

## Attachment Two: Tennessee Department of Correction Policies

***\*The policies enclosed are subject to revisions. The expiration date of the policy is the date of the State's anticipated revision date and not an exclusion of operational duties.\****

### Policies Enclosed

#103.11 Notification to Victim/Member of the Public and Confidentiality of Information

#103.15 Central Communication Center

#208.02 Financial Obligations for Work/Educational Release Inmates

#704.04 Sex Offender Standards of Supervision

#704.05 Program Supervision Unit

#704.07 Community Supervision for Life

#704.09 Radio Frequency Monitoring

#704.10 Community Supervision Sanctions

#704.12 Global Positioning System Offender Monitoring

#704.13 Electronic Monitoring Equipment Inventory

#705.02 Offender Travel Permits

#705.11 Community Supervision Offender Fees

\*Additional Enclosed Documents\*

Memphis Community Impact Program (MCIP) Standard Operating Procedures (SOP)

Community Supervision Manual of Unit Operation (Programmed Supervision Unit)

State of Tennessee Public Chapter NO. 598

American Correctional Association (ACA) Standards



ADMINISTRATIVE POLICIES  
AND PROCEDURES  
State of Tennessee  
Department of Correction

Index #: 103.11

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Effective Date: November 15, 2016

Distribution: A

Supersedes: 103.11 (9/1/13)  
PCN 15-13 (4/1/15)

Approved by: Tony Parker

Subject: NOTIFICATION TO VICTIM /MEMBER OF THE PUBLIC AND CONFIDENTIALITY OF INFORMATION

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, TCA 10-7-504, TCA 40-28-505, TCA 40-38-103, TCA 40-38-302, TCA 40-38-110, TCA 41-21-240, and TCA 41-21-242.
- II. PURPOSE: To provide a confidential system for notification of crime victims, their families, or members of the public (upon request) regarding the status of Tennessee Department of Correction (TDOC) sentenced felons incarcerated in TDOC institutions, county jails/workhouses/penal farms, or under state supervised probation or parole.
- III. APPLICATION: All TDOC employees, privately managed facilities, and Board of Parole (BOP) employees.
- IV. DEFINITIONS:
  - A. Community Supervision Victim Coordinator (VC): Staff member of the Community Supervision Office who is responsible for coordination of victim services at that location.
  - B. District Attorney General Victim Witness Coordinator (DAG-VWC): The Victim Witness Coordinator for the District Attorney General.
  - C. Identifying information: Name, home and work addresses, telephone numbers, and Social Security Numbers.
  - D. Immediate Family Member of a Victim: Spouse, parent, child, sibling, grandparent, grandchild, stepchild, stepparent, step-sibling, half-sibling, or legal guardian of the victim.
  - E. Members of the Public: Persons in the general community who want to be notified of an offender's status, and request registration for notification of transfer, parole hearing, decision, and release. Government entities that request notification are not considered members of the public and their identifying information is not confidential.
  - F. Offender/Inmate: Any TDOC sentenced felon in a TDOC institution, privately managed facility, county jail/workhouse/penal farm, or on state supervised probation or parole.
  - G. TDOC Victim Services Coordinator (TDOC-VSC): The TDOC Central Office staff member responsible for coordination of services for victims across all regions of the State.
  - H. Victim: An individual whose perpetrator has received a TDOC sentence to include probation, supervised release or incarceration with a felony conviction.
  - I. Victim Offender Information Caller Emissary (VOICE): An automated computer system designed to give registered victims pertinent telephone information concerning the offender(s) current status.

- J. Victim Personal Identification Number (VPIN): A unique eight-digit number assigned to victims to allow access to information on the VOICE telephone system.
- V. POLICY: The TDOC, in cooperation with the BOP, shall provide pertinent information to victims/immediate family members and members of the public, who have requested notification concerning the status of current offender(s). Any information pertaining to the victims/immediate family members and members of the public who request such information is confidential and shall be maintained accordingly.
- VI. PROCEDURES:
- A. Upon request, a victim/immediate family member may receive pertinent information concerning an offender's status by submitting a Victim/Member of the Public Request for Notification, CR-3613, to the TDOC. A request may also be submitted by email, regular mail, or facsimile. Request may also be submitted by contacting the TDOC-VSC or designee. The requested information will be provided through the VOICE system. The below information must be submitted on the CR-3613:
1. Requestor's name, mailing address, and telephone number(s)
  2. Victim's Name
  3. Relationship to the victim
  4. Offender's name and TOMIS ID, if known
  5. Type of notification requested (e.g., parole hearings, decisions, and/or release)
- B. It shall be the victim's/immediate family member's responsibility to keep TDOC apprised of any changes in the information submitted.
- C. Upon receipt of a request for notification from a victim/immediate family member, the TDOC-VSC or designee shall verify the information submitted in the request is correct. Identification of a victim/immediate family member may be recognized in any one of the following ways:
1. Information received from an indictment or judgment order
  2. Information received from a pre-sentence investigation report
  3. Information received from the Victim Witness Coordinator in the offender's county of conviction
  4. Information received from another law enforcement or governmental agency
- D. When an offender is under supervision as a result of committing a crime, the registered victim may request to be notified by the VC with the following information:

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1. Any pending hearing regarding the offender's sentence in known
  2. Any planned release from confinement or supervision of the offender
  3. Any instances of offender escapes from custody or supervision
    - (a) Information regarding offender escape shall be reported to victim(s) immediately
    - (b) Follow-up notification shall be provided to the victim(s) when the offender has been apprehended and returned to custody
- E. Once victim/immediate family member information has been verified, the TDOC-VSC or designee shall enter pertinent data into the TOMIS computer via conversation LPDD. Once the information has been entered into TOMIS, a VPIN will be assigned to the victim/immediate family member.
- F. After entering the information of the victim/immediate family member on TOMIS, the TDOC-VSC or designee shall send a letter to all registered persons. The letter shall contain the following information:
1. Victim/Offender Status Letter stating: "NOTE: It is the responsibility of the person(s) registered to provide TDOC with a current mailing address and notification of any subsequent changes in their mailing address.
  2. Information and instructions for accessing the VOICE telephone information system and the information available through VOICE
  3. Information regarding how to contact the TDOC-VSC or designee
  4. A VOICE phone card containing the victim's/immediate family member's VPIN and the offender's TOMIS ID number.
- G. Other victim family members and interested members of the public may receive current information regarding the offender's status by submitting a Victim/Member of the Public Request for Notification, CR-3613. The TDOC-VSC or designee shall verify that the request is properly completed and contains the correct offender information. Once information has been verified, the TDOC-VSC or designee shall enter the pertinent data into the TOMIS computer via conversation LPDD.
- H. TDOC will provide a letter to any registered victims/immediate family members and interested members of the public who request information on an offender that has an active State of Tennessee felony conviction but is not incarcerated. The letter will identify offenders in Community Corrections, those with a split confinement, determinate release, or offenders on probation or parole.

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- I. A registered person may withdraw a request for notification by sending TDOC-VSC a written notarized statement requesting that the notification be withdrawn. This request is subject to verification by the TDOC-VSC or designee.
- J. Identifying information concerning a victim, immediate family or member of the public who has requested notification concerning the status of an offender is confidential and shall not be open for public inspection.
- K. The TDOC-VSC or designee shall notify applicable District Attorneys and Victim Witness Coordinators of an offender's release eligibility dates within 90 days of receipt of valid judgment orders from the court via Victim Witness Coordinator Notification, MNK Report.
- L. The TDOC-VSC or designee shall send a Victim Offender Move letter, (MLD report) to registered victims/immediate family members and interested members of the public when an offender is reassigned and transferred to an institution/complex with a lower security designation (See Policy #506.01) than the sending institution/complex. The TDOC-VSC or designee shall ensure that this letter is generated and mailed within ten working days of the information becoming available.
- M. The TDOC-VSC or designee shall notify registered victims, immediate family members and interested members of the public within 90 days prior to the release of the offender on expiration of sentence using the Victim Notification Release Letter, (MBS). A copy shall be sent to the District Attorney and Victim Witness Coordinator in the county of conviction.
- N. The TDOC-VSC or designee shall coordinate with Information Systems to provide a copy of the Victim Notification Release Letter, MBS Report and the Victim Offender move letter, MLD Report to the Operational System Services (OSS) to scan into the inmate's permanent file under Confidential Information in accordance with Policy #512.01.
- O. Upon being notified of an inmate death, the TDOC-VSC or designee shall verbally notify the individuals specified below of the death no later than the next day. If the death occurs during a weekend or holiday and contact is unable to be made with any of the individuals listed below, the TDOC-VSC or designee shall leave a voice message and contact the individuals the next business day.
  - 1. District Attorney General/Victim Witness Coordinator in the county of conviction(s)
  - 2. District Attorney General in the county of death
  - 3. Registered Victim/Victim's Family listed on LPDD
  - 4. Registered Other Members of the Public/ Interested Party(s) listed on LPDD
- P. The TDOC VSC shall make the appropriate entries on the LPDD screen in the comment section. The corresponding entry shall also be made on the Victim Services call log located on the Rehabilitative Services H drive. Written notification shall be in accordance with Policy #511.03.

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- Q. The Institutional records office shall check Interested Party/Comments (LPDD), and send the Notification of Release, CR-3626, to victims/victim family members and interested members of the public listed. Public officials shall also be sent a Release of Notification, CR-1945. These notifications shall be sent five working days prior to the offender's release unless circumstances dictate otherwise. A copy of both forms shall be placed in the offender's institutional record and a copy shall be emailed to the TDOC-VSC/designee. The facility record clerk shall notify the TDOC-VSC of any returned Notification of Release forms. Information of the returned forms will be noted on TOMIS screen LPDD and the Victim Services returned letter log.
  - R. Within 30 days of release from community supervision oversight, the VC shall send notification to registered victim(s) advising of the offender's projected expiration date. Registered victims shall also be notified immediately if the offender has absconded. Notification shall also be made if/when the offender is returned to supervision.
  - S. The VC shall check LPDD for all court and BOP modification requests to see if the offender has registered victims/family. The community supervision victim coordinator shall seek input from those registered for any modification change requests. The VC shall notify the PPO in writing of any victims input. The PPO shall include the victim's input in the request to the court/BOP.
- VII. ACA STANDARDS: 2-CO-4G-02, 4-4447, 4-4447-1, APPFS-1A-04, and 4-APPFS-2A-05.
- VIII. EXPIRATION DATE: November 15, 2019.



# VICTIM / MEMBER OF THE PUBLIC REQUEST FOR NOTIFICATION

DATE: \_\_\_\_\_

**NOTE: It is the responsibility of the victim or victim's representative to provide the Department of Correction with a current mailing address and to keep the department informed of any changes in the mailing address.**

**BY LAW, CONTACT INFORMATION FOR REGISTERED VICTIMS OF CRIME, FAMILY MEMBERS, AND INTERESTED MEMBERS OF THE PUBLIC WILL BE HELD CONFIDENTIAL.**

OFFENDER NAME: \_\_\_\_\_ TOMIS ID: \_\_\_\_\_

RACE: \_\_\_\_\_ SEX: \_\_\_\_\_ DOB: \_\_\_\_\_ CASE NUMBER: \_\_\_\_\_

**By registering, you will be notified of Parole Hearings, Parole Decisions, and Releases as applicable. You will be notified of offender movements (lower security facilities and/or supervised release).**

**NOTE: Failure to provide complete contact information requested may delay or prevent Victim Services from processing your request.**

YOUR NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY / STATE / ZIP CODE \_\_\_\_\_

PHONE NUMBER: Home ( ) \_\_\_\_\_ Work ( ) \_\_\_\_\_ Cell: ( ) \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

ARE YOU THE VICTIM?  Yes  No

IF NOT, PLEASE INDICATE YOUR RELATIONSHIP TO THE VICTIM: **Please check "✓" one:**

Spouse  Parent  Child  Sibling  Grandparent  Grandchild

Step parent  Step child  Step sibling  Half sibling  Other \_\_\_\_\_

VICTIM'S NAME: \_\_\_\_\_

SPECIAL NOTES: \_\_\_\_\_

## MAIL TO:

Tennessee Department of Correction  
Victim Services Division  
5<sup>th</sup> Floor Rachel Jackson Building  
320 Sixth Avenue North  
Nashville, Tennessee 37243-0465

*For Question please contact:*

*Phone: (615) 253-8145*

*Fax: (615) 741-1055*

*or e-mail: [Victim.Notification@tn.gov](mailto:Victim.Notification@tn.gov)*

FOR OFFICIAL USE ONLY	Date entered _____	Registration Type _____	VPIN _____
Special Instructions _____	Entered by _____		



**VICTIM NOTIFICATION OF RELEASE**

Date:

TO:

Dear

In compliance with TCA 41-21-224, you are hereby notified that:

Name: \_\_\_\_\_ TOMIS ID: \_\_\_\_\_

Date Convicted: \_\_\_\_\_ County of Conviction: \_\_\_\_\_ DOB \_\_\_\_\_

For the offense of \_\_\_\_\_

Has been/will be released from custody by way of: \_\_\_\_\_  
(TYPE OF RELEASE)

on \_\_\_\_\_ . This sentence expires: \_\_\_\_\_

The offender's intended residence (**CITY and STATE only**): \_\_\_\_\_

\_\_\_\_\_

If the offender is released by detainer to a Tennessee county facility, please register for information and notification through Tennessee Statewide Automated Victim Information & Notification service (SAVIN) by calling 1-888-868-4631, or through the internet connection at [www.vinelink.com](http://www.vinelink.com)

If you have any questions regarding this matter, or need additional information, please contact:

Victim Services Coordinator  
**(615) 253-8145**  
Monday – Friday between 8:00 a.m. and 4:30 p.m.





STATE OF TENNESSEE  
 DEPARTMENT OF CORRECTION  
 6<sup>TH</sup> FLOOR RACHEL JACKSON BLDG.  
 320 SIXTH AVENUE NORTH  
 NASHVILLE, TENNESSEE 37243-0465

**RELEASE NOTIFICATION**

Sheriff

Dear Sir:

In compliance with TCA 41-21-224, you are hereby notified that:

Name: \_\_\_\_\_ TDOC Number: \_\_\_\_\_

Date Convicted: \_\_\_\_\_ County of Conviction: \_\_\_\_\_ DOB \_\_\_\_\_

For the offense of \_\_\_\_\_

Has been/will be released from custody by way of: \_\_\_\_\_  
 (TYPE OF RELEASE)

on \_\_\_\_\_ . This sentence expires: \_\_\_\_\_

The offender's intended residence is: \_\_\_\_\_


This information is for your confidential files.

