404 James Robertson Parkway Suite 1300 Nashville, TN 37243-0850
Phone: (615) 741-1673



APPEAL FROM FINDING TITLE VI CIVIL RIGHTS ACT 1964

I, _____ wish to appeal the finding made on

NAME OF APPELLANT

by _____

DATE

NAME OF INVESTIGATOR

of non-discrimination or the proposed remedial action by the

agency in the Title VI complaint as filed by _____

PERSON WITH TITLE VI COMPLAINT

on _____ against _____

DATE OF FILING

PERSON OR AGENCY

at _____

LOCATION

Signed:

APPELLANT

ADDRESS

DATE OF APPEAL

Appendix-F

STATE OF TENNESSEE

BOARD OF PROBATION AND PAROLE

OFFICE OF THE EXECUTIVE DIRECTOR

404 James Robertson Parkway Suite 1300 Nashville, TN 37243-0850

Phone: (615) 741-1673



COMPLAINT UNDER TITLE VI CIVIL RIGHTS ACT OF 1964

Date: _____

To: _____ BOPP

I, _____ hereby file an official
complaint against

NAME OF PERSON WITH TITLE VI COMPLAINT

NAME OF PERSON OR AGENCY

LOCATION

Person with the Title VI complainant's name:

Person with the Title VI complainant's address:

Basis of complaint: _____

Date of alleged discrimination: _____

Signed: _____

SIGNATURE OF PERSON WITH TITLE VI COMPLAINT

SECTION BELOW TO BE COMPLETED BY BOPP TITLE VI COORDINATOR

Referred to _____ on _____
LOCAL COORDINATOR DATE

for an investigation and report. _____

SIGNATURE OF BOPP TITLE VI COORDINATOR

Appendix-G



STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE
OFFICE OF THE EXECUTIVE DIRECTOR
404 James Robertson Parkway Suite 1300 Nashville, TN 37243-0850
Phone: (615) 741-1673



REPORT OF INVESTIGATION TITLE VI CIVIL RIGHTS ACT 1964

I, _____ representing _____
LOCAL TITLE VI COORDINATOR NAME OF LOCATION

have investigated the complaint filed on _____ by _____
DATE

_____ alleging that discrimination occurred
NAME OF PERSON WITH THE TITLE VI COMPLIANT

that was in violation of the provisions of Title VI of the Civil Rights Act 1964.

The results of the investigation were as follows:

A. The agency or person was found to be in violation of Title VI.

B. The agency or person was not found to be in violation of Title VI.

C. The person with the Title VI complaint withdrew the complaint using form BP0190.

A COPY OF THE INVESTIGATION REPORT MUST BE ATTACHED

NOTE: If the agency or person was found to be in violation of Title VI briefly describe the remedial action taken to assure future compliance:

DATE
BP0194

SIGNATURE OF LOCAL COORDINATOR
RDA S836-1b

APPENDIX-H



STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE
404 JAMES ROBERTSON PARKWAY, SUITE 1300
NASHVILLE, TENNESSEE 37243-0850 (615)741-1673

September 25, 2009

Each state government entity is subject to the requirements of Title VI of the Civil Rights Act of 1964. The Board of Probation and Parole is required to have a Title VI Implementation Plan, because this state receives funding from the federal government. The Title VI Implementation Plan is designed to prohibit discrimination based on race/ethnicity, color or national origin.

REVIEWERS

John Clayton McQuiddy,
Retired Sergeant U.S. Marines
1816 Rory Cove
Lavergne, TN 37086

Ellen Hunter
Retired Supervisor General
Motors
759 Wild Oak Lane
Calabash, N. Carolina 28467

George Hauser
Public Works Director
P.O. 547
Lewisville, N. Carolina 27023

Irvin Oten
Entrepreneur
5009 Cove View Dr
St. Cloud, Florida 34771

We are requesting that you serve as a reviewer of our plan. Your service lends outside participation in its development. Any recommendations and comments are encouraged. After you have completed your review, recommendation (s) and comment (s), contact me at 253-3623 for any questions.

In addition, an emailed response indicating that you served as one of the reviewers for the Board of Probation and Parole Title VI plan for 2009 would be appreciated

Thank you for the service you provided by reviewing and commenting on this plan.

Sincerely,

Gloria V. Johnson
Audits and Review Coordinator, Title VI Coordinator

(29)

Tennessee Board of Probation and Parole, Authorization Number 324005, October 2009.
Sixteen copies of this public document were promulgated at a cost of \$.56 per copy.