



STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE
404 JAMES ROBERTSON PARKWAY, SUITE 1300
NASHVILLE, TENNESSEE 37243-0850

Title VI Implementation Plan **2012 Annual Report**

Submitted by
Charles M. Traughber, Chairman
Patsy Bruce, Member
Ronnie Cole, Member
Yusuf Hakeem, Member
Joe Hill, Member
Lisa Jones, Member

Patricia A. Merritt, Executive Director

Randi S. Tarpay, Title VI Coordinator

'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 of the Civil Rights Act of 1964, as codified in 42 U.S.C. 2000d

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Section 1 – The Tennessee Board of Probation and Parole: An Overview

The Intent of Title VI

The purpose of Title VI of the Civil Rights Act of 1964 is to prohibit programs that receive federal funding from discriminating against participants on the basis of race, color, or national origin. Title VI of the Civil Rights Act of 1964, as codified in 42 U.S. C. 2000d, 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.'

The intent of the law is to ensure that all persons, regardless of their race, color, or national origin, are allowed to participate in these federally funded programs. To ensure that the Agency meets its compliance responsibility, procedures have been established to provide monitoring of Title VI compliance in activities and complaint processing within all programs for which the Agency is directly or indirectly responsible. This includes the Agency's programs, contracted services, and Agency funded community service organizations receiving any federal or state funding.

The Tennessee Human Rights Commission (THRC) Title VI Compliance Program was established as a result of State of Tennessee Public Acts, 2009 Public Chapter No. 437, later codified as Tennessee Code Annotated (T.C.A.) 4-21-203. Effective July 1, 2009, THRC was charged with the responsibility of verifying that all State governmental entities which are recipients of Federal financial assistance comply with the requirements of Title VI of the Civil Rights Act of 1964. Title VI applies to all programs and facilities operated directly by the Agency and to all facilities and programs operated by individuals or groups under contract with the Agency.

To ensure adherence with Title VI of the Civil Rights Act of 1964 and T.C.A. 4-21-203, the Tennessee Board of Probation and Parole implemented BOPP Policy #104.03, Title VI and Non-Discrimination. This policy can be found on the following page.



STATE OF TENNESSEE
**BOARD OF PROBATION
AND PAROLE**



INDEX #104.03.
PAGE 01 OF 02
EFFECTIVE: 09-01-00
SUPERSEDES: N/A

**ADMINISTRATIVE POLICIES
AND PROCEDURES**

SUBJECT: FEDERAL FUNDING AND NON-
DISCRIMINATION

APPROVED BY:

I. **AUTHORITY:** Title VI of the Civil Rights Act of 1964, 42 USC 2000d et seq.; TCA 4-3-603, 4-3-606, 4-21-901, and 4-21-905.

II. **RELATED ACA STANDARDS:** None.

III. **APPLICATION:** This policy governs the actions of the Executive Director, Director of Probation and Parole Field Services, agency staff designated "Title VI site coordinators" (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 BOPP will 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. The Director of Probation and Parole has been designated by the Board to coordinate compliance with the requirements of Title VI.

1. Each BOPP office shall have a Title VI site coordinator who shall review and ensure response to any allegation of violation under Title VI. The Director of Probation and Parole or designee shall act as Title VI coordinator for community corrections grant programs.

2. 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 affected Title VI coordinator.

c. While detailed written complaints are preferred for clarity and reference, 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.

d. A copy of all Title VI complaints and local responses shall be forwarded to the Executive Director or designee.

B. BOPP shall monitor compliance with Title VI as follows:

1. As part of the annual inspection process, and

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 or designee.

4. The BOPP shall maintain a Title VI implementation plan and submit annual compliance reports and plan updates to the Division of State Audit by June 30 of each year.

C. 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 such as the filing of a complaint(s) with the responsible federal department or agency. Use of the BOPP grievance procedure is not a prerequisite to the pursuit of other remedies.

D. Staff Training, Offender Information and 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.

3. Questions about form completion may be referred to a Coordinator and the Executive Director or designee.

Agency History and Structure

On February 18, 1961, Governor Buford Ellington signed into law an act creating a part-time Board of Probation and Paroles as a division within the Department of Correction. The Commissioner of the Department of Correction served as Chair of the Board and members were appointed from various business and education fields.

In 1963, legislation was passed increasing the size of the Board to five part-time members. The chair remained the Commissioner of the Department of Correction and the Governor appointed the 4 additional members.

In 1970, the Governor became responsible for appointing all five members of the Board. The Commissioner of the Department of Correction no longer served as the Chair for the Board.

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

On May 25, 1979, Governor Lamar Alexander signed the 'Pardons and Paroles Act of 1979'. This act, presented to the Governor by the Ninety-First General Assembly, created an autonomous full-time Board separate from any other agency. Prior to the implementation of this act, Parole Officers and support staff had been under the supervision of the Department of Correction. Effective July 1, 1979, the supervision for this staff became the responsibility of the Board, the Executive Director, and the State Director of Paroles. In addition, this act also set six year term limits for the five Board members.

In 1989, the Board of Pardons and Paroles was expanded from a five member board to a 7 member board.

On May 18, 1999, Governor Don Sundquist signed House Bill 3307/Senate Bill 3305 moving the Division of Probation and the Community Corrections Grant Programs from the Department of Correction to the Board of Paroles. This created a new agency, the Board of Probation and Parole (BOPP) effective July 1, 1999.

The current Board consists of seven full-time board members, one of whom serves as the Chair. Board members serve a 6 year term and are representative of various cities throughout Tennessee. As of June 30, 2012, the Board of Probation and Parole had one vacant board member position. The other board members include:

Chairman Charles Traughber – Mr. Charles Traughber 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 reappointed Chairman. He served in that capacity through June of 1979. Mr. Traughber then remained a member of the Board until December 1985 when he left the Board to work as a consultant with a private correctional company. In January of 1988, Mr. Traughber was reappointed as Chairman of the Board of Pardons and Paroles and has served in that capacity since then. Mr. Traughber is a native of Chattanooga and a graduate of Tennessee State University in Nashville. He

is a member of the Tennessee Correctional Association, the American Correctional Association and the President of the Association of Paroling Authorities International. Mr. Traughber has also served on the Tennessee Sentencing Commission and on various other committees addressing prison capacity issues and the criminal justice system.

Patsy Bruce – Ms. Patsy Bruce, a native of Nashville, was appointed to the Board of Probation and Parole on March 26, 2004. Prior to this appointment, Ms. Bruce 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 involved in neighborhood advocacy work, where she organized the West Nashville Presidents Council, a Nashville consortium on neighborhood presidents.

Ronnie Cole – Mr. Ronnie Cole was appointed to the Board of Probation and Parole on January 22, 2004. He was born in Milan, Tennessee, but has lived in Dyersburg, Tennessee 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 the 102nd General Assemblies. Mr. Cole earned a bachelor's degree in business administration from Memphis State University and is a Past President of both the Tennessee Road Builders Association and the Contractor's Division of the American Road and Transportation Builders Association. Mr. Cole is also a former member of the Tennessee Board for Licensing Contractors.

Yusuf Hakeem – Mr. 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. Mr. Hakeem is currently working towards a bachelor's degree from the University of Tennessee, Chattanooga. He has 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 – Mr. Joe Hill was appointed to the Board on January 18, 2008. Mr. Hill, who resides in Union City, came to BOPP following his retirement from the staff of Eighth District Congressman John Tanner. Mr. Hill is a native of Henry County, Tennessee and a 1964 graduate of Henry High School. He received his bachelor's degree from Bethel College in 1968. Mr. Hill served as project Director of the Northwest Tennessee Development District for four years and was twice elected to the Henry County Commission. In 1973, Mr. Hill joined the staff of the late U.S. Representative Ed Jones where he served as District Director until Representative Jones' retirement. Mr. Hill managed Congressman John Tanner's campaign for Congress in 1988 and then joined Tanner's staff as District Director in 1989, where he served for the next 19 years. Mr. Hill retired in 2008 as the longest serving Congressional District Aide in Tennessee History. He is an avid outdoorsman as well as 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 – Ms. Lisa Jones was appointed to the Board of Probation and Parole on January 18, 2008. Prior to her appointment, Ms. Jones spent 12 years teaching at Savannah High School. She also taught for two years at Jackson State University's Savannah campus and served one term as a member of the

Unemployment Security Board of Review. Ms. Jones is a graduate of the University of North Alabama and holds a bachelor's of science degree in education.