\_\_\_\_\_  
 Record Clerk

\_\_\_\_\_  
 Warden

\_\_\_\_\_  
 Date

- pc: Sheriff: County of Conviction  
 Chief of Police: County of Conviction/Residence  
 District Attorney General: County of Conviction/Residence  
 Victim Witness Coordinator  
 Institutional file

 <p style="text-align: center;"> <b>ADMINISTRATIVE POLICIES AND PROCEDURES</b>          State of Tennessee          Department of Correction       </p>	Index # 103.11	Page 1 of 1
	Effective Date: April 15, 2017	
	Distribution: A	
	Supersedes: N/A	
Approved by: Tony Parker		
Subject: NOTIFICATION TO VICTIM/MEMBER OF THE PUBLIC AND CONFIDENTIALITY OF INFORMATION		


POLICY CHANGE NOTICE 17-40

INSTRUCTIONS:

Please change Section VI.(Q), to read as follows:

- “Q. The institutional records office shall check TOMIS Screen LPDD, Interested Party/Comments and send the Notification of Release, CR-3626, to victims/victim family members and interested members of the public listed.
1. The records office staff shall ensure that the Notification of Release, CR-3626, is forwarded to the victim(s) at least five working days prior to the offender’s release date. In the event that the notification of release is not sent to the registered victim(s) at least five working days prior to the offender’s release date, the institutional records staff shall contact the victim(s) at the phone number listed on TOMIS screen LPDD, Interested Party/Comments and notify them of the offender’s release date.
  2. If staff is unable to make contact with the victim(s), they shall leave a message indicating their name, title, facility, and call back number on the voice mail. Staff shall document phone calls made to victim(s) on TOMIS screen LCDG, Contact Notes and notify the Central Office Victim Services Coordinator (CO-VSC) via email of such calls.
  3. When documenting calls on TOMIS screen LCDG, Contact Notes, do not list the victim(s) name as such information is confidential.

Public officials shall also be sent a Release of Notification, CR-1945. These notifications shall be sent five working days prior to the offender’s release unless circumstances dictate otherwise. A copy of both forms shall be placed in the offender’s institutional record and a copy shall be emailed to the TDOC VSC/designee. The facility record clerk shall notify the TDOC VSC of any returned Notification of Release forms. Information of the returned forms will be noted on TOMIS screen LPDD, Interested Party/Comments and the Victim Services returned letter log”.

 <p style="text-align: center;"> <b>ADMINISTRATIVE POLICIES AND PROCEDURES</b>          State of Tennessee          Department of Correction       </p>	Index # 103.11	Page 1 of 1
	Effective Date: February 1, 2018	
	Distribution: A	
	Supersedes: N/A	
Approved by: Tony Parker		
Subject: NOTIFICATION TO VICTIM/MEMBER OF THE PUBLIC AND CONFIDENTIALITY OF INFORMATION		

POLICY CHANGE NOTICE 18-9

INSTRUCTIONS:

Please change Section VI. (O), to read as follows:

- “O. Upon being notified of an inmate death, the TDOC-VSC or designee shall verbally notify the individuals specified below of the death no later than the next day. If the death occurs during a weekend or holiday, the TDOC-VSC or designee shall contact the individuals the next working business day. If contact is unable to be made with any of the individuals listed below, the TDOC-VSC or designee shall leave a voice message and follow up with an email or written letter.
1. District Attorney General/Victim Witness Coordinator in the county of conviction(s)
  2. District Attorney General in the county of death
  3. Registered Victim/Victim’s Family listed on LPDD
  4. Registered Other Members of the Public/Interested Party(s) listed on LPDD”



ADMINISTRATIVE POLICIES  
AND PROCEDURES  
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Index #: 103.15

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Effective Date: April 1, 2016

Distribution: A

Supersedes: 103.15 (1/15/14)

Approved by: Derrick D. Schofield

Subject: CENTRAL COMMUNICATION CENTER

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606.
- II. PURPOSE: To set forth the goals and objectives for the Central Communication Center within the Tennessee Department of Correction (TDOC).
- III. APPLICATION: To all employees of the TDOC, privately managed facilities, locations housing, supervising, or managing TDOC offenders, including community corrections programs.
- IV. DEFINITIONS:
  - A. Central Communication Center (CCC): A TDOC work unit that receives and processes internal critical incident reporting and electronic monitoring and provides other support services for the Department.
  - B. Commissioner's Alert: Information associated with an inmate that advises staff of an inmate's potential danger and/or risk.
  - C. Correctional Program Administrator: For the purposes of this policy, the lead administrative position responsible for oversight of the CCC operations.
  - D. Critical Incidents: Serious incidents which require immediate notification to Central Office.
  - E. Global Exclusion Zone Data Set: A set of geocoded data of the property lines of areas in Tennessee determined by statute and/or department policy to be off limits for a category of offenders (i.e. child sex offenders restricted from schools, daycares, parks, etc) which is uploaded directly from OIR GIS services to the electronic monitoring vendor's mapping.
  - F. Global Positioning System (GPS): A satellite navigation system used to determine ground position and velocity (location, speed, and direction)
  - G. Office of Investigations and Compliance (OIC): A division within the TDOC that consists of Investigations, Compliance, and Special Operations units.
  - H. Protocol: For the purpose of this policy, a guide that defines the time frames, formats, and recipient lists for the dissemination of critical incident communications from the CCC.
  - I. Sex Offender 1000 Foot Zone Map: A mapping application containing geocoded data for the areas covered under 40-39-211 Sex Offender Registry Work and Residency restrictions and the 1000 ft. area surrounding them. <http://tnmap.tn.us/tdoc/>

Subject: CENTRAL COMMUNICATION CENTER

V. POLICY: The CCC shall be in operation 24 hours/7 days weekly to enhance the Department's ability to perform its mission through receiving, responding, processing and disseminating critical information to designated TDOC staff.

VI. PROCEDURES:

- A. Critical Incidents, as defined within this policy, shall be reported by telephone within 30 minutes to the CCC.
- B. The Correctional Program Administrator shall oversee the development and maintenance of a notification protocol for all incidents considered to be critical incidents by TDOC executive staff. The protocol shall include all steps to be followed by the CCC in the receipt, recording, processing, and form of notification, dissemination schedule and distribution for each type of critical incident.
- C. Critical Incident notification shall be made by the CCC personnel based upon the protocol for each incident type. The protocol for each incident type shall include:
  1. Whether the offender is on the Commissioner's Alert (See also Policy #506.28)
  2. Which personnel are contacted
  3. When specific personnel are contacted
  4. Format of communication(s) to be used
- D. The Correctional Program Administrator/designee will ensure a report of all critical incidents received is disseminated to the following TDOC personnel daily:
  1. Commissioner
  2. Chief of Staff
  3. Deputy Commissioners
  4. Assistant Commissioners
  5. Director of OIC
  6. Communications Director
  7. General Counsel
  8. Correctional Administrators
  9. Wardens
  10. District Directors
  11. TCA Superintendent

Subject: CENTRAL COMMUNICATION CENTER

12. Other personnel, as deemed appropriate by any of the above
- E. The Correctional Program Administrator/designee shall ensure that a log of all critical incidents received involving parolees, is disseminated to the following Board of Parole personnel daily, provided any were received:
1. Chairman of the Board of Parole
  2. Executive Director of the Board of Parole
  3. Communication Director
  4. Other BOP staff may be added by request of the Chairman or Executive Director
- F. The CCC shall have member(s) of the unit assigned to take calls at all times, and have an emergency relocation plan to assure coverage in the event the central office location is not operational.
- G. The following institutional incidents listed within Policy #103.02, Incident Reporting, must be reported by telephone by the shift commander or designee to the CCC within 30 minutes.
1. ABSCOND CUSTODY – ATTEMPT
  2. ABSCOND CUSTODY – MINIMUM SECURITY (*outside secure area*)
  3. ARREST –MISDEMEANOR-STAFF
  4. ARREST-FELONY-OFN
  5. ARREST-FELONY-STAFF
  6. ARREST-FELONY-VISITOR
  7. ARREST-FURLOUGH/PASS-FELONY
  8. ARREST-FURLOUGH/PASS-MISDEMEANOR
  9. ARREST-FURL/PASS-VIOLENT CRIME
  10. ARSON-INJ-PROP DAMG<\$500
  11. ARSON-INJ-PROP DAMG>\$500-OPR DISRUP
  12. ARSON-PROP DAMG >\$500- OPR DISRUP
  13. ARSON-SER INJ-PROP DAMG>\$500-OPR DISRUP
  14. ASSAULT STAFF – WEAPON
  15. ASSAULT STAFF –WITHOUT WEAPON
  16. ASSAULT OFFENDER – WEAPON
  17. ASSAULT OFFENDER – WITHOUT WEAPON
  18. ASSAULT VISITOR/GUEST – WEAPON
  19. ASSAULT VISITOR/GUEST – WITHOUT WEAPON
  20. BOMB THREAT
  21. DEATH-OFN-ACCIDENT
  22. DEATH-OFN-EXEC-ELEC CHR
  23. DEATH-OFN-EXEC-LETH INJ
  24. DEATH-OFN-HOMICIDE
  25. DEATH-OFN-NATURAL
  26. DEATH-OFN-SUICIDE
  27. DEATH-STAFF NATURAL (ON DUTY)
  28. DEATH-STAFF-ACCIDENT (ON DUTY)
  29. DEATH-STAFF-SUICIDE (ON DUTY)
  30. DEATH-STAFF-HOMICIDE (ON DUTY)

Subject: CENTRAL COMMUNICATION CENTER

31. DEATH-VISITOR – NATURAL
32. DEATH-VISITOR – ACCIDENT
33. DEATH-VISITOR – SUICIDE
34. DEATH –VISITOR – HOMICIDE
35. DESTRUCTION OF STATE PROP
36. DISTURBANCE-TEMP CONTROL LOSS
37. DRUGS-CONFIS.-SIGNIF AMOUNT-STAFF
38. DRUGS-CONFIS.-SIGNIF AMOUNT-VISITOR
39. DRUGS-CONFIS-STAFF
40. DRUGS-CONFIS-VISITOR
41. EMERG USE OF INMATE CREW BY OUTSIDE AGENCY
42. EPIDEMIC-PUBLIC HEALTH THREAT
43. EQUIP. PROBLEM-MAJOR DISRUPTION
44. EQUIP. PROBLEM-MINOR DISRUPTION (*phone, power etc*)
45. ESCAPE ATT-MINIMUM SECURITY
46. ESCAPE ATT-SECURE SUPER
47. ESCAPE-MIN SEC UNIT
48. ESCAPE-SECURE SUPERVISION
49. EXTORTION
50. FIRE-INJ-PROP DMG>\$500-OPR DISRUP
51. FIRE-PROP DMG>\$500-OPR DISRUP
52. FIRE-SER INJ-PROP DMG>\$500-OPR DISRUP
53. FIRE TRUCK-NON TDOC USE
54. HOSTAGE SITUATION
55. ILLNESS-OFN-SERIOUS-HOSP
56. ILLNESS-STAFF-SERIOUS-HOSP (*on duty*)
57. ILLNESS-VISITOR-SERIOUS-HOSP
58. INSTITUTIONAL LOCKDOWN-PARTIAL
59. INSTITUTIONAL LOCKDOWN-TOTAL
60. INSTITUTIONAL SHAKEDOWN
61. NATURAL DISASTER
62. NEWS MEDIA
63. POSS/USE/INTRODUCTION/SELLING OF TOBACCO PRODUCTS-EMPLOYEE
64. POSS/USE/INTRODUCTION/SELLING OF TOBACCO PRODUCTS-VISITOR
65. PROP DAMAGE->\$500
66. RIOT
67. SABOTAGE-OPR DISRUP
68. STRIKE-STAFF-OPER. DISRUP.
69. SUICIDE ATTEMPT(SERIOUS INJURY REQUIRING OUTSIDE MEDICAL TREATMENT)
70. USE OF FORCE-CHEMICAL AGENTS
71. USE OF FORCE-DEADLY WEAPON
72. USE OF FORCE-ELEC RESTRAINTS
73. USE OF FORCE-LESS THAN LETHAL
74. WEAPON-AMMUNITION
75. WEAPON-CLASS B TOOL
76. WEAPON-CLASS A TOOL
77. WEAPON-CLUB

Subject: CENTRAL COMMUNICATION CENTER

78. WEAPON-COMMERCIAL FIREARM
79. WEAPON-COMMERCIAL KNIFE
80. WEAPON-DISCHARGE-NON TRAINING
81. WEAPON-EXPLOSIVES
82. WEAPON-EXPLOSIVES-SIGNIF AMOUNT
83. WEAPON-NONCOMMERCIAL FIREARM
84. WEAPON-NONCOMMERCIAL KNIFE
85. WEAPON-OTHERARREST- FURLOUGH/PASS-MISDEMEANOR

H. The following Community Supervision incidents shall be reported to the CCC by the site director/manager or designee within 30 minutes of the incident becoming known:

1. ABSCOND- ELECTRONIC MONITORING/GPS TAMPER
2. ABSCOND- MEDICAL FURLOUGH
3. ARREST-FELONY-OFN (*when violent crime or with media attention/potential*)
4. ARREST-FELONY-STAFF
5. ARREST –MISDEMEANOR-STAFF
6. ARREST-FELONY-VISITOR On state Property
7. ARREST-FURLOUGH/PASS-FELONY
8. ARREST-FURLOUGH/PASS-MISDEMEANOR
9. ARREST-FURL/PASS-VIOLENT CRIME
10. ARSON of or on state property
11. ASSAULT STAFF – WEAPON
12. ASSAULT STAFF –WITHOUT WEAPON
13. ASSAULT OFFENDER – WEAPON
14. ASSAULT OFFENDER – WITHOUT WEAPON
15. ASSAULT VISITOR/GUEST – WEAPON
16. ASSAULT VISITOR/GUEST – WITHOUT WEAPON
17. BOMB THREAT
18. BURGLARY
19. DEATH-OFN-ACCIDENT
20. DEATH-OFN-HOMICIDE
21. DEATH-OFN-NATURAL
22. DEATH-OFN-SUICIDE
23. DEATH-STAFF NATURAL (ON DUTY)
24. DEATH-STAFF-ACCIDENT (ON DUTY)
25. DEATH-STAFF-SUICIDE (ON DUTY)
26. DEATH-STAFF-HOMICIDE (ON DUTY)
27. DEATH-VISITOR – NATURAL (ON STATE PROPERTY)
28. DEATH-VISITOR – ACCIDENT (ON STATE PROPERTY)
29. DEATH-VISITOR – SUICIDE (ON STATE PROPERTY)
30. DEATH –VISITOR – HOMICIDE (ON STATE PROPERTY)
31. DESTRUCTION OF STATE PROPERTY
32. DISTURBANCE
33. DRUG PARAPHERNALIA (ON STATE PROPERTY)
34. DRUGS-CONFIS-OFFENDER
35. DRUGS-CONFIS-STAFF



Subject: CENTRAL COMMUNICATION CENTER

36. DRUGS-CONFIS-VISITOR
37. EMERGENCY SERVICES ASSISTANCE- INCOMING ASSISTANCE OF LAW ENFORCEMENT, FIRE DEPARTMENT, EMT, AMBULANCE, ETC. REQUESTED (DOES NOT INCLUDE ROUTINE ASSISTANCE IN SERVICE OF VIOLATION WARRANTS)
38. EPIDEMIC-PUBLIC HEALTH THREAT
39. EQUIP. PROBLEM-MAJOR DISRUPTION
40. EQUIP. PROBLEM-MINOR DISRUPTION (*phone, power etc*)
41. EXTORTION
42. FIGHTING
43. FIRE
44. HOSTAGE SITUATION
45. ILLNESS-OFN-SERIOUS-HOSP (ON STATE PROPERTY)
46. ILLNESS-STAFF-SERIOUS-HOSP (ON DUTY)
47. ILLNESS-VISITOR-SERIOUS-HOSP (ON STATE PROPERTY)
48. INJURY-ACCIDENT-OFFENDER-WHICH OCCURS ON STATE PROPERTY OR DURING AN ACTIVITY REQUIRED BY SUPERVISION CONDITIONS, SUCH AS COMMUNITY SERVICE WORK
49. INJURY-ACCIDENT-STAFF-SERIOUS (ON DUTY)
50. INJURY-ACCIDENT-VISITOR-SERIOUS (ON STATE PROPERTY)
51. INJURY- SELF INFLICTED-SERIOUS (ON STATE PROPERTY)
52. LARCENY
53. NATURAL DISASTER
54. NEWS MEDIA
55. PROP DAMAGE->500
56. RIOT
57. SABOTAGE-OPERATIONS DISRUPTED
58. SPECIAL OPERATIONS/SWEEPS
59. STRIKE- STAFF- OPERATIONS DISRUPTED
60. SUICIDE-ATT ON STATE PROPERTY
61. USE OF FORCE-CHEMICAL AGENTS
62. USE OF FORCE-DEADLY WEAPON
63. USE OF FORCE-ELEC RESTRAINTS
64. USE OF FORCE-LESS THAN LETHAL
65. USE OF FORCE-PHYSICAL
66. VEHICLE SEARCH
67. WEAPON-AMMUNITION
68. WEAPON- FIREARM\*
69. WEAPON-DISCHARGE-NON TRAINING
70. WEAPON-EXPLOSIVES

\* In an offender's possession at any time or on the person of anyone on state property other than law enforcement or personnel authorized to carry a weapon. This does not prohibit a non-felon person from having a weapon stored in a personal vehicle while on state property.

