



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

Meeting Minutes
May 3, 2024
Teams Meeting
Davy Crockett Tower

The Private Probation Services Council met on May 3, 2024, via a Teams Teleconference. The following business was transacted:

COUNCIL MEMBERS PRESENT: Judge Teresa Nelson, Judge Jason Hudson, Judge Joel Perry and Michael Wright.

COUNCIL MEMBERS ABSENT: Judge Brody Kane, Stacey Kelley, and Baker Ring.

STAFF MEMBERS PRESENT: Roxana Gumucio, Dana Lee, Jon Lillard, and Michael Underhill

CALL TO ORDER/ROLL CALL

Director Gumucio called the meeting to order at 10:09 a.m. and completed roll call.

Ms. Gumucio explained that a member of the public may provide comments as they relate to the agenda. This opportunity is added at the end under new business.

NOTICE OF MEETING

Director Gumucio read the notice of meeting into the record as follows: "Notice of the May 3, 2024, meeting of the Private Probation Services Council was posted to the Private Probation Service Council website since August 15, 2023, additionally, this month's agenda has been posted on the website since Friday, April 26, 2024."

STATEMENT OF NECESSITY

Mr. Michael Underhill read the Statement of Necessity into the record. Judge Nelson motioned to accept it as written, which Judge Hudson seconded. The motion passed unanimously by roll call vote.

AGENDA

Judge Perry motioned to adopt the agenda as adjusted, which Judge Nelson seconded. The motion passed unanimously by roll call vote.

FEBRUARY MINUTES

Upon review of the minutes from the February meeting, Judge Perry motioned to approve the minutes as written. This was seconded by Judge Hudson. The motion passed unanimously by roll call vote.

DIRECTORS REPORT

Budget

Director Gumucio presented the financial numbers as of February 2024 showing the program added a surplus of \$4,672 for fiscal year 23-24. This puts the reserve balance at \$609,656.

Director Gumucio presented the 2025 proposed meeting dates.

Judge Perry motioned acceptance, which was seconded by Judge Nelson. The motion passed unanimously by roll call vote.

LEGAL

Legal Report (presented by Michel Underhill)---

1. PPSC-2024006091

DISCIPLINARY HISTORY:

- NONE

SUMMARY:

This 2-6-24 complaint alleges unprofessional conduct on behalf of a private probation officer pursuant to Tenn. Comp. Rules and Regs. section 1177-02-.04 (8)(a) [engaging in abusive, aggressive, hostile or disrespectful towards probationers or members of the court]. Specifically, complainant states they presented to the probation officer for a urine drug screen while also suffering from pneumonia. Complainant was told to wait outside in the parking lot (during wintertime) until such time as the urine drug screen could be performed. While out in the parking lot, complainant experienced immediate pains in his body from the pneumonia, prompting the complainant to present to the local emergency room. Upon discharge, complainant reported back to the probation officer, who allegedly exhibited disrespectful behavior and misrepresented complainant's medical condition. Respondent did not provide a response to the allegations, another indicator of unprofessional conduct in not responding to a query from the Council. This is Respondent's first instance of unprofessional conduct.

RECOMMENDATION:

Letter of warning referencing Tennessee Comp. Rules and Regs. section 1777-02-.06 [Refusal to renew, denial, suspension, and revocation of approval] and specifically subsections (1)(f) [Failure or refusal to comply with any of these rules or with any law relating to the operation of a private probation entity] and (1)(g) [Failure or refusal to comply with any order or directive issued by the Council pursuant to its authority as provided by law and rules].

DECISION: APPROVED.

2. PPSC-2024013481**DISCIPLINARY HISTORY:**

- 2023064221-closed- administrative complaint alleges Respondent has failed to file November 2023 quarterly report and fee – Letter of Warning

SUMMARY:

This 3-4-24 administrative complaint alleges Respondent has failed to file February 2024 quarterly report and fee as mandated in Tenn. Comp. Rules & Regs. section 1177-01-.08 (Quarterly Provider Fee) by February 20, 2024.

This is the Respondent's second offense for providing the quarterly report and fee after its due date.

RECOMMENDATION:

Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00.

DECISION: Approved.

Judge Perry motioned acceptance, which was seconded by Judge Hudson. The motion passed unanimously by roll call vote.

NEW BUSINESS

Director Gumucio updated the council on the comptroller's audit.

Director Gumucio asked if anyone in the public, participating remotely using Teams, had comments as they relate to the agenda. There were no comments provided.

ADJOURNMENT

There being no new business, Judge Perry motioned to adjourn the meeting, which Judge Hudson seconded. Director Gumucio adjourned the meeting at 10:19 a.m.