Charles Taylor – Mr. Chuck Taylor, a Memphis native, was appointed to the Board of Probation and Parole on April 11, 2010. Mr. Taylor joined State government in 2003 as the Director of the Governor's Highway Safety Office and then in 2007 became the Assistant Commissioner of the Tennessee Department of Veteran's Affairs. Prior to his State service, Mr. Taylor served as the Director of the Office of Faith Based Initiatives for the City of Memphis, the Deputy Property Assessor for Shelby County, the Director of Human Resources for Omni Care of Tennessee, the Assistant Vice President of SPL-LEDIC, and the Senior Vice President of Amerithrift Financia. He graduated with a degree in Business Administration from the University of Memphis. Mr. Taylor stepped down from his position as a Board member with the Board of Probation and Parole on January 29, 2012 to become the Chief of Staff for the Tennessee Department of Correction.

The Board of Probation and Parole 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 the Criminal Courts (T.C.A. 40-28-103).

The administrative duties of the Board are to establish criteria for granting and revoking parole; to develop and adopt the planning documents for the agency including the annual budget, the staffing pattern, 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 (T.C.A. 40-28-104). These responsibilities are reflected in the Agency Mission Statement which states:

'Our Mission is to minimize public risk and promote lawful behavior by the prudent, orderly release and community supervision of adult offenders.'

In support of the Agency Mission Statement, the Board of Probation and Parole adheres to our Agency Vision Statement, which states:

'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.'

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

Senior level management for the agency consists of the Executive Director, two Probation and Parole Administrators, the Director of Field Services, the Communications Director, the Legislative Liaison, and the General Counsel. Each Administrator is responsible for assigned divisions, each of which has a Director, as cited in the organizational chart on page 11. The Board of Probation and Parole contains twelve administrative divisions, which include:

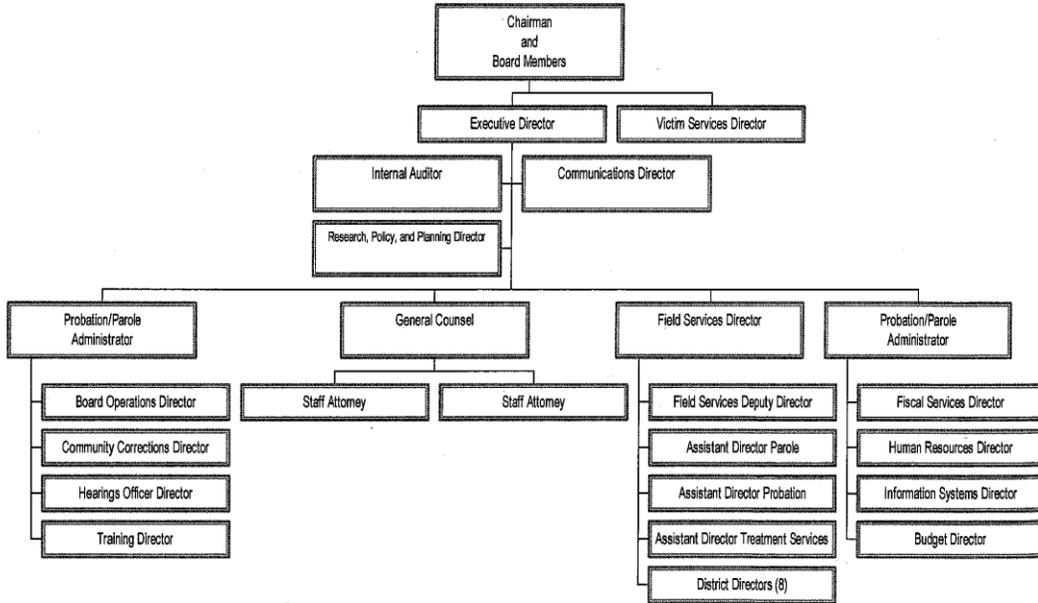
1. Parole Hearings Division
2. Board Operations
3. Field Services
4. Human Resources
5. Budget Division
6. Fiscal Services
7. Research, Policy, and Planning
8. Information Systems
9. Training
10. Legal Services
11. Community Corrections
12. Victim's Services

The Division of Field Services, which includes all adult supervision staff, is divided into eight statewide Districts. Offenders in all counties within the State of Tennessee are supervised out of 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
8. Clarksville



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 NASHVILLE, TENNESSEE 37243-0850
 JUNE 2011



APPROVED: 
 Charles M. Traughber, Chairman

Approved by the Board June 30, 2011

Resource Centers

The Board of Probation and Parole believes in combining supportive community supervision with offender accountability. To successfully meet needs in both areas, the Agency has established Resource Centers. These statewide centers provide services beyond basic supervision and serve as an outreach mechanism to local communities. Title VI literature is available in each of these centers. The staff and volunteers within the centers provide the following training:

- Anger Management/Domestic Violence Prevention
- Graduate Equivalency Degree classes
- Adult Literacy classes
- Job Readiness training
- J.O.B.S. Newsletters
- Project Craft
- Thinking for a Change
- Basic Parenting classes
- Basic and Advanced Computer Skills classes, including training on computer applications
- Financial and Consumer Management
- Life Skills training
- Responsible Fatherhood classes

Community Corrections Grant Programs

Within the Board of Probation and Parole is a program called the Community Corrections Grant Program. This program was established in 1985 by the legislature in an effort to address over crowding in Tennessee prisons. The intent of the program is to reduce the probability of criminal behavior while maintaining the safety of the community in a cost effective manner. To accomplish this, the Community Corrections Grant Program diverts felony offenders from the prison system while incorporating offender treatment services into their supervision. 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. The individual programs are reimbursed monthly. For fiscal year 2011 – 2012, Community

Corrections awarded a total of \$40,492,254.14 over a three year contract period. Of these, \$8,259,032.94 (20.4%) was awarded to minority programs.

Fiscal Year 2012 – 2013

Fiscal year 2012 – 2013 will bring additional changes to the Board of Probation and Parole. With the signing of House Bill 2386/Senate Bill 2248, Governor Bill Haslam transferred Adult Felony Supervision from the Board of Probation and Parole to the Department of Correction. This transfer was effective July 1, 2012, and moved more than 1,000 employees from the Board of Probation and Parole to the Department of Correction. The remaining divisions of the Board will remain an independent agency under the new name Board of Parole (BOP).

Section 2 – Federal Programs or Activities

For fiscal year 2011 – 2012, the Board of Probation and Parole received a total of \$120,810.37 in Federal and State matched grant assistance. These funds represent two grants, both of which were administered by the Bureau of Justice Assistance with matching State funds from the Tennessee Office of Criminal Justice Programs. Funds received from the Bureau of Justice Assistance, as authorized under Public Law 109-162, support a range of program areas including law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives. The funds received by this Agency were awarded to support the following activities:

- 1) Edward Byrne Memorial Justice Assistance Grant Program (project ID: 2011OCJP12801) – This one time grant was awarded to the Agency for the time period 9/1/2010 – 12/31/2011. The funds were used to support staff training and equipment.
- 2) Edward Byrne Memorial Justice Assistance Grant Program (project ID: BOPPJAGEDE) – This one time grant was available for the time period 9/1/2011 – 6/30/2012. The funds were used to support an offender transportation network through an interdepartmental contract with the Tennessee Department of Transportation. A portion of the funds were also used to educate staff on the provisions of this network.