Subject: CENTRAL COMMUNICATION CENTER

- I. The following list is comprised of incidents that are considered critical for all divisions of TDOC and must be reported to the CCC within 30 minutes of the incident becoming known:
1. ARREST- STAFF ON OR OFF DUTY
  2. ARSON-PROPERTY DAMAGE >\$500 (with or without injury or disruption)
  3. BOMB THREAT
  4. DEATH- STAFF- NATURAL
  5. DEATH- STAFF-ACCIDENT
  6. DEATH- STAFF-SUICIDE
  7. DEATH- STAFF-HOMICIDE
  8. DEATH- STAFF NATURAL (ON DUTY)
  9. DEATH- STAFF-ACCIDENT (ON DUTY)
  10. DEATH- STAFF-SUICIDE (ON DUTY)
  11. DEATH-STAFF-HOMICIDE (ON DUTY)
  12. DISRUPTION- any occurrence which impacts the ability to perform necessary function (major equipment problems, power outages, natural disaster, major sweeps, searches, etc.)
  13. EPIDEMIC- PUBLIC HEALTH THREAT
  14. EMERGENCY SERVICES ASSISTANCE- incoming assistance of law enforcement, fire department, EMT, ambulance, etc. requested (does not include routine assistance in service of violation warrants)
  15. NON-ROUTINE REQUESTS FOR TDOC ASSISTANCE BY OTHER AGENCIES (such as tracking teams, search and rescue, emergency/disaster assistance)
  16. MEDIA- any media coverage of TDOC operations, staff, site locations, or offenders under its supervision or custody
  17. NATURAL DISASTER
  18. PROPERTY- property valued over \$500 is damaged, stolen, lost, or destroyed
  19. WEAPON DISCHARGE-NON-TRAINING
- J. The CCC shall provide electronic monitoring support services which may include, but are not limited to, the following:
1. GPS tracking reports to assist in apprehensions or criminal investigations
  2. Provide technical assistance, particularly if staff are out in the community and not able to access the electronic monitoring vendor's website.
  3. GPS Alert monitoring services, in accordance with Policy #704.12 and the *GPS Protocol Guide*.
  4. The Correctional Program Administrator and Correctional Program Director shall act as the primary and secondary liaison with the electronic monitoring services vendor, facilitate complaints, service issues.
- K. The CCC shall provide monitoring services for inmate transportation, which may include, but are not limited to, the following:
1. Taking transportation details regarding the transport of any inmate(s) outside the facility, other than work release, work crew.


Subject: CENTRAL COMMUNICATION CENTER

2. Monitoring inmate transportation vehicles through electronic monitoring, tracking of departure and arrival times.
3. Making notifications to the appropriate agencies and personnel according to protocols and in keeping with Operations Transportation Post Orders.
4. Facilitate obtaining assistance for transports as needed.

- L. The Correctional Program Administrator or designee shall act as a liaison with OIR GIS services for mapping services, including but not limited to the sex offender registry zone map and the global exclusion zone data set.
- M. The CCC may provide operation, research and/or command center support assistance for special operations, collaborative efforts with law enforcement, manhunts, exercises, criminal investigations and emergency operations.
- N. The CCC may facilitate requests for the assistance or resources between divisions within the Department as well from outside agencies.
- O. The CCC may provide other services including but not limited to monitoring TDOC radio communications, TDOT SMARTVIEW traffic incidents, National Warning System (NAWAS), and investigative data research and analysis.

VII. ACA STANDARDS: None.

VIII. EXPIRATION DATE: April 1, 2019.

 <p style="text-align: center;"> <b>ADMINISTRATIVE POLICIES AND PROCEDURES</b>          State of Tennessee          Department of Correction       </p>	Index #: 208.02	Page 1 of 6
	Effective Date: March 1, 2019	
	Distribution: A	
	Supersedes: 208.02 (2/1/16)	
Approved by: Tony Parker		
Subject: FINANCIAL OBLIGATIONS FOR WORK/EDUCATIONAL RELEASE INMATES		

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, TCA 41-21-511, and TCA 41-21-512.
- II. PURPOSE: To establish procedures for the collection of room and board and the cost of electronic monitoring from work/educational release inmates.
- III. APPLICATION: To all Tennessee Department of Correction (TDOC) employees and work/educational release inmates.
- IV. DEFINITIONS:
  - A. Mobile Monitoring Unit: A device that receives a signal from a transmitter, checks for strap tampering, proximity tampering, and low battery indications.
  - B. Monitoring: A systematic method of gathering information regarding an inmate's behavior and work habits while unsupervised by TDOC staff outside the confines of the facility
  - C. Net Pay: Earned gross salary less the deductions for Federal income taxes, FICA, and other required deductions ("weekly take home pay").
  - D. Room and Board: Fees (based on calendar days) as reimbursement for the cost of housing and caring for inmates who are placed in the work release program by the TDOC.
  - E. Transmitter: A battery powered, multi-wire conductive strap that sends an electronic signal and is contoured to fit the ankle.
- V. POLICY: All inmates assigned to work/educational release shall be charged for room and board and the cost of electronic monitoring unless otherwise exempted in this policy.
- VI. PROCEDURES:
  - A. Each work/educational release inmate shall be charged room and board based on a fee schedule of 35% of net weekly take home pay, not to exceed \$20.00 per day and not to be less than \$10.00 per day. The exception is that the deduction cannot exceed 75% of the net weekly take home pay.

## Subject: FINANCIAL OBLIGATIONS FOR WORK/EDUCATIONAL RELEASE INMATES

- B. Any inmate classified minimum trusty who participates in a full-time educational release program (12 quarter or semester hours), who works part-time (less than 32 hours a week) and earns less than \$100 a week shall pay room and board charges totaling 25 percent of his/her weekly net pay. If the inmate earns more than \$100 a week, room and board shall be charged as set forth in VI.(A) above. Any inmate attending a full-time educational program and not earning any income may request a room and board waiver memo format from the Warden/Superintendent.
- C. The room and board fee schedule in VI.(A) may be modified as follows:
1. When an inmate is assigned to a work release program, he/she shall be permitted free room and board for 30 days or until employment commences, whichever comes first. Thereafter, the inmate will be charged in accordance with the schedule.
  2. In the event a work release inmate is laid off or terminated from work through no fault of his/her own and as long as he/she is actively seeking employment, the inmate will be permitted free room and board until reemployed. The inmate's attempt to find employment shall be documented by staff on a weekly basis. Before this provision can become effective, the layoff or termination shall be documented by the inmate's employer.
  3. When a work release inmate is terminated from employment for cause and the action does not require termination from the work release program, the inmate will be permitted 30 days to secure new employment. A room and board fee of \$5.00 per day shall be charged during this period of unemployment.
  4. If a work release inmate misses work due to illness, he/she shall be charged at the respective room and board rate unless the illness can be documented in writing by the appropriate medical personnel or the community health provider.
  5. If a work release inmate has not found employment within 30 days, the case shall be reviewed by institutional staff (as designated by the Warden/Superintendent) to determine whether the inmate should be terminated from the program.
  6. The room and board fee schedule shall be reviewed on an annual basis by the Assistant Commissioner of Rehabilitative Services/designee and Chief Financial Officer/designee. Any change in the fee schedule will require a policy change.
- D. Each work/educational release inmate shall be responsible for the cost of electronic monitoring at a rate of \$26.60 per week (\$3.80 per day).
1. The cost of the transmitter (ankle bracelet) will be calculated on a daily basis from the first day of employment until termination (regardless of the reason) or until the date of release.
  2. The electronic monitoring cost rate will be reviewed on an annual basis by the Assistant Commissioners of Prisons and Rehabilitative Services/designees and Chief Financial Officer/designee. Any change in the fee schedule will require a policy change.

## Subject: FINANCIAL OBLIGATIONS FOR WORK/EDUCATIONAL RELEASE INMATES

3. The work/educational release inmate will complete an Agreement of Responsibility, CR-3612, and acknowledging the responsibility of the cost of the replacement/repair of the transmitter in the event of escape or determination that the inmate tampered with or damaged the transmitter.
  4. Any inmate attending a full-time educational program or participating in a TDOC approved program that is located off site and not earning any income may request an electronic monitoring fee waiver. This waiver shall be in memo format and approved by the Warden/Superintendent.
- E. The following accounting procedures shall be utilized:
1. The inmate shall sign a Release Contract/Agreement, CR-1463.
  2. A detailed ledger account for each work release inmate shall be completed by the Warden's/Superintendent's designee to include the following:
    - a. Inmate's name and number
    - b. Number of days for room and board and electronic monitoring
    - c. Amount charged for room and board and electronic monitoring
    - d. Amount paid
    - e. Amount owed
  3. At a minimum of once a month, the total amount of room and board and electronic monitoring owed and collected shall be calculated by the institutional fiscal officer or designee.
  4. The amount each work release inmate is due to pay shall be deducted from the work releasee's trust fund account.
  5. The institution will transfer the amount of the deductions to room & board organization account at a minimum of once a month.
  6. A pro-rated amount of the cost of electronic monitoring will be deducted from the inmate's trust fund account each time the inmate makes a deposit of his/her payroll check. The pro-rated amount will be determined by the number of payroll check deposits made during the month. (i.e. a work releasee that is paid once a month will have the full amount deducted; a work release inmate that is paid twice will have his/her deduction made twice per month, etc.)
  7. Fiscal services will process a journal voucher transferring the funds from the trust fund organization accounts to the current services revenue account of the collecting institution.
  8. When the total amount owed is not withdrawn from the work release inmate trust fund account, a detailed written explanation shall be placed in the inmate's file.

Subject: FINANCIAL OBLIGATIONS FOR WORK/EDUCATIONAL RELEASE INMATES

- F. Before the work/educational release inmate leaves the custody of the TDOC, the following procedures shall occur:
1. Prior to a work/educational release inmate meets the Board of Parole (BOP), the Warden/Superintendent or designee shall notify the inmate in writing of the amount of debts owed the state. A copy of this notification shall be filed with the BOP.
  2. One week prior to a work/educational inmate leaving the institution, the Warden/Superintendent or designee shall notify the inmate of his/her current debt status. The inmate shall be required to utilize his/her trust fund monies to pay all or a portion of any debts owed the state at the business office before being paroled or released from custody.
  3. At the time the work/educational release inmate is paroled and has not paid all debts to the state, the paroling institution will notify the Director of Fiscal Services or designee, who shall notify in writing the Board of Parole of any outstanding debt(s).

VII. ACA STANDARDS: 4-4031 and 4-4045.

VIII. EXPIRATION DATE: March 1, 2022.



**TENNESSEE DEPARTMENT OF CORRECTION  
RELEASE CONTRACT/AGREEMENT**

\_\_\_\_\_  
INSTITUTION/FACILITY ASSIGNED

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**I. APPLICANT:**

_____ NAME	_____ NUMBER	_____ PAROLE DATE
_____ COMMITTING COUNTY	_____ OFFENSE	_____ SENTENCE

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**II. STATEMENT OF CONDITIONS**

Pursuant to Chapter 471, Public Acts of 1970, the Prisoner Rehabilitation Act of 1970 was enacted into law. The provisions of this act provided that certain first and second offenders be granted the privilege of release during specified hours for the purpose of gainful employment and/or for technical – vocational training. Participants earn wages and receive benefits not available to other offenders and this should be viewed as an honor and privilege.

This special privilege has been granted to give you the opportunity to discharge your responsibilities to yourself, the members of our community, and to those who are dependent upon you for support, as well as the opportunity to demonstrate, by your actions and performance, your ability to function as a desirable member of the community.

Following are the conditions under which you are so released:

- a. Upon release for work/education, I will report directly to my employment or training, remain there until my work is completed, and return directly to my appointed place of confinement.
- b. I will not use or possess intoxicants, inhalants, narcotic drugs, tobacco and tobacco related products, or, controlled substances, nor visit business establishments where sales of alcoholic beverages are the primary source of business.
- c. I will not own or possess any type of firearm or any other type of deadly weapons.
- d. I will not arrange visits with family or friends that are contrary to the rules governing visitation at my place of confinement.
- e. I will not assume, contract, or incur financial obligations without the prior approval of my counselor.
- f. I will not take any unauthorized article out, or bring any unauthorized article into my place of confinement without the prior approval of the warden or counselor.
- g. I waive all extradition rights, and agree to return to the State of Tennessee in the event of my escape from custody.
- h. I agree to abide by the local rules and policies of my particular place of confinement as well as departmental rules and policies.





TENNESSEE DEPARTMENT OF CORRECTION
RELEASE CONTRACT/AGREEMENT

INSTITUTION/FACILITY ASSIGNED

EARNING DISBURSEMENT

STATEMENT OF CONDITIONS

I fully understand that while I am participating in a Work/Educational Release Program, I must submit all earnings to the Department of Correction for disbursement, and I am in agreement with the individual method so outlined below.

