



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

**Meeting Minutes**  
**May 3<sup>rd</sup>, 2019**  
**First Floor Conference Room (1-B)**  
**Davy Crockett Tower**

The Private Probation Services Council met on May 3, 2019 in Nashville, Tennessee, at the Davy Crockett Tower in the first floor conference room 1-B. Director Kopchak called the meeting to order at 10:05 a.m. and the following business was transacted:

**COUNCIL MEMBERS PRESENT**

Judge Lynn E. Alexander  
Judge Larry Logan  
Judge Gary Starnes (via teleconference)  
David Nimmo (via teleconference)

**COUNCIL MEMBERS ABSENT**

Judge Brody Kane  
Stancil Ford

**STAFF MEMBERS PRESENT**

Glenn Kopchak, Roxana Gumucio, Cherrelle Hooper, Ashley Geno

**NOTICE OF MEETING**

Director Kopchak confirmed that notice of the meeting had been posted to the Private Probation Service Council website on April 23, 2019.

**ROLL CALL**

Director Kopchak took roll call and noted quorum.

**STATEMENT OF NECESSITY**

Recognizing the absence of a physical quorum, Director Kopchak read the Statement of Necessity into the record. Judge Logan put forward a motion to accept as written, which Judge Alexander seconded. The motion passed unanimously by roll call vote.

**ADOPT AGENDA**

Judge Starnes made a motion to adopt the agenda as written, which Judge Logan seconded. The motion passed unanimously by roll call vote.

**MINUTES**

Upon review of the minutes from the previous meeting, Judge Logan put forward a motion to accept with edits that properly reflected Mr. Nimmo's title, which Judge Alexander seconded. The motion passed unanimously by roll call vote.

## **DIRECTORS REPORT**

### ***Budget***

At the previous meeting, Director Kopchak reviewed the prior fiscal year reserve balance, administrative costbacks, monthly expenses for this fiscal year through November, and provided a thorough analysis of each. As a result, he limited the review of the budget to a review of December through February which provided another quarterly pattern reflecting a net deficit for 2 months balanced by a surplus for the quarterly provider fee month of February.

## **LEGAL**

### ***Legislative Updates***

There being no legal report this meeting, Staff Attorney Cherrelle Hooper provided legislative updates for Senate Bill 141 and Senate Bill 293. SB 141 grants a 2 year extension to the program. It reduces the 20 hour Continuing Education (CE) requirement for officers to 8 hours and further requires that all private probation officers supply a fingerprint sample and submit to a criminal history records check. It passed both houses on May 1, 2019.

At the last meeting, Senate Bill 293 was introduced which is an amendment to TCA 40-35-302, relative to audits of private probation service providers. SB 293 essentially allows for the comptroller of the treasury to conduct an independent fiscal and performance audit of the private probation service providers. This bill was signed into law on April 17, 2019.

### **WORK SESSION** (Mr. Nimmo made a physical appearance at 10:55.)

Pursuant to the recent Comptroller's audit, the Council met with the purpose of addressing the findings of the audit and to outline some legislative concerns. The Council did indicate that their scope is somewhat limited in context with the autonomy exercised by the courts of the many local jurisdictions that the private probation providers service; however, some legislative concerns include unregulated ancillary service providers and human resource organizations which are performing monitoring and reporting services very similar to probation providers. At the last meeting, the Council also expressed interest in formalizing a regular internal audit process. SB 293 has since satisfied the issue regarding the capacity and function of a regular internal audit. Judge Logan motioned that the Council's legislative concerns, pursuant to the audit, are that under TCA 16-3-903(3), "Private entity" be expanded to include privately owned and operated corporation, enterprise or entity that provides monitoring or reporting services and that the Council would like to further define what qualifies as initial training and continuing education, with ethics and rules being a central part of what is included. Mr. Nimmo seconded. The motion passed unanimously by roll call vote.

## **NEW BUSINESS / ADJOURNMENT**

There being no new business, Judge Alexander made a motion to adjourn the meeting, which Judge Logan seconded. The motion passed unanimously by roll call vote. Director Kopchak adjourned the meeting at 11:30 a.m.