Specific details of these grants can be seen in the following chart.

<u>Grant Name/Project ID</u>	<u>Grant Time Period</u>	<u>Funding Source</u>	<u>Total Grant Amount</u>
Edward Byrne Memorial Justice Assistance Grant Program (Project ID: 2011OCJP12801)	9/1/2010 – 12/31/2011	75% Federal 25% State Match (Provided by the Tennessee Office of Criminal Justice Programs)	\$20,810.37
Edward Byrne Memorial Justice Assistance Grant Program (Project ID: BOPPJAGEDE)	9/1/2011 – 6/30/2012	75% Federal 25% State Match (Provided by the Tennessee Office of Criminal Justice Programs)	\$100,00.00
		Total:	\$120,810.37

In addition to these two grants, the Board of Probation and Parole has two applications for Federal assistance pending as of June 30, 2012. One of these applications is to fund a project called Demonstration Field Experiment Tennessee and is valued at \$998,040 for 12 months. This award would serve 500 medium to high risk offenders under supervision in order to address cognitive and behavioral functioning regarding crime prone thoughts and behaviors. The second application is for the Tennessee Board of Probation and Parole – Comprehensive SORNA Training and Equipment Support. This application is valued at \$113,706 for 24 months. These funds would go to provide enhanced training and equipment for use by the Programmed Supervision Unit officers who are responsible for sex offender supervision in the community and officers certified by the Tennessee Bureau of Investigation to submit National Crime Information Center (NCIC) entries and validations.

Effective July 1, 2012, the Board of Probation and Parole transferred the responsibilities, staff, and resources for adult supervision to the Department of Correction. At this time, all Federal funding for programs and grants will transition to the Department of Correction with the adult supervision division. The Board of Probation and Parole, known as the Board of Parole (BOP) following this transition, will receive no Federal funding for fiscal year 2012 - 2013, however, the BOP reserves the right to pursue future Federal funding in the event that funds may be beneficial in assisting the Agency in meeting it's new goals and mission.

Section 3 – Organization of the Civil Rights Office

The Board of Probation and Parole's Civil Rights Coordinator for fiscal year 2011-2012 was Brenda Osborne, Human Resources Manager. However, in preparation for the transition of adult supervision to the Department of Correction, the role of Civil Rights Coordinator was transferred to Randi Tarpy, Human Resources Director in April of 2012. Within the Agency, each District Director designated a Title VI Coordinator for that district. The responsibilities of the district Title VI Coordinators are monitored by the management of that district. The Title VI Coordinators for the Board of Probation and Parole are:

<u>Title VI Coordinator</u>	<u>District</u>	<u>Location</u>	<u>Race/Ethnicity and Gender</u>
Brenda Osborne (7/2011 – 3/2012)	--	Central Office	Black/Female
Randi Tarpy (4/2012 – 6/2012)	--	Central Office	White/Female
Norita Jill Cooper	1	Johnson City	White/Female
Erin Monroe**	2	Knoxville	White/Female
Kevin Adkins	3	Chattanooga	White/Male
James Fields	4	Nashville	Black/Male
Benjamin J. Arnell	5	Murfreesboro	Black/Male
Brenda Kaye Cole	6	Jackson	White/Female
Tavia Gilmore-Thomas	7	Memphis	Black/Female
Bobby Smith	8	Clarksville	White/Male
Donna Burke	--	Community Corrections	White/Female

** Ms. Monroe has recently been selected for this role and is currently in training on her Title VI Coordinator duties.

The Executive Director or the District Directors appoint the Title VI Coordinators. Coordinators review and ensure responses to any allegations of Title VI violations. The Director of Community Corrections acts as the coordinator for the Community Corrections Grant Programs. The Executive Director also appoints a Title VI Coordinator in central office whose responsibilities include but are not limited to:

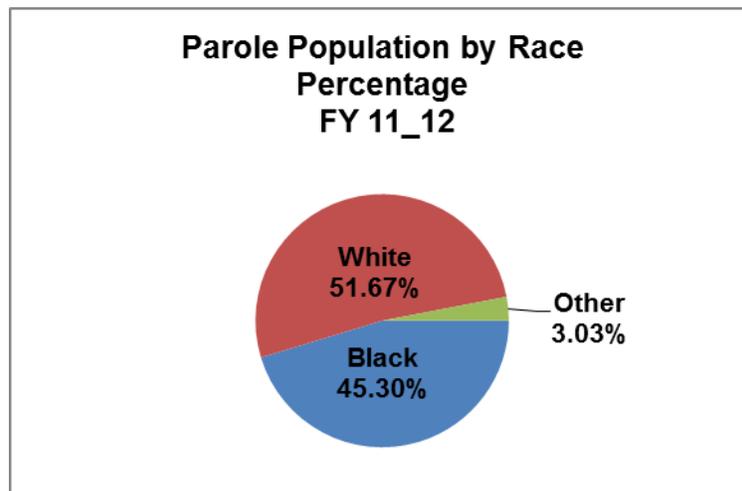
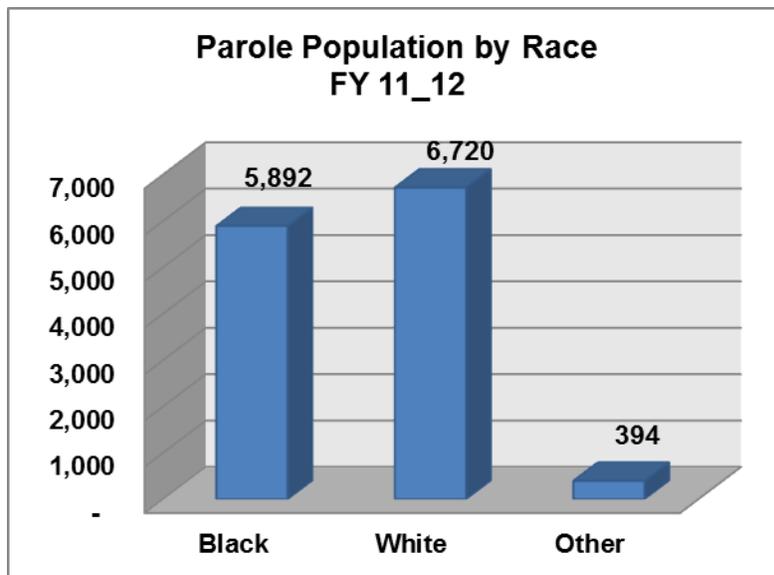
- Addressing claims filed in central office;
- Filing and tracking claims statewide;
- Coordinating Agency internal investigations for Title VI claims;
- Preparing the annual Title VI Implementation Plan;
- Providing support to the Title VI Coordinators in the districts; and
- Assisting the training division in the development of mandatory Title VI training.