- a. I acknowledge that I will not receive state compensation in the form of money upon my release on parole or discharge from the Department of Correction's supervision.
b. I agree to turn in all earnings derived through employment in the Work/Educational Release Program to the Department of Correction at my place of confinement, and I further agree, and hereby authorize, the Department of Correction to disburse my earnings in the following manner:

- (1) \$ \_\_\_\_\_ for room and board payable to Department of Correction per TDOC Policy #208.02
Per Day
(2) \$ \_\_\_\_\_ for electronic monitoring payable to Department of Correction
Per Day
(3) \$ \_\_\_\_\_ for transportation and personal expenses, when applicable.
Weekly/Monthly
(4) \$ \_\_\_\_\_ for support of my dependents who are:
Weekly/Monthly

Relationship
Address
Telephone

- (5) \$ \_\_\_\_\_ to be reserved for refund upon discharge. I further agree that all remaining funds will be maintained in a trust account for me until I am released from the Work/Educational Release Program.
(6) \$ \_\_\_\_\_ Other \_\_\_\_\_

- c. I acknowledge that I make monetary payments of \$26.50 to the Criminal Injuries Fund.
d. I understand that (A) "Restitution" may be a condition of my placement on a Work/Educational Release program. I also understand that (B) I may be required to participate in psychological therapy and/or alcohol/drug counseling at the institution as part of my rehabilitation process. I also understand that I may be charged a reasonable fee if a private agency provides these services.
e. I agree that if I am terminated from the program or escape, or am released on parole or discharged, and I have incurred any expenses while in the program which remain unpaid, that all monies in my account may be used for the payment of those expenses.

I hereby certify that I have read, or have been read, the forgoing statement of conditions and that I fully understand and accept the provisions therein and agree to abide by same.

WITNESS APPLICANT'S SIGNATURE DOC NUMBER
POSITION DATE



TENNESSEE DEPARTMENT OF CORRECTION  
**AGREEMENT OF RESPONSIBILITY**

\_\_\_\_\_  
INSTITUTION

I, \_\_\_\_\_, TDOC Number \_\_\_\_\_ agree to assume the responsibility of the cost of replacement / repair of a transmitter in the event of an escape or if it is determined that I intentionally tampered with or damaged a transmitter. The cost will be determined by the monitoring contract agency and deducted from my trust fund account in accordance with TDOC Policy 502.01- Uniform Disciplinary Procedures.

\_\_\_\_\_  
Inmate Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date



ADMINISTRATIVE POLICIES  
AND PROCEDURES  
State of Tennessee  
Department of Correction

Index #: 704.04

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Effective Date: January 15, 2019

Distribution: C

Supersedes: 704.04 (11/30/17)  
PCN 18-24 (5/1/18)  
PCN 17-78 (12/15/17)

Approved by: Tony Parker

Subject: SEX OFFENDER STANDARDS OF SUPERVISION

- I. AUTHORITY: TCA 4-3-603; 4-3-606; 39-13-704, 40-35-303, 38-6-110, 39-13-706, 40-39-210, 40-39-211, 40-39-212, 40-39-213, 40-39-215, 40-39-303(c).
- II. PURPOSE: To enhance community safety by providing evidence-based supervision to individuals who committed sexual offenses.
- III. APPLICATION: Assistant Commissioner of Community Supervision, all Tennessee Department of Correction (TDOC) Community Supervision staff, and offenders.
- IV. DEFINITIONS:
  - A. Conditions: The “general” rules and restrictions governing all parolees as printed on the certificate of parole, or governing probationers as printed on the court’s order of probation. Special describes an added or modified rule imposed by the Board of Parole (BOP) or court because of an individual’s unique need.
  - B. Containment Model: A multidisciplinary, multi-agency model for the supervision of sex offenders based on the theory that sexual offenders cannot be cured only contained within the community.
  - C. Exclusionary Zone: For the purpose of this policy only, an exclusionary zone is 1000 feet of from the property line of any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public.
  - D. Polygraph Examination: An examination conducted by use of a biophysical instrument to detect deception or verify the truth of statements.
  - E. Quarterly Registry Month: The months of March, June, September, and December outlined in TCA 40-39-204 as registration months.
  - F. Sex Offender: For the purpose of this policy, any person who meets the definition of sexual offender or violent sexual offender according to TCA 40-39-202.
  - G. Sex Offender Treatment Board (SOTB): A thirteen-member board within TDOC tasked with standardizing procedures for the evaluation and identification of sex offenders and developing guidelines for sex offender specific programming.
  - H. Standards of (Offender) Supervision: The type and frequency of activity or contact (face to face, home visits, drug testing, arrest record checks, monitoring special conditions, etc.) that an Officer schedules on behalf of each offender, based on the respective case classification.

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Subject: SEX OFFENDER STANDARDS OF SUPERVISION		

V. POLICY: The TDOC provides specialized supervision for sex offenders under Community Supervision based on current theoretical principles and evidence-based practices.

VI. PROCEDURES:

A. General Considerations for Sex Offenders

1. Public safety shall be the primary objective of sex offender supervision.
2. TDOC shall base supervision strategies for sex offenders on the Containment Model and the offender's "no cure" propensity to commit sex crimes.
3. TDOC shall recognize that sex offenders differ from other offenders in that factors such as stable employment, financial stability, offender compliance, and a prosocial lifestyle may not necessarily indicate a reduced level of risk.
4. All offenders supervised under the sex offender specialized supervision levels outlined in this policy shall be supervised by probation parole officers specially trained in sex offender supervision.
5. An offender under supervision for a sex offense shall be supervised in accordance with the terms and conditions adopted by TDOC, ordered by the court, or the BOP. Offenders supervised for a sex offense through Interstate Compact shall be supervised in accordance with this policy.
6. All offenders supervised under the sex offender specialized supervision levels shall submit to polygraph examinations every six months and sign a Sexual Offender Release of Confidential Information, CR-4006, specifically for the release of polygraph examinations and communication with the sex offender treatment provider.
7. All offenders supervised under the sex offender specialized supervision levels shall be reassessed for sex offender specific risk and general risk using the TDOC approved risk assessment instruments.
8. Officers shall meet with the offender and verify program compliance in accordance to the specific monthly standards outlined in this policy for each supervision level.
9. All sex offenders shall complete the Sex Offender Monthly Supervision Report, CR-4009, at each office visit.
10. Officers shall conduct all residence searches in accordance to Policy #703.22
11. Sex Offender Registry verifications will be conducted according to TCA 40-39-202 and Policy #702.01.

B. Standards of Supervision for Sex Offenders: TDOC shall supervise sex offenders using four specialized supervision levels. Sex offenders must complete all benchmarks specific to each level in order to be eligible for a reduction in supervision levels. Initial TDOC risk assessments shall be completed in accordance with Policy #703.02.

## Subject: SEX OFFENDER STANDARDS OF SUPERVISION

1. Programmed Supervision Unit (PSU) Primary: This is the highest level of supervision for sex offenders. All sex offenders shall be supervised at this level for a minimum of one year.
  - a. Benchmarks: Offenders who meet the benchmarks identified below may be considered for a reduction in supervision level.
    - (1) Risk Assessment: All risk assessments shall be completed in accordance with Policy #703.02.
    - (2) Psychosexual Evaluation: Officers shall ensure sex offenders have a current psychosexual evaluation in the sex offender's case file. If one has not been completed, officers shall ensure sex offenders schedule an appointment with an approved sex offender treatment provider for a psychosexual evaluation within 30 days of supervision.
    - (3) Sex Offender Treatment Enrollment: If recommended in the psychosexual evaluation, officers shall ensure sex offenders establish sex offender treatment with an approved provider within the first 60 days of supervision.
    - (4) Polygraph: Sex offenders shall complete a polygraph examination within the first year of supervision. All polygraph referrals for offenders in sex offender treatment shall be at the clinical discretion of the TSOTB Approved Provider.
    - (5) One year time frame
  - b. Supervision Standards
    - (1) Three face-to-face contacts per month in the office or field.
    - (2) One home visit per month.
    - (3) One employment verification per month.
    - (4) One fees and special condition verification per month.
    - (5) One sex offender treatment participation verification per month.
    - (6) One arrest check per month.
    - (7) One residence search every three months.
    - (8) One drug screen every quarterly registration month.
    - (9) One polygraph examination annually at the clinical discretion of the Tennessee SOTB Approved Provider.
    - (10) One sex offender specific risk assessment during the intake period.

## Subject: SEX OFFENDER STANDARDS OF SUPERVISION

2. PSU Secondary: This is the second highest level of supervision for sex offenders. Sex offenders who have completed their first year of supervision and all the benchmarks for PSU Primary shall qualify for supervision at this level. Post violation sex offenders shall be supervised at this level. Additionally, any sex offender who has completed PSU primary and had a revocation and/or a Sex Offender Registry/Community Supervision for Life violation upheld in court or by the BOP may be supervised at this supervision level upon reinstatement to supervision.
  - a. Benchmarks: Sex offenders who meet the benchmarks below may be considered for a reduction in supervision level. Sex offenders who scored maximum on their risk assessments and who have completed the benchmarks of PSU Primary shall remain in this supervision level for one year before considered for a reduction in supervision level. All other sex offenders may be considered for a reduction in supervision level after six months.
    - (1) Polygraph examinations referred at the clinical discretion of the Tennessee SOTB Approved Provider
    - (2) No sex offender registry violations
    - (3) Significant compliance
    - (4) Compliance with sex offender treatment
  - b. Supervision Standards
    - (1) Two face-to-face contacts per month, in the field or office.
    - (2) One home visit per month.
    - (3) One sex offender treatment participation verification per month.
    - (4) One arrest check per month.
    - (5) One employment verification every two months.
    - (6) One special conditions monitoring every quarterly registry month.
    - (7) One fee monitoring every quarterly registry month.
    - (8) One drug screen every other quarterly registry month.
    - (9) One residence search every six months.
    - (10) One polygraph examination every six months referred at the clinical discretion of the Tennessee SOTB Approved Provider.

## Subject: SEX OFFENDER STANDARDS OF SUPERVISION

3. PSU Intermediate: This is the third level of supervision for sex offenders. Sex offenders who score maximum on their risk assessment shall qualify for supervision at this level if they have completed at least two years in the PSU and all the required benchmarks. All other sex offenders shall qualify for supervision at this level after completing at least 18 months in the PSU and all required benchmarks.
  - a. Benchmarks: Sex offenders who complete the benchmarks below may be considered for a reduction in supervision level. Sex offenders who score maximum on their risk assessments shall not qualify for supervision at a lower level. All other sex offenders shall qualify for supervision at a lower level once benchmarks are complete.
    - (1) Significant compliance
    - (2) No violations during the previous 12 months
    - (3) Polygraph examinations referred at the clinical discretion of the Tennessee SOTB Approved Provider
    - (4) Completed sex offender treatment or participation in a maintenance program with documentation placed in offender's case file
  - b. Supervision Standards
    - (1) One face-to-face contact per month in either the field or the office.
    - (2) One sex offender treatment/maintenance program verification per month.
    - (3) One arrest check per month.
    - (4) One home visit every two months.
    - (5) One employment verification every two months.
    - (6) One fee verification every quarterly registry months.
    - (7) One special conditions verification every quarterly registry months.
    - (8) One polygraph every six months referred at the clinical discretion of the Tennessee SOTB Approved Provider.
    - (9) One residence search every nine months.
    - (10) One drug screen annually.
4. PSU Transitional: This is the lowest supervision level for sex offenders. Sex offenders who have completed sex offender treatment and/or are participating in a sex offender maintenance program, score moderate to low on their risk assessment, and complete all benchmarks for PSU Intermediate shall qualify for this supervision level. Sex offenders may remain at this supervision level for the duration of their sentence if they refrain from violating the conditions of their supervision.

## Subject: SEX OFFENDER STANDARDS OF SUPERVISION

- a. Benchmarks: None
- b. Standards of Supervision
  - (1) One arrest check per month.
  - (2) One face-to-face contact every two months either in the field or in the office.
  - (3) One employment verification every two months.
  - (4) One home visit every three months.
  - (5) One fee monitoring every quarterly registry month.
  - (6) One special condition verification every quarterly registry month.
  - (7) One sex offender treatment/maintenance program verification every three months (if applicable).
  - (8) One polygraph examination annually referred at the clinical discretion of the Tennessee SOTB Approved Provider.
  - (9) One drug screen annually.
  - (10) One residence search annually.
- C. Intake and Registration for Sex Offenders: Officers shall follow initial intake procedures outlined in Policy #703.03. Additionally, officers shall perform the following functions during intake for all sex offenders newly assigned to supervision. Officers shall:
  1. Review the specialized conditions of supervision with the sex offender, CR-3833 (for parole cases) and CR-3827 (for probation cases).
  2. Initiate GPS monitoring for the sex offender according to Policy #704.12.
  3. Ensure sex offender registration and monitoring is initiated and all sex offender registry paperwork is completed and placed in the sex offender's case file.
  4. Review the following forms with the sex offender: Sex Offender Permission to Use Internet, CR-4008 (if required); Consent for the Release of confidential Information Sex Offender Treatment and Polygraph, CR-4006; Sex Offender Acknowledgement of Forms Received, CR-3828; and provide the sex offender with a copy of the SOTB approved provider list.
- D. Employment, Education, and Religious Services



**Subject: SEX OFFENDER STANDARDS OF SUPERVISION**

1. Officers shall take the sex offender's offense patterns and type of employment into consideration when approving employment. Officers shall inform the offender at the initial meeting that notifications will be made to employers/potential employers. Officers shall disclose information of public record only (Tennessee convictions, sentence, county of conviction, and conditions of supervision) to employers/potential employers.
2. Officer shall ensure sex offenders are not employed in an exclusionary zone and in positions that will bring them into close contact with potential victims or vulnerable populations.
3. Officers shall monitor sex offenders to ensure they follow the Tennessee Bureau of Investigation (TBI) Sex Offender Registry Law TCA 40-39-203 when attending educational and/or vocational programs when such programs require attendance at a physical location.
4. Offenders shall not be restricted from attending worship services in the faith of their choice. However, officers shall require the offender to supply an itinerary, including the dates and times the offender will attend and the location of the place of worship. The offender must set an appointment to meet with a person in a position of authority or oversight (minister, priest, rabbi, etc.) with that location prior to attendance. Officers shall call the person in authority and inform him or her of the offender's conviction, circumstances of the offense, and the restrictions on activities covered in the Specialized Conditions of Supervision for Sex Offenders and/or state law.

E. Treatment and Polygraph Examinations for Sex Offenders

1. For sex offenders who have been recommended or ordered to sex offender treatment, officers shall ensure that the offender is participating in a treatment program designed specifically for the treatment of sex offenders and is receiving such treatment by a Tennessee SOTB approved treatment provider.
2. All approved sex offender treatment providers shall be licensed as required by statute. Officers shall not approve the offender's participation in sex offender treatment from any treatment provider who is not currently approved by the SOTB.
3. Officers shall have regular contact with the SOTB approved sex offender treatment provider and polygraph examiner as part of the standards of supervision on a schedule determined by the supervision level. Officers shall communicate with sex offender treatment providers regarding the sex offender's compliance with the treatment program, participation level, and progress. Officers shall request a copy of the relapse prevention plan for placement in the offender's case file.
4. Sex offenders shall not change sex offender treatment providers or treatment conditions without a release from the current sex offender treatment provider. The officer, manager, and current treatment provider must be in agreement to change treatment providers.
5. Officers shall complete an Indigent Sex Offender Notice, CR-3890, for sex offenders who qualify for fee exemptions in accordance with Policy #705.11.

