

STATE OF TENNESSEE

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Agency Strategic Plans

Executive Branch



Volume 2
Program Performance Measures

A Report to
Governor Phil Bredesen and the General Assembly

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*The following BOPP report is excerpted
from a larger state report that includes information
on all Tennessee state government agencies.*

Only BOPP specific information is listed here.

Board of Probation and Parole

The Board of Probation and Parole (BOPP) contributes to public safety by managing the orderly release and supervision of adult offenders in such a manner as to promote lawful behavior and minimize risk to the general public. The General Assembly established the Board of Probation and Parole in 1999 by merging the Division of Adult Probation from the Department of Correction with the Board of Paroles. The agency has several functions, including conducting hearings, community supervision of offenders, administering the Community Corrections Grant Program, and providing administrative support services.

The Board of Probation and Parole is an independent state board comprised of seven members appointed by the Governor. The Board is responsible for determining which offenders will be granted parole and subsequently released from incarceration to community-based supervision. The Board Members and Hearings Officers conduct parole hearings at state penal institutions and local jails. Hearings Officers, appointed by the Chairman of the Board, make recommendations to the Board Members. Additionally, the Board makes non-binding recommendations to the Governor regarding executive clemency.

The Division of Field Services supervises parolees and offenders placed on probation by state criminal and circuit courts. The Field Services Division facilitates the reintegration of probationers and parolees into the community, thereby minimizing public safety risk and promoting lawful behavior. Probation and Parole Officers supervise and monitor offenders to ensure they meet their individual conditions of release and the standards of community supervision. The Division of Field Services is composed of eight districts across the state and has 49 field offices. The district and field offices work closely with other community resources, including law enforcement, treatment services, and other non-profit groups to promote overall offender success and public safety.

The BOPP also administers the Community Corrections Grant Program, which diverts felony offenders from incarceration by placing them in locally operated grant programs with intensive supervision, treatment programming, community service work, and victim restitution. Grant dollars fund 19 local agencies responsible for the programming for probationers sentenced by the courts. These programs emphasize treatment and vary in program type; some are residential programs, while others provide day reporting programs.

The agency has the following programs:

1. Board of Probation and Parole
2. Community Corrections.

324.02 Probation and Parole Services

The delivery of probation and parole services is accomplished by several agency functions: conducting hearings, the community supervision of offenders, administration of the Community Corrections Grant Program, and administrative support services.

Mandated and Optional Services and Best Means of Providing Them

Tennessee Code Annotated (TCA) 40-28 establishes the Tennessee Board of Probation and Parole (BOPP) and defines the agency's responsibilities related to the parole hearing process and the supervision of offenders. BOPP is engaged in an ongoing effort to find alternate methods of accomplishing the agency's goals, including public/private partnerships, technological advancements, and other innovative approaches.

Three divisions work together to provide hearing services for the agency: the Board, the Hearings Officers Division, and the Division of Board Operations. These divisions function to provide services to victims and family members affected by crime, as well as to other interested parties or the public, which includes notification of hearings, clarification of the hearing process, and referrals to other agencies. These divisions also assure the timely and accurate scheduling of parole hearings and hold parole hearings for eligible adult felons serving sentences in state penal facilities or local jails. Additionally, they assure the timely and accurate processing of decisions resulting from parole hearings. The divisions process clemency and pardon requests and make nonbinding recommendations to the Governor on disposition. Finally, they process appellate reviews to ensure parole hearings are conducted pursuant to all applicable statutes, policies, and procedures.

The Field Services Division is responsible for the direct supervision of felons granted parole, as well as offenders sentenced to probation by the courts. At the end of fiscal year 2008-2009, the Field Services Division supervised 60,963 offenders (on both probation and parole), but actually served 82,105 offenders throughout the year. The duties of Probation and Parole officers are to supervise the conduct and progress of probationers and parolees assigned to them for supervision. They also make a report to the BOPP and to the courts on the progress of probationers and parolees, and perform other duties and functions as the Board may direct. Violation of any of the conditions of community supervision is potential cause for revocation or other sanctions ordered by the Board or the Courts. Probation and Parole Officers report violations of community supervision to the Board and Courts, who determine what action should be imposed.

TCA 40-28-201 authorizes the collection of fees from eligible probation and parole offenders. The fees are set at a maximum of \$45 per month based upon income level and hardship factors according to statute. The fees are separated into three funds: supervision, diversion, and criminal injuries compensation. The supervision and diversion funds are used to offset the cost of offender supervision and, based upon state law, may be used to fund personnel, training of agency staff, agency equipment, and providing treatment for offenders. The criminal injuries compensation fund is operated under the auspices of the Tennessee Attorney General's Office. These dollars are used to provide financial relief to crime victims or their closest surviving relative for expenses incurred as a result of violent crime.

TCA 41-9 enacted "Community Work Projects for Probationers" in 1984, which is a special condition attached to probation certificates requiring probationers to complete a specified number of work project hours in the community at no expense to the citizens. Community service work is done for non-profit and governmental agencies. The Board of Probation and Parole employs Community Work Project Coordinators throughout the state to oversee community service assignments for the offenders and monitor offenders to ensure that they are reporting to the agencies as agreed.

In July 2004, the General Assembly enacted the “Tennessee Serious and Violent Sex Offender Monitoring Pilot Project Act” in TCA 40-39-301. This statute authorizes the Board of Probation and Parole’s use of satellite-based monitoring of offenders using global positioning systems. The agency established the pilot project and performed a program evaluation in conjunction with Middle Tennessee State University, which performed the statistical analysis. The study of 493 sex offenders who were tracked by a Global Positioning System (GPS) for 13 months revealed no statistically significant differences among sex offenders monitored using GPS and other sex offenders in the number of violations, or in the number of days before the first violations. The report determined that the 13-month study period was simply too short a time for the data to show statistical trends or yield any clear conclusions about the overall impact on recidivism. However, the evaluation concluded that GPS is a unique supervision tool that has potential in aiding officers greatly and continues to use GPS to monitor some sex offenders.