Section 4 – Data Collection and Analysis

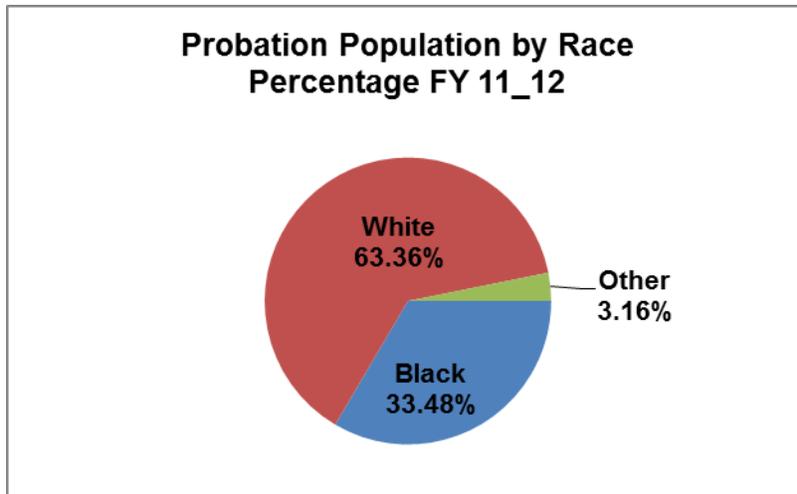
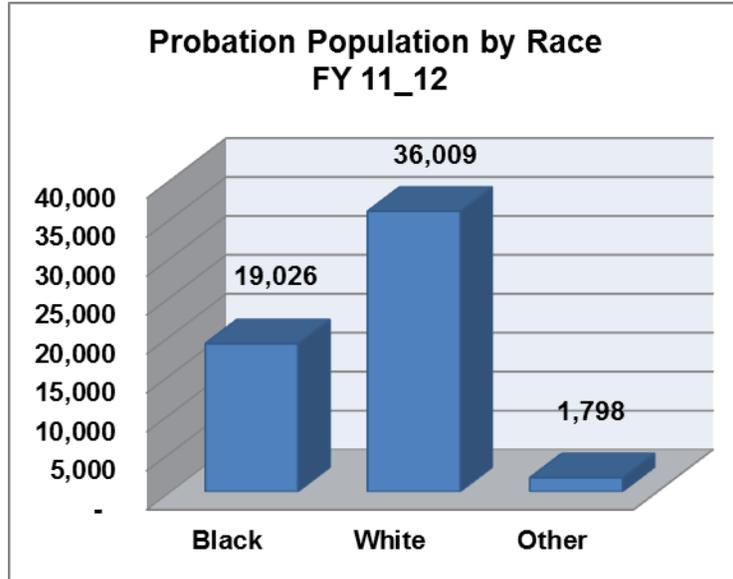
The Board of Probation and Parole maintains data on the offender populations served by the Agency to show the extent to which members of protected groups are represented within the programs and activities under the Agency’s oversight.

Over the course of fiscal year 2011 – 2012, the Board provided supervision services to 69,839 offenders, 13,006 of which were parolees and 56,833 of which were on probation. In addition, 7,593 offenders received services through Community Corrections.

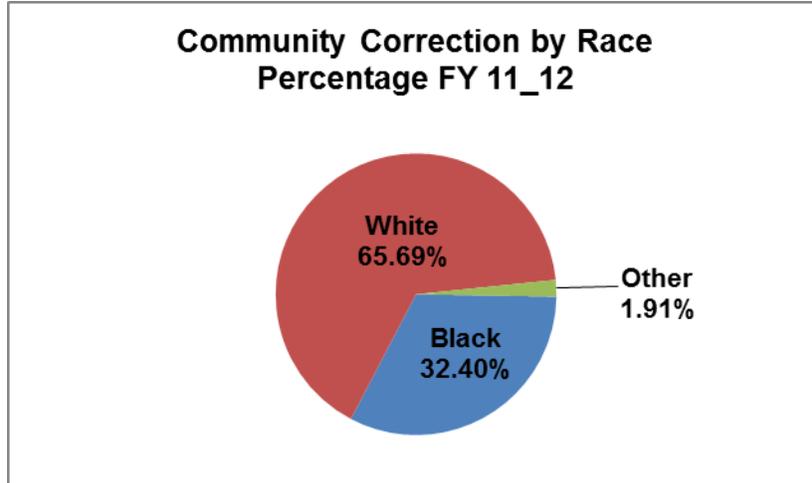
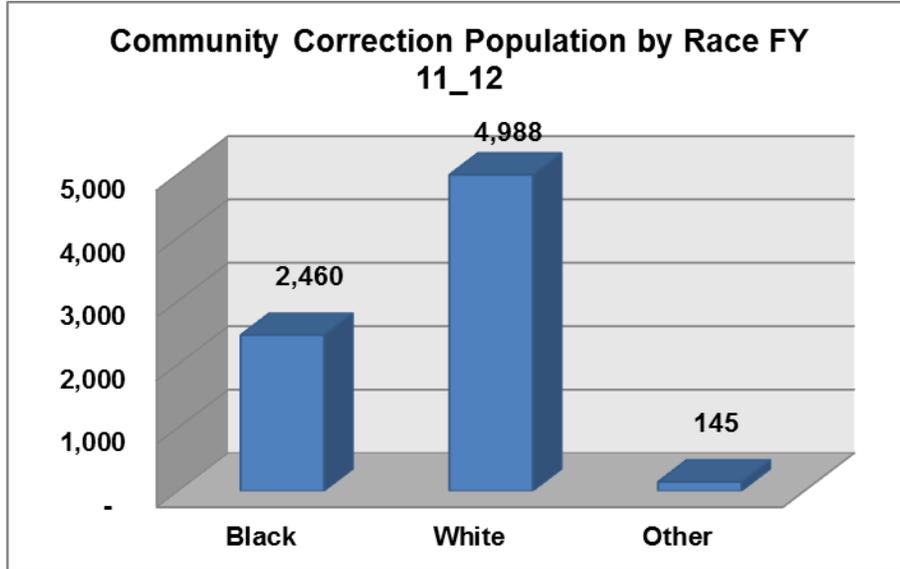
The parole population, 13,006 offenders, consisted of 6,720 white offenders (51.67%), 5,892 black offenders (45.30%), and 394 offenders in other racial/ethnic groups (3.03%). The graphs below show the breakdown of the parole population.



The probation population in fiscal year 2011 - 2012 totalled 56,833. This population includes 36,009 white offenders (63.36%), 19,026 black offenders (33.48%), and 1,798 offenders of other race/ethnicity (3.16%). Graphic breakdowns for this population are seen below.



The offender population served by Community Corrections for fiscal year 2011 – 2012 included 7,593 individuals. This group was made up of 4,988 white offenders (65.69%), 2,460 black offenders (32.40%), and 145 offenders of other race/ethnicity (1.91%). This population is represented by the graphs below.



Each of these offender populations, although fairly consistent across supervision type, varies from racial/ethnic census data for the State of Tennessee. In each instance, the white population and population of other race/ethnicity under supervision is lower than the Tennessee percentages for these groups in the general population based on census data from 2011. The percentages of blacks under supervision are higher than the Tennessee census data for this race in the general population. A comparison chart can be seen in the following chart.

<u>Race/Ethnic Group</u>	<u>Tennessee Census Data, 2011</u>	<u>Parole Offenders</u>	<u>Probation Offenders</u>	<u>Community Corrections Offenders</u>
Black	16.9%	45.30%	33.48%	32.40%
White	75.4%	51.67%	63.36%	65.69%
Other	7.7%	3.03%	3.16%	1.91%

The total staff of the Board of Probation and Parole decreased by 1% over the course of fiscal year 2011 – 2012. As of June 2012, the Board employed 1,103 employees compared to 1,111 in June 2011. The racial and ethnic breakdown for the staff is represented in the following chart.

<u>Race/Ethnic Group</u>	<u>June 2011</u>	<u>June 2012</u>
Black	359 (32.31%)	354 (32.09%)
White	736 (66.24%)	730 (66.18%)
Other	16 (1.44%)	19 (1.72%)

The Board currently has 6 of the 7 Parole Board Member positions filled. Of those, 2 members are black (33.33%) and 4 members are white (66.67%).

No Title VI complaints were reported against the Board of Probation and Parole or any sub-recipients of the Agency during fiscal year 2011 – 2012. Additionally, there were no Title VI lawsuits involving the Agency or any of its sub-recipients during this time period.

Section 5 – Definitions

ADAAA – Americans with Disabilities Act Amendments Act

Agency – any department or independent entity having Title VI responsibilities.

Applicant – one who submits an application, request, or plan required to be approved by a department or a primary recipient as a condition of eligibility for Federal financial assistance.

Assurance – a written statement or contractual agreement signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

Beneficiaries – those persons to whom assistance, services, or benefits are ultimately provided, also known as clients.