## Subject: SEX OFFENDER STANDARDS OF SUPERVISION

6. Officers may request a polygraph examination for a sex offender if supervision has provided some indication of possible violations of the sex offender's relapse prevention plan and/or compliance.
  7. Polygraph reports that indicate the sex offender is not in compliance with treatment and/or the conditions of supervision is engaged in high risk behaviors, or indicates deception or is inconclusive must be considered for sanctioning in accordance with Policy #704.10, and Programmed Supervision Unit Sanctioning Form, CR-4007, for CSL offenders.
  8. All polygraph reports shall be maintained in the sex offender's case file.
  9. Chaperones: Sex offenders may be allowed contact with familial minor children through the use of approved chaperones. To qualify, the sex offender shall have no history of familial child victims as verified by a sexual history polygraph and two passed maintenance polygraph examinations. The sex offender must be supervised under PSU Intermediate or PSU Transitional and be in compliance with all conditions of supervision. An offender who has a familial minor victim may request chaperone approval after two full years in significant compliance, as defined in the *PSU Unit Manual of Operation*, in the PSU intermediate or transitional supervision levels on a case by case basis with review and approval by TDOC legal.
    - a. The officer, manager, and approved treatment provider shall meet with and approve of all chaperones. During the meeting, chaperones shall be informed of the sex offender's pattern of offending and admit that the sex offender committed the offense. Chaperones must be willing to disclose to the officer the sex offender's behaviors while under the chaperone's supervision.
    - b. Chaperone training shall be conducted by a SOTB approved treatment provider and approved by the PSU manager and/or District Director (DD).
    - c. All chaperone activities shall be pre-approved by the officer and the officer must follow up with the offender at the next contact with the offender. Officers shall document all instances of chaperone activity as a contact note in the offender management system.
    - d. Disqualifying factors for chaperones include but are not limited to a confirmed criminal history, substance abuse, history of passive behavior, denial that the sex offender committed the offense, and minimizes the sex offender's actions and behaviors.
    - e. Offenders whose victim of record is an adult and has no history of child victims as verified through a past sexual history polygraph will not require a chaperone for contact with children.
- F. Sanctions and Incentives: All alleged violations and acts of noncompliance shall be promptly investigated and addressed.

## Subject: SEX OFFENDER STANDARDS OF SUPERVISION

1. Sex offenders shall be sanctioned for non-compliance and violations using the Programmed Supervision Unit Sanctioning Form, CR-4007. Before sanctioning sex offenders, officers shall obtain approval of the PSU manager. Sex offenders who do not complete sanctions or continue to be in non-compliance after sanctions have been imposed shall result in a violation report and request for a warrant. In the case of Community Supervision for Life (CSL) offenders, officers may seek to charge the sex offender with a new charge of violation of CSL.
  2. Violations that require a mandatory violation report and warrant request include:
    - a. The second or subsequent failure/refusal to submit to a polygraph
    - b. Contact with prohibited child/minors
    - c. Failure to enter sex offender treatment
    - d. Failure to complete sex offender treatment
    - e. Failure to register with the Sex Offender Registry
    - f. Contact with the victim
    - g. Any zero tolerance violation on sanction matrix
- G. Interstate and intrastate transfers of sexual offenders. Officers shall follow Policy #708.03 when completing interstate transfers for sex offenders. For sex offenders transferring within the state of Tennessee, officers shall follow Policy #708.01. All intrastate transfer investigations for sex offenders shall be completed by a PSU officer.
1. Supervision for homeless sex offenders shall be transferred upon acceptance by a shelter or other program that includes an assigned living space for the offender to the district the shelter or program is located. PSU managers shall be responsible for monitoring the intrastate transfer process of sex offenders.
  2. Sex offenders shall report within 48 hours after acceptance of the transfer to the new PSU officer. The transferring officer shall notify the new officer and the district's ORI# TIES operator of the transfer prior to the sex offender's departure. The TIES operator shall notify the local law enforcement agency where the sex offender is transferring. Updates to the sex offender registry shall be completed within 48 hours of the transfer.
  3. When a sex offender enters a residential treatment program in another county, the officer shall notify the receiving county via his/her manager. The receiving county shall be responsible for SOR reporting requirements while the sex offender is in the treatment program.
  4. All transfer denials shall be approved by a PSU manager

Subject: SEX OFFENDER STANDARDS OF SUPERVISION

- H. Travel permits for sex offenders: All travel permits shall adhere to the *International Travel of Registered Sex Offenders*, the *NCIC Entry and Validation for Registering Agencies*, and *Notification to Out of State Jurisdictions on Offender Movement* found within the *Standard Operating Procedures* of the TBI in addition to Policy #705.02. When considering travel permits for sex offenders, officers shall consider the offender's risk level, level of compliance, progress with sex offender treatment, special conditions of supervision, and most recent polygraph examination results.
1. Officers shall investigate the sex offender's travel plans and provide the PSU manager with a written summary of the investigation. The investigation shall include: travel itinerary; if the travel is employment related, officers shall verify the travel plans and purpose with the employer; consultation with the treatment provider, if the sex offender has successfully completed sex offender treatment, the date of completion shall be noted; contact with the sex offender's lodging arrangements if the victim is a minor to ensure no special events or activities involving minors/children are scheduled on site during the time of the sex offender's stay; if the sex offender has a minor victim and the sex offender will be staying with relatives, contact with the person to determine if children will be present during the sex offender's stay; the victim(s) current location, if known.
  2. Officers shall submit the travel request, summary, itinerary, and other documentation with the offender's case file to the manager for approval. Managers shall review the information prior to approving/denying transfer requests. Managers shall forward the CSL, parolee, and ISC travel permit, summary, and itinerary to the DD for approval. Officers shall present the travel permit, investigation summary and itinerary to the sentencing court for probationers. Approved travel permits shall be provided to the sex offender and a copy placed in the sex offender's case file. Denied travel permits shall include a basis for the denial or requirement for additional information.
  3. Managers may approve travel during confirmed emergencies. If approval is given, the manager must notify the DD the next business day as to the circumstances of the emergency.
  4. Officers may use GPS on the sex offender during travel if approved by the manager.
  5. Officers shall require sex offenders to obtain local law enforcement signatures and return the travel permit to the officer.
  6. Travel permits shall be issued for seven days or less. Extended travel may be approved with the approval from the manager and the officer. If extended travel is approved, the offender must report to local law enforcement to determine if sex offender registry is required. A safety plan from the sex offender treatment provider shall be submitted with the travel permit.
  7. Travel permits may be denied based on any concerns noted by the treatment provider and/or PSU manager.
  8. All travel permits must be documented as a contact note in the offender management system.

## Subject: SEX OFFENDER STANDARDS OF SUPERVISION

- I. Confidentiality: Information concerning treatment of a sex offender may be released to another criminal justice agency, a local law enforcement authority, or a physician, psychiatrist, psychologist, licensed professional counselor, certified social worker, or polygraph examiner, who, while licensed or certified, provides or provided treatment or polygraph services for the containment of sex offenders.
  1. Release of confidential information shall only be for the administration of criminal justice: detection, apprehension, detention, prosecution, supervision, or treatment of an offender, including criminal identification activities and the collection, storage, and dissemination of criminal history record information.
  2. The Consent for the Release of Confidential Information: Sex Offender Treatment and Polygraph, CR-4006, shall be completed for each agency involved in the treatment and supervision of sex offenders within the community. The CR-4006 shall be maintained in the offender's case file and forwarded to the respective agencies.
- VII. ACA STANDARDS: 4-APPFS-2A-02, 4-APPFS-2A-04, 4-APPFS-2A-06, 4-APPFS-2A-07, 4-APPFS-2A-11, and 4-APPFS-2A-12.
- VIII. EXPIRATION DATE: January 15, 2022.





**TENNESSEE DEPARTMENT OF CORRECTION**  
**Programmed Supervision Unit: Sanctioning Form**

Date \_\_\_\_\_ Case Type Select Type. Officer Type Officer Name.  
 Offender Name Type First and Last Name TDOC ID # Type TDOC ID #.  
 Violation Select or Type Violation #. Nature of Violation: Select Nature of Violation

**Technical Violation  
Sanction Grid**

		Increased Reporting	Restricted Travel	Curfew	GPS Monitoring	Submit Weekly Schedule of Activity	Referral to FSW: drug related issues only	Intervention	30 Day Restriction	60 Day Restriction	90 Day Restriction
Nature of Violation	Pornography	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Internet Access without Permission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to participate in Sex Offender Treatment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alcohol or Illicit Drug Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Contact with Minors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Working in Unapproved Employment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to follow lawful instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Search of Residence Refusal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to pay fees or restitution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gang Activity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to comply with GPS rules	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Criminal Violation  
Sanction Grid**

		Sanctions		
		Submit Violation Warrant	Proceed with New SOR Charge(s)	Proceed with New CSL Charge(s)
Nature of Violation	Confirmed Child Pornography	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Possession of Illegal Drugs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sex Offender Registry Violations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	New Arrest or Conviction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Weapons in Home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Consistent Non-Compliance after Sanctions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	True Verified Master Tamper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other: <u>Type Other Violation(s).</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Offender \_\_\_\_\_ Date \_\_\_\_\_ Probation Parole Officer \_\_\_\_\_ Date \_\_\_\_\_ Probation Parole Manager \_\_\_\_\_ Date \_\_\_\_\_



TENNESSEE DEPARTMENT OF CORRECTION

SPECIALIZED PAROLE CONDITIONS FOR SEX OFFENDERS

Name: \_\_\_\_\_ TDOC Number: \_\_\_\_\_ Docket Number: \_\_\_\_\_

The following conditions have been established for all offenders convicted of a sex offense or violent sex offense, as defined in T.C.A. § 40-39-202, and are imposed in addition to the conditions all sex offenders must adhere to under T.C.A. §§ 39-13-705, 39-13-706 and the Tennessee Sex Offender Registry codified in T.C.A. § 40-39-201 *et seq.* The requirements/conditions, including but not limited to those, imposed under Tennessee law pursuant to T.C.A. §§ 39-13-705, 39-13-706 and 40-39-201 *et seq.* cannot be waived by the Board. By your signature, you acknowledge that your Officer has gone over the following conditions with you

\_\_\_\_\_  
Initial

The following conditions may be waived by the Board during the time that the offender is on parole.

\_\_\_\_\_  
Initial

- 1. I will not purchase or be in possession of any pornographic or sexually explicit materials, including but not limited to: written, printed, photographic/videographic recorded materials, software or sexually explicit movies, television shows or cable networks. I will not be present at or employed by any business including but not limited to: adult bookstores, theaters, nude or strip bars, clubs or areas of prostitution activity, where pornographic materials are openly exhibited.

\_\_\_\_\_  
Initial

Waived by Board: \_\_\_\_\_ Date: \_\_\_\_\_

- 2. If my case necessitates, in the interests of public safety, a prohibition on internet access or if the Board so orders such a restriction, I will not obtain Internet access on any computer, mobile device, or cell phone. Regardless of any prohibition on internet access, I will not utilize any electronic device for any sexually oriented purpose. I further consent to the search of any electronic device, software, or electronic data storage device (including but not limited to computers, hard drives, tablets, cell phones) at any time by my Officer.

\_\_\_\_\_  
Initial

Waived by Board: \_\_\_\_\_ Date: \_\_\_\_\_

- 3. I will not use or possess any alcoholic beverage

\_\_\_\_\_  
Initial

Waived by Board: \_\_\_\_\_ Date: \_\_\_\_\_

- 4. I will submit to and pay for a polygraph assessment and evaluation as instructed by my Officer.

\_\_\_\_\_  
Initial

Waived by Board: \_\_\_\_\_ Date: \_\_\_\_\_





TENNESSEE DEPARTMENT OF CORRECTION

SPECIALIZED PAROLE CONDITIONS FOR SEX OFFENDERS

- 5. If convicted of an offense against a minor, I will not enter into contact with any child under the age of 18 nor will I date, befriend, reside or unite with anyone who has children under the age of 18, except if those children are biologically mine, unless further restricted by applicable law or court order. I will report all incidental contact with children to the treatment provider and my Officer.

\_\_\_\_\_  
Initial

Waived by Board: \_\_\_\_\_ Date: \_\_\_\_\_

- 6. I will not enter into contact with anyone who is unable to give consent due to mental, physical, or emotional limitations, unless an adult is present who my Officer and my treatment provider have approved in advance, in writing, to act as a chaperone.

\_\_\_\_\_  
Initial

Waived by Board: \_\_\_\_\_ Date: \_\_\_\_\_

I have read or have had read to me the above supervision conditions and fully understand them, as evidenced by my initials next to each item. I understand these conditions are designed to assist me in avoiding high-risk situations and to limit my access to potential victims. I understand that all conditions apply to me until my Officer, treatment provider, and/or the Board determines otherwise.

I understand that if I do not agree with any condition listed above, I have the right to petition TDOC for a modification. Any release from these conditions will be provided to me in writing.

Offender Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Assistant Commissioner Community Supervision/Designee Signature: \_\_\_\_\_ Date: \_\_\_\_\_



TENNESSEE DEPARTMENT OF CORRECTION

**SPECIALIZED PROBATION CONDITIONS FOR SEX OFFENDERS**

Name: \_\_\_\_\_ TDOC Number: \_\_\_\_\_ Docket Number: \_\_\_\_\_

The following conditions have been established for all offenders convicted of a sex offense or violent sex offense, as defined in T.C.A. § 40-39-202, and are imposed in addition to the conditions all sex offenders must adhere to under T.C.A. §§ 39-13-705, 39-13-706 and the Tennessee Sex Offender Registry codified in T.C.A. § 40-39-201 *et seq.* The requirements/conditions, including but not limited to those, imposed under Tennessee law pursuant to T.C.A. §§ 39-13-705, 39-13-706 and 40-39-201 *et seq.* cannot be waived by the sentencing court. By your signature, you acknowledge that your Officer has gone over the following conditions with you.

\_\_\_\_\_ Initials

The following conditions may be waived by the sentencing court during the time that the offender is under the sentencing court's supervision/jurisdiction.

\_\_\_\_\_ Initials

1. I will not purchase or be in possession of any pornographic or sexually explicit materials, including but not limited to: written, printed, photographic/videographic recorded materials, software or sexually explicit movies, television shows or cable networks. I will not be present at or employed by any business including but not limited to: adult bookstores, theaters, nude or strip bars, clubs or areas of prostitution activity, where pornographic materials are openly exhibited.

\_\_\_\_\_ Initials

Waived by Court: \_\_\_\_\_ Date: \_\_\_\_\_

2. If my case necessitates, in the interests of public safety, a prohibition on internet access or if the Court so orders such a restriction, I will not obtain Internet access on any computer, mobile device, or cell phone. Regardless of any prohibition on internet access, I will not utilize any electronic device for any sexually oriented purpose. I further consent to the search of any electronic device, software, or electronic data storage device (including but not limited to computers, hard drives, tablets, cell phones) at any time by my Officer.