In July 2007, the Board began operating the Programmed Supervision Unit (PSU), a statewide endeavor to supervise violent and sex offenders with specialized officers trained specifically in best practices for supervising this particular population who need closer supervision levels coupled with targeted treatment. PSU officers use GPS monitoring for offenders convicted of rape of a child and other serious violent/sex offenders assessed as high risk and are responsible for monitoring and enforcing compliance with sex offender registration laws for those offenders under BOPP supervision. BOPP has a centralized statewide GPS operations center that triages GPS alerts to reduce officer overtime. Each district has Officers on call 24 hours a day, year round. PSU officers conduct home visits after business hours and on weekends and work closely with law enforcement and treatment providers.

The fiscal year 2007-2008 budget contained funds to establish a pilot Apprehension Unit project in two sites, Memphis and Jackson, each consisting of one manager and four officers. The Apprehension Unit enables the Board to locate and apprehend offenders under BOPP supervision who are absconders or otherwise are in warrant status. Because these officers are often in high-risk areas and situations, they are armed and they have received the same training as POST-certified law enforcement officers.

Performance Standards

1. Improve the offender success rate by decreasing the percentage of probation and parole offenders who are revoked by an average of 2.3 percentage points.
2. Improve the offender success rate by decreasing the percentage of parolees who are revoked by 3.1 percentage points.

Performance Measures

1. Percent of total probation population served during the year whose community supervision status is revoked during the fiscal year.

Actual (FY 2008-2009)	Estimate (FY 2009-2010)	Target (FY 2010-2011)
7.5%	5.2%	5.2%

2. Percent of total parole population served during the year whose community supervision status is revoked during the fiscal year.

Actual (FY 2008-2009)	Estimate (FY 2009-2010)	Target (FY 2010-2011)
9.9%	6.8%	6.8%

Means of Addressing Any Change in Services Since Previous Plan

In the spring of 2009, the BOPP and the Department of Correction (TDOC) began jointly planning an alternative to incarceration program. The plan will redirect resources away from incarceration, which costs approximately \$60 per inmate a day, to community-based programs, which cost between \$5 and \$25 per day. BOPP’s goal through this plan is to reduce the revocation rates of offenders. Officials of both agencies believe that using evidence-based practices will enable Tennessee to join other states that have implemented successful offender re-entry programs. The result will be safer communities and lower costs to taxpayers.

Until recently, the criminal justice field has suffered from a lack of research that identified proven methods of reducing offender recidivism. Recent research efforts have provided the field with much needed information about how to increase public safety by helping offenders be successful in the community. This research indicates that certain programs and intervention strategies, when applied to a variety of offender populations, reliably produce sustained reductions in recidivism.

The research shows that recidivism decreases when high-risk offenders successfully complete high intensity treatment that addresses their criminogenic needs (factors that contribute to criminal behavior) and actually increases if low-risk offenders are assigned to high intensity treatment. Criminogenic factors include: substance abuse, mental health, anti-social peers and relationships, anti-social behaviors, and low self-control. Research also indicates that traditional punishments for offenders (such as jail, restitution, home confinement, and intensive supervision) and inappropriate treatment programs are likely to have an adverse affect on recidivism.

BOPP and TDOC designed an approach that takes into account those practices and treatment programs that have been successful in other jurisdictions. Both agencies will begin using an assessment instrument that clearly identifies the risk and needs of offenders and incorporates a case management strategy focusing on treating criminogenic needs, rather than traditional supervision methods. Additionally, BOPP will expand the use of an existing process, called Administrative Case Review Committee (ACRC) to manage technical violators (probationers and parolees who violate conditions of their supervision, but do not commit new criminal acts) through intermediate sanctions prior to revocation and return to incarceration.

324.04 Community Correction

In addition to the offenders under the Board of Probation and Parole’s supervision, the agency administers the “Tennessee Community Corrections Act of 1985,” which was enacted by TCA 40-36-101. The Community Correction Program is intended to provide services and programs in local jurisdictions for eligible felony offenders in lieu of incarceration in state penal institutions or

local jails. State grant dollars fund 19 local agencies responsible for the programming for probationers sentenced by the courts.

Mandated and Optional Services and Best Means of Providing Them

The Community Corrections Grant Programs vary statewide and are designed to serve the needs of the local communities and the judicial districts. Some types of programs are non-custodial community corrections options, short-term community residential treatment options, and individualized evaluation and treatment services as provided in TCA 40-36-302. Local advisory boards approve policies and procedures for the programs. Additionally, state law enumerates minimum standards and rules for the programs. The boards are made up of law enforcement staff, criminal court judges, public defenders, district attorneys, sheriffs, and other interested citizens.

Performance Standard

1. Improve offender success by decreasing the percentage of the total program population who are revoked from the program prior to successful discharge by 2%.

Performance Measure

1. Percent of total offender population who are revoked from the program prior to successful discharge.

Actual (FY 2008-2009)	Estimate (FY 2009-2010)	Target (FY 2010-2011)
10.9%	8.9%	8.9%

Means of Addressing Any Change in Services Since Previous Plan

In fiscal year 2009-10, BOPP will increase the number of offenders that can be served by Community Corrections programs by 535 individuals in supervision programs and 43 individuals in residential programs as part of the joint budget plan with the Department of Correction. Community Corrections agencies will use the same risk and needs assessment and case management instrument used by BOPP’s Field Services Division and the Department of Correction.