BOP – The Tennessee Board of Parole

BOPP – The Tennessee Board of Probation and Parole

Civil Rights Compliance Reviews – regular systematic inspections of agency programs conducted to determine regulatory compliance with civil rights laws and regulations. Compliance reviews determine compliance and non-compliance in the delivery of benefits and services in federally assisted programs. These reviews identify problems such as denial of full benefits, barriers to participation, different treatment, lack of selection to advisory boards and planning committees, lack of information, and denial of the right to file a civil rights complaint. Compliance reviews may be conducted on-site or through desk audits.

Complainant – any person or specific class of individuals who believe themselves to be subjected to discrimination prohibited by Title VI and, therefore, initiates the complaint in a legal action or proceeding.

Complaint – a verbal or written allegation of discrimination which indicates that any federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color, or national origin.

Compliance – the fulfillment of the requirements of Title VI, other applicable laws, implementing regulations and instructions to the extent that no distinctions are made in the delivery of any service or benefit on the basis of race, color, or national origin (see also conciliatory agreement and non-compliance).

Conciliatory Agreement – a voluntary agreement between a Federal agency and the State or between the State and a sub-recipient that provides for corrective action to be taken by a recipient to eliminate discrimination in any program that receives Federal assistance.

Contractor – a person or entity that agrees to perform services at a specified price.

Desk Audit – a structured review of statistical and narrative information submitted by recipients or agency program offices of compliance. This review includes information obtained before or without going on-site. Desk audits include routine reviews of assurance forms or other documents to ensure that they have been properly completed.

DHHS – U. S. Department of Health and Human Services

Discrimination – to make any distinction between people or groups, either intentionally, by neglect, or by the effect of actions or lack of actions, based on race, color, or national origin.

Federal Assistance – any funding, property, aid, technical assistance, grants, or partnerships provided for the purpose of assisting a beneficiary. This assistance may be provided in the form of grants, contracts, cooperative agreements, loans, loan guarantees, property, interest subsidies, insurance, direct appropriations, and other non-cash assistance. Federal assistance includes any assistance received directly from Federal agencies or indirectly from other units of State and local government.

Minority – a person or group differing in some characteristic from the majority of a population.

Non-compliance – failure or refusal to comply with or implement the regulations and policies associated with the Title VI of the Civil Rights Act of 1964.

Parity – equivalence in the percentage of minority and non-minority participation in programs in comparison to the percentage of minority and non-minority in the population.

Post-award Review – a routine inspection of agency programs during and after Federal assistance has been provided to the beneficiary or recipient. These reviews may be cyclical or based on a priority system contingent upon the potential for non-compliance in individual programs. Reviews are normally conducted through on-site visits; however, desk audits and other mechanisms may also be used to assess operation of Federally assisted programs. A post-award review may result in a written report that shows the compliance status of agency program offices and recipients. When necessary, the report will contain recommendations for corrective action. If the program office or recipient is found to be in non-compliance, technical assistance and guidance must be provided to bring the recipient into voluntary compliance. If voluntary compliance cannot be secured, formal enforcement action is then initiated.

Potential Beneficiaries – those persons who are eligible to receive Federally assisted program benefits and services.

Pre-award Review – a desk audit of the proposed operations of a program applicant for Federal assistance prior to the approval of the assistance. The department must determine that the program or facility will be operated such that program benefits will be equally available to all eligible persons without regard to race, color, or national origin. The applicant may provide methods of administering the program designed to ensure that the primary recipient and sub-recipients under the program would comply with all applicable regulations, and correct any existing or developing instances of non-compliance. If the documentation provided by the applicant for the desk audit is inadequate to determine compliance, then an on-site evaluation may be necessary.

Primary Recipient – any recipient who is authorized or required to extend Federal financial assistance to another recipient for the purpose of carrying out a program.

Program – any project, activity, or provisions for a facility which provides services, financial aid, or other benefits to individuals.

Public Notification – process of publicizing information on non-discrimination and the availability of programs, services and benefits to minorities. This is attained through use of newspapers, newsletters, periodicals, radio, television, community organizations, directories, brochures, and pamphlets.

Recipient – any public or private agency, institution, or organization or any individual to whom Federal financial assistance is extended, directly or indirectly, for the purpose of providing services to beneficiaries.

Secondary Recipient – any recipient that receives financial assistance from another recipient in order to carry out a program, service, or benefit.

Service Delivery Point – the place in which Federally assisted program services or benefits are administered to the public.

Sub-recipient – an individual or organization that receives Federal financial assistance from the direct recipient .

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-4 – the Federal law prohibiting discrimination based on race, color, or national origin. This act covers all forms of Federal aid except contracts of insurance and guaranty. Title VI does not cover employment except where employment practices result in discrimination against program beneficiaries or where the purpose of the Federal assistance is to provide employment.

Vendor – any public or private organization or individual who, pursuant to a contract or agreement, provides generally required goods or services for use of program beneficiaries.

Section 6 – Discriminatory Practices

The Board of Probation and Parole monitors its central and district offices as well as sub-recipients who use Federal money to provide services. As part of in-service training, managers and sub-recipients are informed that an agency is in violation of Title VI if it:

1. Denies an individual service, aid, or benefits because of race, color, or national origin;
2. Provides only inferior or discriminatory service, aid, or benefits because of an individual's race, color, or national origin;
3. Subjects an individual to segregation or different treatment in relation to aid, services, or benefits because of race, color, or national origin;
4. Restricts or discourages individuals in their enjoyment of facilities because of race, color, or national origin;
5. Treats an individual differently because of race, color, or national origin in regard to eligibility for programs or services;

6. Uses criteria which would impair accomplishment of the Act's objectives or which would subject individuals to discrimination because of race, color, or national origin;
7. Discriminates against an individual in any program or activity that is conducted in a facility constructed even partly with Federal funds;
8. Subjects an individual to discriminatory employment practices under any Federal program intended to provide employment.

In the event that a beneficiary were to file a complaint alleging a Title VI violation, the Board of Probation and Parole would thoroughly investigate the complaint. As an example, hypothetically an offender could file a Title VI discrimination complaint alleging that more white offenders were being given parole than black offenders. In the event that such a claim was filed, the Board of Probation and Parole would follow the steps detailed in the Agency complaint processing procedures section of this report (see Section 8 – Complaint Procedures). It is the Board's intent that no discrimination based on race, color or national origin occur in any areas of the Agency's responsibility.

Section 7 – Limited English Proficiency (LEP)

The Board of Probation and Parole takes reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access and an equal opportunity to participate in the services, activities, programs, and benefits offered by the Agency. The policy of the Board is to make sure that those with limited English proficiency are provided with the aids necessary to effectively communicate. This policy also provides for the communication of information contained in vital documents, including but not limited to waivers of rights and consent forms. All interpreters, translators, and other aids needed to comply with this policy shall be provided without cost to the persons being served.

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts with organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure. Staff with direct contact with LEP individuals will be trained in effective communication techniques and the effective use of an interpreter.

The Board will conduct a regular review of the language access needs within the service population, as well as updating and monitoring the implementation of this policy and these procedures as necessary.

The Board will identify the language and communication needs of the LEP person as soon as the need is recognized. If necessary, staff will use a language identification card (or 'I speak card') or posters to determine the language of the individual. In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the LEP person will be included as part of the record. A copy of the Language Identification Guide poster can be found in Appendix A.

The Board uses a contract with The Tennessee Foreign Language Institute to provide interpreters in all areas of Tennessee. Staff secure the contract interpreters by coordinating with District or Division Directors, who in turn contact the Contract Administrator in the Board of Probation and Parole fiscal division. The Contract Administrator then arranges the details with the contracted vendor. The details of the procedures are:

-The officer will interview each inmate prior to their parole hearing and at that time they will determine if the offender will need a translator for the hearing and interview.

-If the offender is in need of a translator, the officer will send a message to Correctional Program Director Priscilla Wainwright advising her that a translator is needed for an upcoming parole hearing. The officer will advise Ms. Wainwright of the language needed for translation. Ms. Wainwright will contact the Foreign Language Institute and request interpreter services. Once services are scheduled, the officer and the officer's program supervisor are notified.