\_\_\_\_\_ Initials

Waived by Court: \_\_\_\_\_ Date: \_\_\_\_\_

3. I will not use or possess any alcoholic beverage.

\_\_\_\_\_ Initials

Waived by Court: \_\_\_\_\_ Date: \_\_\_\_\_

4. I will submit to and pay for a polygraph assessment and evaluation as instructed by my Officer.

\_\_\_\_\_ Initials

Waived by Court: \_\_\_\_\_ Date: \_\_\_\_\_

5. If convicted of an offense against a minor, I will not enter into contact with any child under the age of 18 nor will I date, befriend, reside or unite with anyone who has children under the age of 18, except if those children are biologically mine, unless further restricted by applicable law or court order. I will report all incidental contact with children to the treatment provider and my Officer.

\_\_\_\_\_ Initials

Waived by Court: \_\_\_\_\_ Date: \_\_\_\_\_

6. I will not enter into contact with anyone who is unable to give consent due to mental, physical, or emotional limitations, unless an adult is present who my Officer and my treatment provider have approved in advance, in writing, to act as a chaperone.

\_\_\_\_\_  
Initials

Waived by Court: \_\_\_\_\_ Date: \_\_\_\_\_

I have read or have had read to me the above supervision conditions and fully understand them, as evidenced by my initials next to each item. I understand these conditions are designed to assist me in avoiding high-risk situations and to limit my access to potential victims. I understand that all conditions apply to me until my Officer, treatment provider, and/or the Court determines otherwise

I understand that if I do not agree with any condition listed above, I have the right to petition the Sentencing Court for a modification. Any release from these conditions will be provided to me in writing.

Offender Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sentencing Judge Signature: \_\_\_\_\_ Date: \_\_\_\_\_





TENNESSEE DEPARTMENT OF CORRECTION  
**Sex Offender Permission to Use Internet**

Rule #2 of the Specialized Conditions for Sex Offenders States:

*“If my case necessitates, in the interests of public safety, a prohibition on internet access or if the Court so orders such a restriction, I will not obtain Internet access on any computer, mobile device, or cell phone. Regardless of any prohibition on internet access, I will not utilize any electronic device for any sexually oriented purpose. I further consent to the search of any electronic device, software, or electronic data storage device (including but not limited to computers, hard drives, tablets, cell phones) at any time by my Officer.”*

Offender Full Name. \_\_\_\_\_ , Date of Birth. \_\_\_\_\_ , has permission to access the Internet with the following stipulations (*Offenders must initial each stipulation*):

- \_\_\_\_\_ 1. I agree that any pornographic material of any kind will result in immediate revocation of this privilege and a violation warrant will be requested immediately.
- \_\_\_\_\_ 2. I consent to allow and enable my Probation Parole Officer to search and examine my computer, cell phone, tablet, smart TV, or any other electronic device at any time and upon request. If my Probation Parole Officer detects inappropriate Internet activity or is suspicious of concealed inappropriate Internet activity, I understand that my Internet privilege will be revoked.
- \_\_\_\_\_ 3. I agree to install, at my own cost, software to allow my Probation Parole Officer to monitor my internet activity. I agree to be honest and forthcoming about any and all internet usage and to immediately report any problems concerning my computer to my Probation Parole Officer.
- \_\_\_\_\_ 4. I agree that if I become financially unable to afford the cost for internet monitoring of my computer, I am to immediately cease internet usage until I am able to resume financial responsibility for the monitoring system.
- \_\_\_\_\_ 5. I agree not to circumvent and/or disable the Internet monitoring software unless my Probation Parole Officer authorizes me to do so.
- \_\_\_\_\_ 6. I agree to use the Internet for appropriate uses and I agree to not access any websites with sexually explicit content, mature themes or questionable content:
- \_\_\_\_\_ 7. I agree that, if I am convicted of an offense against a minor or if I have a history of minor victim(s), I will not use social media or the Internet to contact, befriend, or anyway interact with anyone under the age of 18. I also agree that I will not use social media or the Internet to date, befriend, or interact with anyone who has a child under the age of 18 pursuant to rule #5 of my specialized conditions. I agree that if my Probation Parole Officer detects any contact or interaction with minors or persons who have minor children via social media, my Internet privilege will be revoked.

By signing this form, I agree to abide by all conditions set forth by my Probation Parole Officer and understand that any and all media devices, software, computers, tablets, smart TVs, and cell phones will be subject to search by any TDOC representative or Law Enforcement Officer at any time without a warrant.

\_\_\_\_\_  
Offender Full Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probation Parole Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probation Parole Manager

\_\_\_\_\_  
Date



TENNESSEE DEPARTMENT OF CORRECTION  
**Sex Offender Monthly Supervision Report**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Officer Name: \_\_\_\_\_

Offender Name: \_\_\_\_\_ TOMIS #: \_\_\_\_\_

**All applicable sections must be completed in its entirety**

**Offender Information**

Physical Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_

\_\_\_\_\_ Cell Phone: \_\_\_\_\_

\_\_\_\_\_ Contact Phone: \_\_\_\_\_

List all individuals who live with you

List all income

Name	Age	Employer Name
_____	_____	_____
_____	_____	Address: _____
_____	_____	Phone: _____
_____	_____	Additional income: _____

**Significant Other Information**

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Phone: \_\_\_\_\_

Physical Address: \_\_\_\_\_  
House Number/Apt. # Street City State Zip

Has your significant other met your PPO? Yes  No

Does he/she have children? Yes  No

If yes provide **gender** and **age of each child**: \_\_\_\_\_

Who do the children live with: \_\_\_\_\_

Provide name and phone number of other parent: \_\_\_\_\_

**Vehicle Information**

\_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Year/Color \_\_\_\_\_ Tag \_\_\_\_\_

**Chaperone Information**

\_\_\_\_\_ Name \_\_\_\_\_ Phone Number \_\_\_\_\_ Date last used \_\_\_\_\_

**License Information**

\_\_\_\_\_ Number \_\_\_\_\_ Have you obtained 88? YES NO



TENNESSEE DEPARTMENT OF CORRECTION  
Sex Offender Monthly Supervision Report

Complete all Supplemental Questions on page 2

**Supplemental Questions** Circle one and provide explanations where necessary

1. Have you slept anywhere other than your reported residence? ..... YES NO  
*If yes, list the name, address, date of birth (ages) of all the other occupants of that residence and explain the circumstances:*
  
2. Have you been alone with anyone 18 years of age or younger, that you have not reported to your officer and treatment provider? ..... YES NO  
*If yes, provide dates and names?*
  
3. Have you consumed any alcohol? ..... YES NO
  
4. Have you maintained or created an email address, Facebook, MySpace, Twitter, or any other social network account? ..... YES NO  
*If yes, list your user names and passwords for these accounts:*
  
5. Have you had any unauthorized access to the Internet and/or has someone else accessed the Internet on your behalf? *\*\*This includes Internet accessed through a smart phone and/or tablet.....* YES NO
  
6. Do you have Internet access at your employment? ..... YES NO
  
7. Have you viewed any pornography? ..... YES NO
  
8. Have you entered any adult sex shops, adult video/bookstores, massage parlors, topless or nude bars and/or clubs, or used any sexually related telephone services? ..... YES NO
  
9. Has any of your registered information changed since your last report? ..... YES NO
  
10. Were you arrested or questioned by the police since you last reported? ..... YES NO

I certify that the above information is correct and accurate as required by the probation Order/Parole Certificate. Also, I understand that providing false, misleading, or inaccurate information in this report may result in a Violation Report being submitted to my sentencing judge or the parole Board, and a warrant may be issued for may arrest or other disciplinary sanction applied.

\_\_\_\_\_ Offender

\_\_\_\_\_ Date

\_\_\_\_\_ Officer

\_\_\_\_\_ Date







ADMINISTRATIVE POLICIES  
AND PROCEDURES  
State of Tennessee  
Department of Correction

Index #: 704.05

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Effective Date: June 1, 2016

Distribution: C

Supersedes: N/A

Approved by: Derrick D. Schofield

Subject: PROGRAM SUPERVISION UNIT

I. AUTHORITY: TCA 4-3-603; 4-3-606.

II. PURPOSE: To establish a specialized unit within the Tennessee Department of Correction (TDOC) Community Supervision for the supervision of registered sexual offenders.

III. APPLICATION: Assistant Commissioner of Community Supervision, and all TDOC Community Supervision staff.

IV. DEFINITIONS:

A. Programmed Supervision Unit: The probation parole unit responsible for the supervision of registered sex offenders in accordance with the Sex Offender Standards of Supervision, Policy #704.04.

B. Sex Offender: For the purpose of this policy, an offender with a conviction offense contained within TCA 40-39-202 (20) or any qualifying conviction that requires the offender register as a sex offender under TCA 40-30-201 et. seq.

V. POLICY: The TDOC shall maintain a specially trained unit of probation and parole officers and managers to supervise registered sexual offenders within the community.

VI. PROCEDURES:

A. Programmed Supervision Unit (PSU)

1. Officers shall meet all physical and psychological requirements for the probation parole officer series as outlined in Policy #305.06.1 before assignment to the PSU.

2. PSU officers must meet the firearms authorization and qualification requirements for the probation and parole officer series.

B. New officers assigned to the PSU shall receive specialized training in the following subject matters in addition to the Basic Probation and Parole Officer (BPOT) training:

1. Tennessee Bureau of Investigation (TBI) Sex Offender Registry (SOR) New User Registry

2. TBI BASIC Certification

3. SOR Laws

4. Investigation and Interviewing Techniques

5. Residence Searches

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6. Electronic Device Searches
  7. Sex Offender Basic Characteristics
  8. Sex Offender Risk Dynamic Theories and Treatment
  9. Sex Offender Specific Risk Assessment Instrument
  10. GPS New User Training
  11. Sex Offender Standards of Supervision Training
  12. Legal Prosecution of Sex Offenders
  13. TDOC Sex Offender Policies
  14. Sex Offender Case Record and File Maintenance
  15. Interstate Compact for Sexual Offenders
  16. Fingerprinting
  17. PSU Operations Overview
- C. PSU officers shall receive quarterly training in addition to the in-service training for all Community Supervision probation and parole officers:
- D. PSU officers shall possess additional job responsibilities in addition to the basic functions of a probation and parole officer including, but not limited to, the following:
1. NCIC Basic/Query certification
  2. On-call availability (24/7)
  3. TBI SOR Registering Agent

All PSU officers must demonstrate proficiency in residence searches, current sex offender legislation, theoretical trends pertaining to the supervision of sex offenders, TBI SOR fee collection, GPS installation and monitoring software, General Sessions warrant drafting, grand jury indictment procedures and presentations, and court testimony for the prosecution of new charges related to sex offenders.

VII. ACA STANDARDS: 4-APPFS-2A-07, 4-APPFS0-2A-15, 4-APPFS-3A-03, 4-APPFS-3A-04, 4-APPFS-3A-14.

VIII. EXPIRATION DATE: June 1, 2019.



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Effective Date: May 15, 2017

Distribution: C

Supersedes: 704.07 (4/1/14)  
PCN 15-22 (8/1/15)  
PCN 15-12 (4/1/15)

Approved by: Tony Parker

Subject: COMMUNITY SUPERVISION FOR LIFE

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, TCA 39-13-524, TCA 39-13-525, and TCA 39-13-526.
- II. PURPOSE: To establish the parameters for the supervision of sex offenders under community supervision for life.
- III. APPLICATION: Deputy Commissioner of Operational Support, Assistant Commissioner of Community Supervision, all Tennessee Department of Correction (TDOC) institutional and Community Supervision staff, and Board of Parole's Board Operations Division.
- IV. DEFINITIONS:
  - A. Community Supervision for Life (CSL): Designation of offenders who have been convicted of one of the following offenses: aggravated rape, rape, aggravated sexual battery, rape of a child or the attempt of any of these charges as defined in TCA 39-13-524. In addition, per TCA 39-13-524, offenders who have been convicted of an aggravated rape of a child offense, or attempt thereof, after 7/1/2010 shall be supervised as lifetime supervision.
  - B. Reporting Instructions: Instructions provided to the inmate prior to release from a facility that outlines the date, time, and location for the inmate to report to the assigned Community Supervision office.
  - C. Travel Itinerary: The travel instructions and detailed plan for the offender's travel from the place of incarceration to his/her county of supervision.
- V. POLICY: The TDOC shall provide continuing supervision of CSL offenders after the expiration of sentence in accordance with TCA 39-13-524 through 526.
- VI. PROCEDURES:
  - A. CSL Overview
    1. TDOC shall have the jurisdiction to supervise offenders as CSL if the judgment order indicates lifetime supervision.
    2. CSL shall begin immediately upon the expiration of the imposed sentence (incarceration, probation, or parole) for offenses defined in Section IV.(A).
    3. Offenders on CSL shall be supervised under the specialized parole conditions for sex offenders.

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4. Travel itineraries shall include the offender's mode of travel, routes to be traveled and planned/scheduled stops along the route. Travel by personal vehicle shall indicate the make, model, year, vehicle color, and tag number of the vehicle, the driver of the vehicle and their contact information, and the expected route of travel. Travel by bus shall include the bus schedule if available.

B. CSL Offender Facility Release Procedures

1. Institutional Procedures

- a. Institutional probation/parole officers (IPPO) shall enter release plans into TOMIS for inmates who will be expiring their sentence for a CSL qualifying conviction [(See IV.A)] at least 120 days in advance of the potential release date. If credits are applied to the offender's sentence that reduces the release date to less than 120 days, the IPPO shall enter the release plan as soon as the release date is known. IPPOs shall send communication via email to the district Programmed Supervision Unit (PSU) manager/designee in which the offender is requesting to reside, with a carbon copy to the Specialized Caseload Director and Specialized Caseload Correctional Administrator, requesting the release plan be investigated along with any updated expiration date information. Release plans shall be investigated and approved following procedures and guidelines outlined in Policy #702.30.
- b. The IPPO shall collaborate with the inmate and the PSU PPO to establish a written travel itinerary for the inmate's release.
- c. The day prior to and no later than the day of the CSL offender's assigned release from the facility, the IPPO shall notify via email the travel itinerary and denote that the offender is leaving the facility. This email shall be sent to the Programmed Supervision Unit (PSU) officer with a copy to the Central Communication Center (CCC), PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator. The PSU PPO shall email reporting instructions to the IPPO/CSL offender with a copy to the CCC, PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator. The reporting instructions shall:
  - (1) Indicate the date, time, location of the intake appointment and the officer conducting the intake.
  - (2) Establish a curfew to be followed until the intake appointment is complete.
  - (3) Establish time which the offender must report via phone to the PSU PPO upon reaching the designated residence upon release.
- d. No sooner than the day of the offender's release, the IPPO or designee shall install a GPS tracking device on the CSL offender and communicate with the Central Communication Center to ensure the offender is enrolled and active in the vendor software. At the time of the offender's release, the IPPO shall ensure the offender's GPS unit is gathering accurate location data via communication with the CCC. No CSL offender shall be released from the facility until the GPS equipment is properly tracking and it is verified as accurate by the CCC.