-After services are provided, the officer will contact Ms. Wainwright notifying her that the requested interpreter services were received.

Ms. Wainwright serves as the Board of Probation and Parole's Contract Administrator for LEP services. She is responsible for obtaining an outside interpreter in the event that an LEP beneficiary needs this service. She can be reached at 615-253-5571.

The Tennessee Foreign Language Institute has agreed to provide qualified interpreter services for the Board. The Institute can be reached at 615-741-7579. Interpreter services are available Monday through Thursday from 9:00 a.m. to 7:30 p.m. and Friday from 9:00 a.m. to 4:30 p.m.

In the event that a Board of Probation and Parole staff member can be used to provide interpreter services, Ms. Helen Ford, Deputy Director of Field Services, can be contacted at 615-532-9541. Ms. Ford is responsible for maintaining a list of current staff members who are available to serve as interpreters along with the language they speak, their contact information, and hours of availability. She is also responsible for contacting the needed staff member to arrange for the interpreter services.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. Family members and/or friends will not be used by the Agency as interpreters unless the LEP specifically requests the individual and only after the LEP person understands that interpreter services can be provided by the Agency free of charge. Documentation indicating that the LEP person was made aware of the interpreter services offered by the Agency will be maintained in the person's file. If the LEP person chooses to use a family member or friend as the interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is determined to not be an appropriate interpreter, a competent interpreter will then be provided for the LEP person. At no time will children (persons under the age of 18) be used as interpreters in order to ensure confidentiality of information and accurate communication.

In the past year, the Board of Probation and Parole staff have used contracted interpreter services in 92 instances for the following languages:

<u>Foreign Language</u>	<u>Number of Interpreter Services Provided</u>
Arabic	1
Bengali	1
Farsi	4
Lao	2
Somali	2
Spanish*	72
Vietnamese	10

*Spanish speaking interpreters are often used for more than one offender during an appointment.

In addition, deaf interpreting services were provided on 27 occasions during fiscal year 2011 – 2012.

On an ongoing basis, the Board will assess changes in demographics, types of services or other needs that may require re-evaluation of this policy and its procedures. In addition, the Board will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from the public and community organizations.

Section 8 – Complaint Procedures

In the event that an individual believes that a Federally funded department has discriminated against a person or group on the basis of race, color, or national origin, a Title VI complaint may be filed. A copy of the Title VI complaint form can be found in Appendix B. According to State and Federal law, Title VI complaints must be filed within 180 days of the alleged discriminatory act. A complaint may be filed at any of the following three levels:

- The local level (filed with Board of Probation and Parole district offices or central office);
- The Tennessee Human Rights Commission; or
- The Federal Department of Justice

When a Title VI complaint is reported, written or verbally made, the Executive Director is responsible to appoint a staff person to review the matter and file a report. A copy of the report of investigation can be found in Appendix C. The investigative report may show:

- The Board/person was found to be in violation of Title VI;
- The Board/person was not found to be in violation of Title VI; or
- The Title VI complaint is being withdrawn by the person who filed it.

If the Board of Probation and Parole or one of its employees or vendors are found to be in violation of Title VI, the remedial actions 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. A copy of the appeal of Title VI finding form can be found in Appendix D. The appeal shall include:

- Name of the appellant;
- Date of the finding and the investigator's name;
- Information on the investigative outcome and any remedial actions proposed;
- Name of the original complainant and date the complaint was filed;
- Name of the agency/person the complaint was filed against including location; and
- Date of the appeal.

If a complaint is withdrawn, the withdrawal must include the reason(s) for withdrawing the complaint and it must be signed by the complainant. To see a copy of the withdrawal of complaint form, see Appendix E.

Section 9 – Compliance Reviews

- A. Pre-award procedures: The Board of Probation and Parole, its sub-recipients or contractors shall make available any compliance report to be reviewed by the THRC upon request.

All professional services contracts or grants must contain the following model language clause:

Non-discrimination – The contractor hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this contract or in the employment practices of the contractor on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or

statutory law. The contractor shall, upon request, show proof of such non-discrimination and shall post in conspicuous places, available to all employees and applicants, notices of non-discrimination.

The Board requires all applicants for contracts/grants to agree to the Title VI Model Language Clause and provide semi-annual documentation to support their performance during the contract. A copy of the Contractor Performance Assessment can be found in Appendix F.

- B. Post award procedures: The Board’s Contract Administrator completes the BOPP Contractor Performance Assessment on each contractor on a semi-annual basis. This assessment documents the contractor’s work to meet Title VI goals. An internal audit annual inspection of Community Corrections Agencies verifies Title VI postings and training.
- C. Minority Representation: The Board of Probation and Parole has thirty-two contracts for fiscal year 2011-2012 for a total of \$47,824,659.64. The types of contracts were are follows:

<u>Contract Sub-Recipient Type</u>	<u>Number of Contracts</u>
Government Agency	14
Quasi-Government Agency	6
Limited Liability Corporation	2
Non-Profit 501 c 3	6
Privately Owned Corporation/Company	2
N/A	2
Total:	32

Of these contracts, 2 are managed by African-Americans for a total dollar amount of \$3,466,957.68 (7.2%). Additionally, 5 are managed by females for a total dollar amount of \$8,263,032.94 (17.3%). A complete list of contracts can be found in Appendix G.

- D. Public Notice and Outreach: The Board of Probation and Parole monitors all sub-recipients and/or contractors concerning their dissemination of information to the public on the following:
 - Posting and adhering to Title VI non-discrimination policy;
 - Programs and services in accordance with Title VI guidelines;
 - Posting and following Title VI complaint procedures; and
 - Minority participation on planning and advisory boards.

E. Procedures for Noncompliance: The Board will take the following steps for action upon a finding of Title VI noncompliance by a sub-recipient and/or contractor:

- Processing;
- Reporting;
- Resolution;
- Enforcement of corrective action;
- Monitoring of programs;
- Sanctions.

Section 10 – Compliance and Noncompliance Reporting

The Board of Probation and Parole furnishes copies of the Agency’s Title VI report to the following Federal and State agencies:

- The Tennessee State Library and Archives
- The Government Publications Department, Memphis-Shelby County Public Library
- The University of Tennessee, Hodges Library – Serials Department
- The University of Memphis Libraries, Government Publications
- The Tennessee Legislative Reference Library
- The Department of General Services, Records Management Division

In addition, a copy of the BOPP Title VI report will be maintained by the Agency for reference. The Board of Probation and Parole has no Federal reporting requirements relative to the Title VI report.

Section 11 – Title VI Training

The Board of Probation and Parole provides Title VI training for all employees each year. Title VI training was conducted in January 2012 and again in May 2012 using an online powerpoint presentation. When employees complete the training and self-test questions, they sign a Board of Probation and Parole training roster to confirm completion of the training. Total staff completing this training is as follows:

<u>Filled positions in BOPP</u>	<u>Total staff training on Title VI</u>	<u>Percentage of staff trained</u>
1089	904	83%

In addition to the staff of the Board of Probation and Parole, Title VI training is provided to those employees contracted through the Community Corrections Grant Programs. Training was offered to these contract employees in the same manner as it was provided to the Board staff and training rosters were completed once training was completed. The total number of sub-recipients completing Title VI training is as follows:

<u>Total sub-recipient positions</u>	<u>Sub-recipients trained on Title VI</u>	<u>Percentage of staff trained</u>
299	299	100%

The proposed training dates for Title VI training for fiscal year 2012 – 2013 are December 2012 and May 2013. This training will be specifically for the staff of the Board of Parole since the Community Corrections Grant Program will be transitioned to the Department of Corrections as of July 1, 2012.

Section 12 – Public Notice and Outreach

The Board of Probation and Parole makes efforts to ensure that eligible persons are encouraged to participate in agency programs and that Title VI guidelines are available both to Agency staff and to other interested parties.

In addition to providing copies of the Agency Title VI implementation plan to other State and Federal agencies, the Board displays posters detailing Title VI provisions as well as the Agency non-discrimination policy in all Board offices and facilities. Those eligible to participate in Agency programs are informed of their rights as beneficiaries as well as procedures for filing complaints. All letters, announcements, and documents pertaining to program information and opportunities are available to the public regardless of race, color, or national origin.

Within Community Corrections, local boards are established for the purpose of advising community corrections and instituting policies and procedures for programs. Their duties are outlined by T.C.A. 40-36-202. The advisory boards are composed of representative from the local community and are outlined in T.C.A. 40-36-201 to ensure minority and female representation on each board. Board members are selected and confirmed by the county legislative body and the size of each board is determined locally.

When the Agency has the opportunity to utilize news media to broadcast information about programs, grants, or events, the Board periodically sends the news releases to minority media outlets including The Tennessee Tribune, Tri-State Defender, Nashville Pride, Urban Journal, and Silver Star News. News releases are sent to numerous radio and television stations in the various regions in which the event or program is taking place, including those stations aimed at minority communities.

Section 13 – Evaluation Procedures

The Board of Probation and Parole has continually worked towards its goals for Title VI compliance, ensuring policies and procedures for compliance were maintained over the course of the fiscal year. The Agency received no grievances or complaints pertaining to Title VI, however, Agency staff and contracted employees were trained on both adherence to Title VI of the Civil Rights Act of 1964 and also on procedural steps to follow in the event of a complaint.

The agency provided all non-English speaking offenders with written documents in their native language and/or interpreters for use in hearings, services, activities, and programs at no cost to the offender. Literature was available at each worksite detailing both Title VI and language interpretive services for both recipients and the public. Every offender under supervision with the Board of Probation and Parole also receives a copy of form BP0065 – Notice to Offender of Non-Discrimination, from their probation and parole officer or community corrections officer. A copy of this form can be found in Appendix H.

The Board has continued to monitor Title VI compliance through an annual internal audit inspection process and semi-annual contract reviews of contracted agencies and programs.

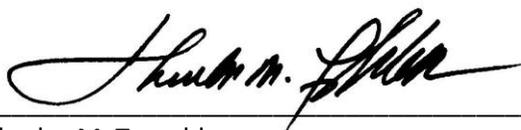
Going forward, the newly formed Board of Parole will continue to make Title VI and LEP literature available at each Agency worksite, at Victim Liaison programs, and at community outreach events. The Board will continue to offer interpreter services through the Tennessee Foreign Language Institute for parole hearings. The Board will also continue to ensure that methods for informing the public about grants, programs, and events are broadcast to media outlets aimed at serving minority communities.

Section 14 – Responsible Officials

The Chairman of the Board of Probation and Parole serves as the responsible State official charged with ensuring that the Agency complies with Title VI. Mr. Charles M. Traughber is the Chairman for the Board of Probation and Parole.

The current Title VI Coordinator is the person in the Agency designated to develop the annual implementation plan. Randi S. Tarpy, Human Resources Director, is the Title VI Coordinator for the Board of Probation and Parole.

The physical location of the Board is 404 James Robertson Parkway, Suite 1300, Nashville, Tennessee, 37243-0850.



Charles M. Traughber
Chairman



Randi S. Tarpy
Title VI Coordinator

Appendix A

 LANGUAGE IDENTIFICATION GUIDE		
Do you speak English?	Point here and an interpreter will be assigned to you, at no cost.	English
¿Habla Español?	Señale aquí y se le asignará un intérprete sin costo.	Spanish
هل تتكلم العربية؟	أشر هنا والمترجم سيكون موجوداً مجاناً.	Arabic
ته كوردی دئاخفی؟	ئیشارەت ڤیژی بکه ته رجومان بو ته حازر دکەین ، به خورای.	Kurdish (Behdini)
ئايا كوردی قسه دهكەیت؟	ئیشارەت لیژره بکه موته رجیمت بوئاماده دهكەین ، به خورای.	Kurdish (Sorani)
آيا شما فارسی صحبت ميکنيد؟	ترو صوبه مجتهد مکه، مینک هراشا اجنیا بهرگا رایگان در اختیار شما قرار میگیرد.	Farsi
Bạn nói tiếng Việt phải không?	Chỉ vào đây và sẽ có người thông dịch viên giúp đỡ Bạn, Bạn không phải trả gì hết.	Vietnamese
Maku hadashaa afka soomaaliga?	Halkaan farta ku-fiiq turjubaan lacag la-an ayaad heleysaa.	Somali
Da li govorite Bosanski?	Pokažite ovdje I prevodilac će vam biti obezbijedžen, besplatno.	Bosnian
Parlez-vous français?	Ici, un interpréteur sera assigné pour vous, sans avoir payé.	French
ທ່ານເວົ້າພາສາລາວແມ່ນບໍ່?	ກະລຸນາບອກເຈົ້າໜ້າທີ່ຕາມນີ້ຈະມີນາຍພາສາມາແປໃຫ້ທ່ານໂດຍບໍ່ໄດ້ເສັງເງິນ.	Laotian
你會講中文嗎?	請點在這裡我們為你免費提供翻譯服務。	Chinese (Mandarin)
日本語を話せますか？	ここを指して下さい。 無料の通訳者を指定します。	Japanese
Je-una azungumza kiswahili?	Nyosha kidola hapa na utatafsiriwa bila kulipa chochote.	Kiswahili
Voce fala Português?	Aperte aqui e um intérprete lhe será fornecido sem custo algum.	Portuguese
क्या आप हिंदी बोल सकते हैं ?	इसारा यहाँ पर क्लिकिये, भाषांतर करनेवाले विनामुल्य मिल जायेंगे।	Hindi
한국어를 하십니까?	이곳을 지적해주시면 통역자가 무료로 호출됩니다.	Korean
Вы говорите по-русски?	Укажите сюда, и совершенно бесплатно Вам будет предоставлен переводчик.	Russian
አማርኛ ይናገሩሉን?	በጣን ወደዚህ ያመልክቱ ያለምንም ክፍያ አስተርጓሚ ይመደብሉታል!	Amharic
Eske ou pale kreyòl	Pwen isit la e yon entèprèt ap vin ede'w gratis.	Haitian Creole
Jin kueni Thuok nuera?	Wane eme deri thuok nuera jek ke kuic du a thil kok.	Nuer
તમે ગુજરાતી બોલી શકો છો?	અહીંયા ઇશરો કરો, ભાષાંતર કરનાર વિનામુલ્યે મળી જશે.	Gujarati
Türkçe biliyormusunuz?	Burayı gösterirseniz, ücretsiz tercuman size yardım edecektir.	Turkish
คุณพูดภาษาไทยหรือเปล่า?	กรุณาบอกให้ทราบด้วยถ้าคุณต้องการคนแปล	Thai
Afaan Oromoo nidubata	Harkake asiti baasi gargasa Afaan hikaa malaqa duwa argaata.	Oromo

Avaza Language Services Corp.
 5209 Linbar Dr. Suite 603
 Nashville, TN 37211
 www.avaza.co

tel: 615.534.3400
 fax: 615.810.8506
 800.482.8292

Appendix B



**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 C



**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:

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

SIGNATURE OF LOCAL COORDINATOR

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

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 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

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

Date: _____

To: _____

I, _____ hereby withdraw my

*complaint or **appeal, filed _____ 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 (REV 11/2007)

RDA 5836-1b

Appendix F



STATE OF TENNESSEE
BOARD OF PROBATION AND PAROLE

Contractor Performance Assessment
 For Personal Service, Professional Service and Consulting Service Contracts

Instructions: Completion of this form is dictated by the Board of Probation and Parole’s Annual Contract Management Plan. One performance assessment should be completed for each of the agency’s service contracts. For contracts with a duration of less than six months or for a one-time service, the assessment shall be completed after the service has been provided and prior to final payment. Contracts for ongoing services shall be assessed on a semi-annual basis. The assessment should be completed by an employee with first-hand knowledge of the contractor’s performance, reviewed by an employee independent of the program area, and approved by the Executive Director or his designee. Completed assessments shall be forwarded to the BOPP Contract Coordinator.