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- e. At the time of release, the IPPO or designee will allow the CSL offender to place a phone call to the assigned PSU PPO to indicate the offender's departure from the institution. The CSL offender's travel itinerary and reporting instruction will be reviewed on the call.
- f. At the time of release, the IPPO or designee shall notify the CCC via phone with a follow-up confirmation of departure email to the PSU PPO, PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator to relate that the inmate has been released. The IPPO shall reassign the offender to the PSU PPO in the district of release in the TOMIS.

2. Central Communication Center Procedures

- a. The CCC shall confirm/verify GPS tracking points are loading and appear accurate to the offender's location at the institution. The CCC shall reply to the confirmation of departure email stating the current status of the offender's GPS tracking to the IPPO, PSU PPO, PSU manager/designee, Specialized Caseload Director and Specialized Caseload Correctional Administrator.
- b. Upon request from the IPPO, the CCC shall reassign the offender to the assigned PSU PPO in the district of release in the GPS vendor software. The CCC shall notify the PSU PPO of the reassignment via phone call with a follow-up email to the IPPO, PSU PPO, PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator of the assignment transfer of the GPS equipment from the institution to the PSU PPO. The PSU PPO shall acknowledge via email to the IPPO, CCC, PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator accepting the assignment and enter exclusionary zones. In instances where the officer does not answer, the PSU manager/designee, Specialized Caseload Director, or Specialized Caseload Correctional Administrator shall be notified of the reassignment.

3. Community Supervision Procedures

- a. PSU manager/designee shall assign a CSL offender release plan to a PSU PPO. The PSU PPO shall investigate the release plan according to Policy #702.30. In addition to the procedures outlined in Policy #702.30, the PSU PPO shall:
  - (1) Investigate the address through the use of Sex Offender Safe Zone Map, which can be located on the TDOC intranet, to ensure that the address meets statutory requirements for the sex offender registry. Should the address violate the sex offender registry, the PSU PPO will immediately notify the IPPO via email and copy the PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator so that the IPPO can work with the offender on a different release plan.

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- (2) Establish contact with the individuals residing at the offender's intended address and schedule an appointment to meet at the local district office to review offender's supervision rules and statutes. The PSU PPO will provide the individuals residing at the offender's intended address with copies of the offender's rules. The PSU PPO will schedule a home visit to be conducted within two weeks of the initial meeting to determine if the residence complies with the offender's supervision restrictions. Should the residence not be in compliance, with no ability to gain compliance, the PSU PPO should immediately notify the IPPO with a copy to the PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator so that the IPPO can work with the offender on a different release plan.
  - (3) Maintain weekly phone contact with the individuals residing at the offender's intended address during the thirty days prior to the offender's scheduled release date to ensure no changes to the residence.
  - (4) Notify the IPPO of changes to the release plan as soon as possible, but no later than 24 hours of learning of the changes, via email communication, with a copy to the PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator.
  - (5) Contact via telephone any individual who will be transporting the offender in a private vehicle. This contact shall include informing the individual that the CSL offender will be tracked via GPS and the time frame for which he/she must arrive at the destination. The PSU PPO shall verify the vehicle including the year, make, model, color, and tag number along with the names and contact information for all occupants of the vehicle. In addition, the PSU PPO will review the proposed route and any planned stops along the way.
- b. The PSU PPO shall confirm reassignment of the offender in the GPS vendor software with the CCC via email accepting the assignment to the IPPO, CCC, PSU manager/designee, Specialized Caseload Director and Specialized Caseload Correctional Administrator and enter inclusion zones along the route of travel as indicated on the travel itinerary. Inclusion zones shall be entered no later than the day of the offender's release and prior to the offender's departure from the institution.
- (1) Inclusion zones shall be set at waypoints along the route of travel.
  - (2) The PSU PPO shall enter inclusion zones for the offender's listed destination for the designated time according to the travel itinerary. The offender shall remain under curfew as stated in the reporting instructions pending the intake appointment with the PSU PPO.
  - (3) For homeless CSL offenders, PSU PPOs shall set inclusion zones for the county of release. The PSU PPO shall monitor the CSL offender's arrival to the county.

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- c. Upon the offender's release, the PSU PPO shall use the GPS vendor software to track the offender to his/her stated destination. Once the offender arrives at the destination, the PSU PPO shall notify the CCC via email with a copy to the PSU manager/designee, Specialized Caseload Director, and Specialized Caseload Correctional Administrator.
- d. The PSU PPO shall contact the CSL offender at the designated residence at the time specified in the reporting instructions to ensure the offender reached the designated residence. The PSU PPO shall review the CSL offender's reporting instructions during the phone call and enter the contact as a contact note in the TOMIS.

C. CSL Supervision Following Community-Based Sentences

- 1. CSL offender's supervision level shall not change at the expiration of sentence for offenders who are subject to CSL upon discharge from a suspended sentence. Regardless of the expired sentence, CSL offenders shall be supervised as parole cases. CSL offenders are considered a parole case type for TOMIS purposes and upon initiation of CSL supervision the officer shall confirm the offender is correctly moved in TOMIS to lifetime supervision and the parole case type.
  - a. Upon expiration of the offender's suspended sentence, the PSU PPO shall e-mail Sentence Management Services and request a CSL certificate.
  - b. If at any time the original CSL certificate cannot be located, the PSU PPO shall request a duplicate copy from Sentence Management. The PPO shall ensure that the duplicate certificate includes a written reference to the offender's original expiration date of the CSL qualifying conviction.
- 2. Any changes in supervision level shall continue to be determined based upon the offender's risk and needs assessment and sex offender specific assessment, and the offender's state of compliance with both supervision and treatment per Policy #704.04.

D. TOMIS Movements for CSLs:

- 1. New misdemeanor charges or new charges not yet sentenced shall be entered as changes to the offender's level of supervision. This includes violations of CSL. The officer shall continue to carry the offender as an open case, with the appropriate supervision level. Violation and revocation movements shall not be made for CSL offenders, even for the offense of Violation of Community Supervision for Life.
- 2. New felony convictions shall be ~~are~~ entered as a new admission from court, not a transfer. This shall include new convictions for violation of CSL.

E. CSL Intake Procedures: PSU PPOs shall follow Intake procedures outlined in Policy #703.03. In addition to these procedures, PSU PPOs shall inform CSL offenders of the following:

- 1. It is a new offense to knowingly violate a condition of community supervision for life.
- 2. If such conduct violates the condition without being a criminal offense, such violation is a Class A misdemeanor.

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3. If such conduct constitutes a new misdemeanor offense, the corresponding violation shall be a Class A misdemeanor
  4. If such conduct ~~also~~ constitutes a new criminal offense classified as a felony, the corresponding violation is a Class E felony.
  5. Each condition violated constitutes a separate offense charged.
- F. If an offender is released from confinement/supervision but is required to be supervised as a CSL offender, the following shall occur:
1. Officers shall check the Sex Offender Registry (SOR) for residence information. If a residence is identified, officers shall notify the PSU manager/designee in the corresponding district via email communication with a copy to the Specialized Caseload Director(s), and Specialized Caseload Correctional Administrator. If a residence is not identified, officers shall notify the PSU manager/designee in the district of conviction via email communication with a carbon copy to the Specialized Caseload Director(s), and Specialized Caseload Correctional Administrator.
  2. The PSU manager/designee shall attempt to contact the offender. All attempts to contact the offender shall be documented in TOMIS as a contact note.
  3. The PSU manager/designee shall assign the CSL offender to a PSU PPO. The PSU PPO shall contact the registering agency in the SOR, if available, notify of the jurisdiction change, and attempt to make contact with the offender.
  4. If the PSU PPO is unable to locate and/or the offender will not comply, a warrant for violation of CSL shall be initiated.
- G. Violations of CSL: Violations of CSL shall be filed in ~~is~~ the court of the county of supervision. For those under courtesy supervision in another state, violations of CSL shall be filed in the county of the sending/interstate compact officer.
1. CSL Violations shall be presented to the grand jury unless there is a determination made with the PSU PPO, PSU manager/designee and Specialized Caseload Director that doing so would constitute a public safety issue.
    - a. The PSU PPO shall prepare a report outlining the official version of the original offense, offender's supervision history, and the specific nature of the violation
    - b. The violation report form is not to be used as the terms used are not applicable to a CSL offender.
    - c. The report shall be submitted to the PSU manager/designee for approval prior to submitting to the District Attorney General's office.
    - d. The report shall be submitted with a cover letter to the District Attorney General's office in the county in which the offender is being supervised.



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2. CSL violations that require the PSU PPO to swear out an affidavit of complaint with General Sessions Court and/or Magistrate:
  - a. The officer shall prepare an affidavit of complaint outlining the official version of the original offense, the offender's supervision history, and the specific nature of the violation(s).
  - b. The affidavit shall be submitted to the PSU manager/designee for approval prior to submitting to the General Sessions Court/Magistrate.
  - c. The approved affidavit of complaint shall be presented along with a copy of the CSL certificate to the General Sessions Court/Magistrate and a request made for the offender's arrest and prosecutions.

H. Conditions for offender release from CSL:

1. CSL supervision shall be terminated upon receipt of court orders, such as amended judgment orders or successful appeals removing CSL. PSU PPO will make corresponding contact notes and movements in the TOMIS.
2. Death of the offender. See Policy #708.09

VII. ACA STANDARDS: APPFS-2C-01, APPFS-2C-02, APPFS-2B-03.

VIII. EXPIRATION DATE: May 15, 2020.



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Effective Date: July 15, 2017

Distribution: C

Supersedes: 704.09 (5/15/13)

Approved by: Tony Parker

Subject: RADIO FREQUENCY ELECTRONIC MONITORING

- I. AUTHORITY: TCA 4-3-603; 4-3-606; 40-28-601; and TCA 40-39-303.
- II. PURPOSE: To effectively utilize radio frequency electronic monitoring in a manner that enhances supervision.
- III. APPLICATION: Assistant Commissioner of Community Supervision, all Tennessee Department of Correction (TDOC) Community Supervision, and probationers or parolees.
- IV. DEFINITIONS:
  - A. Radio Frequency Electronic Monitoring (RF): A type of monitoring offender presence or absence from a specific location utilizing radio wave signal.
  - B. Transmitter: The piece of electronic monitoring equipment which is affixed to the offender's ankle.
  - C. Vendor: The company that provides the electronic monitoring services to the Department.
- V. POLICY: Radio frequency (RF) is utilized by TDOC Community Supervision to assist in the monitoring of certain offenders' adherence to curfew, schedule, and/or zone supervision requirements.
- VI. PROCEDURES:
  - A. Purpose and Placement
    1. The purpose of RF electronic monitoring is to provide the ability to monitor the offender's presence at a specific location. The duration may be indefinite but interim reviews are required on a monthly basis. Imposition of a curfew for more than 90 days shall be approved by the District Director (DD).
    2. An offender may be placed on RF supervision:
      - a. Upon receipt of a court order requiring electronic monitoring
      - b. By Board of Parole (BOP) imposition as a special condition of parole
      - c. As a condition of an imposed sanction pursuant to Policy #704.10
  - B. Requirements and Restrictions
    1. Offenders on RF must:
      - a. Have a land line phone or live in an area with adequate cellular coverage.

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- b. If utilizing a land line, must have service without: call waiting, call forwarding, conference calling, an answering machine, fax or other modem.
    - c. If utilizing a land line, reside in a place where the head of the household is agreeable to having the monitoring equipment attached to the phone line and members of the household are willing to relinquish the line when necessary.
  2. Offenders eligible for RF include, but are not limited to, the following:
    - a. Offenders who are chronically unemployed,
    - b. Offenders with court or BOP ordered curfews,
    - c. Non-compliant offender as an intermediate sanction pursuant to Policy #704.10; and
    - d. Offenders with court ordered electronic monitoring
- C. Equipment, Implementation, and Monitoring
  1. Each DD, or designee, will be responsible for ensuring that all officers supervising offenders on RF are trained and equipped with adequate supplies and resources, including installation and operational manuals.
  2. The supervising officer is responsible for overseeing, installing and removing the unit and for monitoring the offender's compliance with the RF offender instructions. Another trained officer may assist, or when needed, perform supervising officer's duties.
    - a. Once assignment to electronic monitoring is determined, the equipment should be installed within one business day. Upon termination, equipment should be removed from the residence within one business day.
    - b. Officers shall address alerts within 24 hours.
    - c. The officer or designee assigned shall respond to curfew violations as instructed by the court or BOP. In the absence of specific instruction the officer shall apply the appropriate sanction(s) pursuant to Policy #704.10.
- D. Removal from RF: Offenders shall be removed from RF under the following criteria:
  1. End of time frame designated by court or BOP,
  2. Ordered electronic monitoring condition is removed by court or BOP,
  3. Chronically unemployed offender obtains gainful employment and has maintained for 60 days,
  4. Offender sanction for RF monitoring is completed,
  5. Requested removal approved by the DD or designee,

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6. If there is a confirmed medical necessity to remove the RF monitoring equipment; or
7. Upon revocation or successful completion of supervision.

E. Training

1. Officers who install RF monitoring equipment shall be vendor trained in a manner consistent with the vendor's user guidelines, which are maintained on the vendor's website, before being able to utilize the equipment.
2. All officers responsible for supervision of offenders on RF shall complete the vendor's user training curriculum.
3. The manager shall verify completion of staff training through vendor records.

VII. ACA STANDARDS: None.

VIII. EXPIRATION DATE: July 15, 2020.



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Effective Date: January 6, 2017

Distribution: C

Supersedes: 704.10 (8/1/14)  
704.08 (7/1/16)

Approved by: Tony Parker

Subject: COMMUNITY SUPERVISION SANCTIONS

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, Title 40, Chapter 28, Part 6, TCA 40-35-303, TCA 40-35-313, TCA 39-13-524, TCA 39-13-526, TCA 40-28-703.
- II. PURPOSE: To establish guidelines for the consistent application of graduated sanctions for designated offender behaviors.
- III. APPLICATION: Deputy Commissioner of Operations, Assistant Commissioner of Community Supervision (ACCS) and Tennessee Department of Correction (TDOC) Community Supervision staff.
- IV. DEFINITIONS:
  - A. Administrative Review: A process by which an offender may object to sanctions which have been imposed by the Probation Parole Officer (PPO).
  - B. Community Service Work (CSW): A program within Community Supervision and administered by a coordinator who works with qualified non-profit or governmental entities to use labor by probationers and parolees on public service tasks.
  - C. Curfew: A lawful instruction establishing a specific time during a 24 hour period in which an offender must be at a certain place for a certain number of hours.
  - E. Level 1 Sanctions: Low-level responses to address offender non-compliance.
  - F. Level 2 Sanctions: Mid-level responses to address offender non-compliance.
  - G. Level 3 Sanctions: High-level responses to address offender non-compliance.
  - H. Level 4 Sanctions (Zero Tolerance Violations): Offender actions which require the PPO to request a warrant from the releasing authority.
  - I. Sanction: A swift, certain, and proportionate response by the PPO to return the offender to compliance by use of non-prison accountability measures and programs.
  - J. Sanction Matrix: A chart consisting of defined attitude/behavior offender violations and corresponding sanctions that shall be utilized to address those non-compliant offender behaviors within the context of supervision level.
  - K. Sanction Monitor: A PPO charged with the tracking of community supervision offender sanctions by use of non-prison accountability measures and programs.
  - L. Special Condition: Additional or modified rule(s) of probation or parole imposed by the Court or Board of Parole, respectively, because of an offender's unique need or for public safety purposes.