<i>Contractor Name</i>	<i>Contract Number and Start Date</i>
<i>Semi-annual Assessment Period Covered</i>	<i>One-Time Assessment</i>
YES <i>June 10—Dec. 10</i>	NO

Contract Scope of Services (Section A)

<p><i>Has the contractor provided the services and deliverables required under the contract?</i> Y N</p> <p><i>(Explanation required for any No response)</i></p>
<p><i>Has the contractor completed the work within the timeframe set out in the contract?</i> Y N</p> <p><i>(Explanation required for any No response)</i></p>

Have the contract and the contractor's performance thereunder accomplished the department's objectives?

Y N

(Explanation required for any No response)

Has the contractor complied with all applicable BOPP policies and State of Tennessee standards in the performance of the contract?

Y N

(Explanation required for any No response)

Contract Payment Terms and Conditions (Section C)

Has the contractor submitted invoices, in form and substance acceptable to the State with all the necessary supporting documentation in accordance with the payment methodology (subsection C.3) of the contract?

Y N

(Explanation required for any No response)

Did the contractor complete and sign an 'Authorization Agreement for Automatic Deposits' {ACH Credits form} (subsection C)?

Y N

(Explanation required for any No or N/A response)

Contract Standard Terms and Conditions (Section D)

<p><i>Has the contractor complied with the nondiscrimination provision of the contract? (Subsection D)</i></p> <p><i>(Explanation required for any No response)</i></p>	<p>Y N</p>
<p><i>Has the contractor complied with the prohibition of illegal immigrants provision of the contract? (Subsection D)</i></p> <p><i>(Explanation required for any No response)</i></p>	<p>Y N</p>
<p><i>Has the contractor submitted progress reports as requested by the State? (Subsection D)</i></p> <p><i>(Explanation required for any No response)</i></p>	<p>Y N</p>

Contract Special Terms and Conditions (Section E)

<p><i>Has the contractor complied with all special terms and conditions of the contract?</i></p> <p>Y N</p> <p><i>(Explanation required for any No response)</i></p>

Does the Agency have any reservations about continuing a contracting relationship with Contractor?

<p><i>Would you recommend exercising any extension option included in Subsection B2 of the contract (if applicable)?</i></p>	<p>Y N N/A</p>
<p><i>Would you recommend the Agency contracting with this Contractor in the future?</i></p> <p>N/A</p>	<p>Y N</p>

Use a separate sheet to describe any other operational issues or concerns relative to the contract.

<i>Assessment Completed By:</i>	<i>Fiscal Director Approval:</i>
<i>Signature</i> <i>Date</i>	<i>Signature</i> <i>Date</i>
<i>Print Name and Title</i>	<i>Executive Director Approval:</i> <i>Signature</i> <i>Date</i>

Appendix G

Service	Vendor	Contract Total	Contract Number	Contract Start Date	Contract End Date	Ownership/Management
Fee for Service						
Clinical Lab Drug Testing Confirmation	Aegis	\$900,000.00	12924	10/1/2009	9/30/2012	For Profit Corporation
Apprehension Unit Psychological Evaluations	Evelyn Frye	\$4,000.00	22790	7/1/2010	6/30/2012	Female-Owned
Electronic Monitoring	Satellite Tracking of People	\$2,133,905.50	24140	12/15/2010	12/14/2011	Limited Liability Company
Fee for Service Subtotal		\$3,037,905.50				
Governmental						
Access to Shelby County Automated System	Shelby County	\$1,200.00	27884	7/1/2011	6/30/2012	Government
Unemployment Data Access	Labor & Workforce Development	NO Cost	NC-08-22562	8/1/2007	6/30/2012	Government
Offender Psychological Evaluations	Department of Mental Health	\$79,300.00	26204	1/1/2011	6/30/2011	Government
Indigent Offender Treatment Network	Department of Mental Health	\$4,103,000.00	27093	7/1/2010	6/30/2011	Government
Foreign Language Interpretation	Tennessee Foreign Language Institute	20,000.00	29329	12/8/2011	12/7/2012	Government
After Hour Offender Home visits	City of Clarksville	revenue	30540			Government
Offender Transit Network Services	TDOT	75,000.00	28836	9/1/2011	6/30/2012	
Governmental Subtotal		4,278,500.00				
Other						
Automated Reporting Deaf Language Interpretation Delegated Authority	Fieldware	NO Cost	NC-10-29109	8/10/2009	8/9/2012	Limited Liability Corporation
Court Reporting Delegated Authority	N/A	\$6,000.00	28959	10/1/2010	9/30/2011	N/A
Other Subtotal		\$16,000.00				
Community Corrections Grants						
Community Corrections*	Madison County Community	\$2,182,558.18	20856	7/1/2010	6/30/2013	Government
Community Corrections*	Decatur County Community	\$1,485,997.80	20869	7/1/2010	6/30/2013	Government
Community Corrections*	John R. Hay House	\$2,985,540.78	20849	7/1/2010	6/30/2013	Non-Profit 501 c 3
Community Corrections*	Upper Cumberland HRA	\$1,429,964.60	20876	7/1/2010	6/30/2013	Quasi-Governmental
Community Corrections*	First Tennessee HRA Hamilton County	\$2,067,652.04	20870	7/1/2010	6/30/2013	Quasi-Governmental
Community Corrections*	Community	\$967,796.18	20873	7/1/2010	6/30/2013	Government
Community Corrections*	Knox County	\$2,037,711.00	20874	7/1/2010	6/30/2013	Government
Community Corrections*	Montgomery-Robertson County	\$1,374,449.80	20858	7/1/2010	6/30/2013	Government
Community Corrections*	Davidson County	\$4,273,843.50	20877	7/1/2010	6/30/2013	Government
Community Corrections*	Mid-Cumberland HRA	\$3,488,132.02	20875	7/1/2010	6/30/2013	Quasi-Governmental
Community Corrections*	Corrections Management	\$2,030,710.32	20846	7/1/2010	6/30/2013	Non-Profit 501 c 3 managed by female
Community Corrections*	Southeast Tennessee Community	\$985,836.06	20854	7/1/2010	6/30/2013	Government
Community Corrections*	South Central HRA	\$1,462,374.74	20852	7/1/2010	6/30/2013	Quasi-Governmental
Community Corrections*	Southeast Tennessee HRA	\$1,048,950.74	20855	7/1/2010	6/30/2013	Quasi-Governmental
Community Corrections*	Cocaine Alcohol Awareness Program	\$1,681,745.54	20868	7/1/2010	6/30/2013	Non-Profit 501 c 3 Managed by African-American Male
Community Corrections*	Westate Corrections Network	\$1,891,909.00	20841	7/1/2010	6/30/2013	Non-Profit 501 c 3 managed by female
Community Corrections*	Project WIT	\$1,785,212.14	20847	7/1/2010	6/30/2013	Non-Profit 501 c 3 Managed by African-American Female
Community Corrections*	East Tennessee HRA	\$4,760,668.22	20851	7/1/2010	6/30/2013	Quasi-Governmental
Community Corrections*	Correctional Alternatives Inc.	\$2,551,201.48	20845	7/1/2010	6/30/2013	Non-Profit 501 c 3 managed by female
CC subtotal		\$40,492,254.14				
Grand Total all contracts		\$47,824,659.64				

Appendix H



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, 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. Grievances 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 Board mandated parole conditions
- Program requirements such as home visits, employment verification, psychological counseling, supervision fees, restitution
- Final decisions concerning grievance

REPORTING REQUIREMENTS:

Report to:	_____	
	Location Address	
Telephone:	_____	_____
	To Reach Officer	For 24-hour access
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.

_____	_____
OFFENDER SIGNATURE	DATE
_____	_____
OFFICER SIGNATURE	DATE