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V. POLICY: Graduated sanctions shall be applied to offenders as a consequence of non-compliance with the rules and conditions of their community supervision.

VI. PROCEDURES:

A. Violations:

1. Attitude violations and corresponding TOMIS contact codes:

- a. Unemployed – Failure to Provide Verification/Seek (Employment)-EMPX
- b. Non-payment of financial obligation - NPFO
- c. Failure to comply with lawful instructions/special conditions of supervision-FCLS
- d. Failure to report violations or criminal behavior-FRVC
- e. Failure to attend programming, treatment or Sex Offender treatment-FAPT

2. Behavior violations and corresponding TOMIS contact codes:

- a. Moved without permission or notification (excluding sex offenders), leaving the county without permission, or violation of curfew-MOPC
- b. One Positive Drug Screen/refusal to submit to a drug screen (all offenders) (Alcohol Use – Only Sex Offenders)-ORPD
- c. Failure to report as instructed-FALR
- d. New misdemeanor charge/citation – Class “B” or below-NMCB
- e. Terminated from programming, treatment, or non-compliance sex offender treatment-TRPT
- f. More than one positive drug screen (all offenders)/More than one alcohol use (Only Sex Offenders)-within a six month period-MPDS
- g. Failure to comply with sanction-FALS
- h. Consistently fails to report/failure to comply with sex offender treatment contract-FALC
- i. Possession of firearm-WFIR
- j. Three or more non-compliance with level 1 sanctions within one year-NCS1
- k. Two or more non-compliance with level 2 sanctions within one year -NCS2
- l. Non-compliance with level 3 sanctions within one year -NCS3
- m. 3<sup>rd</sup> level 2 Sanction applied w/in 6 months on separate instances.
- n. Refusal to Submit to Residence Search-RFRS
- o. New criminal Class “A” Misdemeanor or Felony arrest/conviction (arrest for sex offender)-NCAC

B. Sanction Levels: PPOs shall determine the most appropriate sanctioning response for the offender’s non-compliant behavior by utilizing the Community Supervision Sanction Matrix.

1. Level 1 Sanctions and corresponding TOMIS contact codes: PPOs shall impose sanctions no later than five business days after verifying offender non-compliance.

- a. Verbal Warning - Officer Intervention-VBW1
- b. Restrict travel privilege for 30 days-RTP1
- c. Increase Supervision Level for 30 days-ISL1-(pursuant to Policy 704.01)
- d. Payment Plan Established-PPE1
- e. Schedule appointment with FSW within 30 Days-FSW1

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- f. One additional drug screen within 30 days-ADS1
  - g. Attend Victim Impact program-VIC1
  - h. Attend job readiness class within 30 days-JRC1
  - i. Attend Thinking for a Change-TFC1
  - j. Eight (8) hours CSW within 14 days-CSW1
  - k. Curfew for 30 days-CUR1
  - l. Submit weekly schedule of activities for 30 days- Sex Offender/CIP Offender-WSA1
  - m. GPS Monitoring for 30 Days - Sex/CIP Offender-GPS1
  - n. Use of RF Monitoring –RFM1
  - o. Refer to Community Resource Center (Substance Abuse Only) for evaluation-CRC1
2. Level 2 Sanctions and corresponding TOMIS contact codes: PPOs shall impose sanctions no later than 48 hours of verification of offender non-compliance.
- a. Written Warning - Supervisor Intervention-WSI2
  - b. Restrict travel privilege for up to 60 days-RTP2
  - c. Payment Plan Established-PPE2
  - d. Increase Supervision Level for 60 days-ISL2-(pursuant to Policy #704.01)
  - e. Schedule appointment with FSW within 20 days-FSW2
  - f. Two additional drug screens within 60 days-ADS2
  - g. Attend Victim Impact program-VIC2
  - h. Attend job readiness class within 20 days-JRC2
  - i. Attend Thinking for a Change-TFC2
  - j. 16 hours CSW within 30 days-CSW2
  - k. Curfew for 60 days-CUR2
  - l. Submit weekly schedule of activities for 60 Days- Sex Offender/CIP Offender-WSA2
  - m. GPS Monitoring for 60 Days - Sex/CIP Offender-GPS2
  - n. Use of RF Monitoring –RFM2
  - o. Refer to Community Resource Center (Substance Abuse Only) for evaluation-CRC2
3. Level 3 Sanctions and corresponding TOMIS codes: PPOs shall impose sanctions no later than 24 hours of verification of offender non-compliance.
- a. Restrict Travel Privilege up to 90 days-RTP3
  - b. Attend ACRC hearing within 2 business days-ACR3
  - c. Payment Plan Established-PPE3
  - d. Increase Supervision Level for 90 days-ISL3-pursuant to Policy #704.01
  - e. Schedule appointment with FSW within 15 days-FSW3
  - f. Three additional drug screens within 90 days-ADS3
  - g. Attend Victim Impact program-VIC3
  - h. Attend job readiness class within 15 days-JRC3
  - i. Attend Thinking for a Change-TFC3
  - j. 24 hours CSW within 45 days-CSW3
  - k. Curfew for 90 days - CUR3
  - l. Submit weekly schedule of activities for 90 Days- Sex Offender/CIP Offender-WSA3
  - m. GPS Monitoring for 90 Days - Sex/CIP Offender-GPS3

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- n. Refer to Day Reporting Center (Substance Abuse Only) for evaluation-DRC3
- o. Use of RF Monitoring-RFM3

4. Level 4 Sanctions (Zero Tolerance Violations) and corresponding TOMIS codes: PPOs shall submit a violation report and request a warrant from the releasing authority in accordance to Policies #707.20 and #707.30).

- a. Possession of a firearm-WFIR
- b. Positive Drug Screen for Methamphetamine-ZTPD
- c. Three or more non-compliance in one year with Level 1 Sanctions-NCS1
- d. Two or more non-compliance in one year Level 2 Sanctions-NCS2
- e. Non-compliance in one year with Level 3 Sanctions-NCS3
- f. Third Level 2 Sanction or above violation within a six month period on separate instances-MST3
- g. Refusal to submit to Residence Search-RFRS
- h. New Criminal Class A Misdemeanor or Felony Arrest/ Conviction (Any Arrest for Sex Offender) NCAC

C. When applying sanctions, the PPO shall:

1. Utilize the Community Supervision Graduated Sanctions Matrix Distributive Application to complete offender sanctions.
2. Review violation(s) and utilize the Community Supervision Sanctions Matrix to determine the most appropriate sanctioning response for the offender's non-compliance.
3. Determine if the violation is attitude or behavioral and cross reference the violation with the offender's supervision level in the Community Supervision Sanction Matrix to select the appropriate sanction(s).
4. PPOs may select up to two sanctions per violation committed, but can select no more than a total of four sanctions to be imposed.
5. No more than two Level 2 or above sanctions shall be imposed, on separate instances during a six month period. A violation report and warrant request shall be submitted to the releasing authority in accordance with policies #707.21 and #707.30 for subsequent violations within that period.
6. If an offender incurs additional sanctions during the sanctioning monitoring process, all previous applied sanctions shall continue to be monitored throughout completion of the most recent sanction.
7. A sanction shall not be imposed for a positive drug screen until confirmation is received from the certifying laboratory or the offender signs a voluntary admission Drug Screen Results, CR-4046, pursuant to Policy #705.04.
8. If an offender disagrees with the sanction(s) imposed;
  - a. The PPO shall impose the sanctions as outlined in VI.(B)(3) until a determination is made by management (excluding those appeal sanctions in section VI.(E)(1).



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- b. The PPO will schedule an appointment for the offender and PPO to meet with a Probation Parole Manager (PPM) according to the timeframe designated by the sanction level.
- c. The PPM shall meet with the offender and review the proposed sanction(s) and make a determination as to the appropriateness of the proposed sanctions. If necessary the PPM may make the necessary modifications to the proposed sanctions.

D. Documentation of Sanctions:

- 1. All sanctions shall be documented in the TOMIS conversation in a timeframe pursuant to Policy #706.03. PPOs shall complete a detailed comment outlining the offender's non-compliant behavior, date the PPO imposed sanction(s), the sanction level, sanction imposed, and progress with the completion of each sanction(s) imposed.
- 2. Sanctions shall be documented utilizing the Notice of Sanction, CR-4068, which shall be printed and placed in the offender's case file pursuant to Policy #706.01.
- 3. Offenders shall sign the Notice of Sanction, CR-4068, which shall serve as notice of sanction(s) imposed, and provide the offender with information pertaining to the right of appeal, if applicable.

E. Monitoring/Removing Sanctions:

- 1. Probation Parole Managers (PPMs) shall conduct a daily review of the sanction tracking report, which is located in the Community Supervision Sanction/Incentive Matrix Distributive Application. PPMs will review and monitor all sanctions which have been applied. PPMs shall monitor the Community Supervision Graduated Sanctions Matrix Distributive Application on a daily basis to ensure all sanctions pending PPM review are addressed.
- 2. PPMs shall meet with PPOs weekly to discuss sanctions which have been applied, and ensure appropriate documentation and TOMIS contact notes have been completed. PPMs shall use the weekly meeting as opportunity to provide on-going coaching sessions and training to PPOs.
- 3. If discrepancies are discovered in the sanctioning process review, corrective action shall be completed by the following business day.
- 4. PPOs shall monitor offender sanctions in the Community Supervision Graduated Sanctions Matrix Distributive Application and document the appropriate completion information by entry of successful or unsuccessful completion of sanction in the Matrix Distributive Application.
- 5. The District Director shall conduct a monthly review of the Sanction Tracking Report.
- 6. The sanction monitor shall provide the sentencing court and prosecutor's office with a Monthly Report, CR-Pending, reflecting all sanctions imposed upon probationers under the court's jurisdiction, which will be submitted by the 10<sup>th</sup> day of each month.

Subject: COMMUNITY SUPERVISION SANCTIONS

F. Administrative Review of Sanctions:

1. The offender may request an administrative review for curfew sanctions.
2. The PPO shall complete the Administrative Review Request/Decision, CR-4067.
3. Sanctions imposition shall await the administrative review disposition.
4. Upon the request by the offender of an appeal request, the PPO will immediately notify the PPM and Sanction Monitor of the appeal request.
5. The Sanction Monitor shall route the Administrative Review Request/Decision, CR-4067, to the appropriate Correctional Administrator within 24 hours of receipt.
6. The Correctional Administrator (CA) shall conduct a review of the offender request to appeal and provide a written decision within three business days.
7. The CA shall provide the decision to the appropriate Sanction Monitor.
8. The Sanction Monitor shall route the final decision to the PPO of record and PPM within 24 hours of receipt.
9. The PPO of record shall immediately notify the offender of the decision. If the sanction is upheld, the sanction shall be imposed immediately.

VII. ACA STANDARDS: 4-APPFS-2B-11.

VIII. EXPIRATION DATE: January 6, 2020.



TENNESSEE DEPARTMENT OF CORRECTION

Notice of Sanction

**Offender:** [Click here to enter text.](#)      **TDOC#:** [Click here to enter text.](#)  
**Officer:** [Click here to enter text.](#)      **Office:** [Click here to enter text.](#)  
**Manager:** [Click here to enter text.](#)      **Supervision level:** [Click here to enter text.](#)

You have violated the conditions of your probation or parole supervision rules as outlined below. The following sanction(s) will be imposed as a result of the outlined violation. Failure to comply with these sanctions may result in a violation report submission to the court or the Board.

**Violation Date:** [Click here to enter a date.](#)      **Sanction Level:** [Choose an item.](#)  
**Violation(s):** [Choose an item.](#)      **Sanction(s) Imposed:** [Choose an item.](#)  
      **Sanction Impose Date:** [Click here to enter a date.](#)

**Sanction Level:** [Choose an item.](#)  
**Sanction(s) Imposed:** [Choose an item.](#)  
**Sanction Impose Date:** [Click here to enter a date.](#)

**Sanction Level:** [Choose an item.](#)  
**Sanction(s) Imposed:** [Choose an item.](#)  
**Sanction Impose Date:** [Click here to enter a date.](#)

**Sanction Level:** [Choose an item.](#)  
**Sanction(s) Imposed:** [Choose an item.](#)  
**Sanction Impose Date:** [Click here to enter a date.](#)

Any curfew imposed as a sanction is eligible for an administrative review, at the request of the offender. A request for Administrative Review may be submitted by the offender on form CR4067 to be reviewed by a Correctional Administrator. A final decision from the administrative review will be issued within five (5) business days from the date of the request. If an administrative review has been requested, sanction imposition will remain, pending the results of the review. The administrative review decision will be provided to the offender in writing.

\_\_\_\_\_  
Offender signature

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Manager Signature



TENNESSEE DEPARTMENT OF CORRECTION  
Administrative Review Request/Decision

<b>Offender:</b>	<a href="#">Click here to enter text.</a>	<b>TDOC#:</b>	<a href="#">Click here to enter text.</a>
<b>Officer:</b>	<a href="#">Click here to enter text.</a>	<b>Office:</b>	<a href="#">Click here to enter text.</a>
<b>Manager:</b>	<a href="#">Click here to enter text.</a>	<b>Supervision level:</b>	<a href="#">Click here to enter text.</a>

**Violation Date:** [Click here to enter a date.](#)

**Sanction Level:** [Choose an item.](#)

**Violation(s):** [Choose an item.](#)

**Sanction(s) Imposed:** [Choose an item.](#)

Administrative Review Requested. The following statement is provided in support of the request for administrative review:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Offender Signature: \_\_\_\_\_ Date: \_\_\_\_\_

An administrative review has been completed by the Correctional Administrator. After reviewing the statement provided by the offender and the non-compliance violations information, the final decision in the matter of this review is:

Concur with the proposed sanction, which shall be imposed immediately.

The proposed sanction is sent back for revision. The supervising officer and manager are instructed to select an alternative sanction.

This decision is a final decision and may not be appealed beyond this level.

\_\_\_\_\_  
Correctional Administrator Signature

\_\_\_\_\_  
Date

Tennessee Department of Correction Community Supervision Sanction Matrix		Supervision Level							S a n c t i o n s	
		Standard Level	PSU Transitional	Elevated DRC 3	PSU Intermediate	Restricted DRC 2	PSU Secondary	Special Restricted DRC 1		PSU Primary
V i o l a t i o n s	B e h a v i o r	Unemployed - Failure to Provide Verification/Seek Employment EMPX	Level 1  Sanctions shall be imposed w/in 5 business days	8 hours of CSW w/in 14 days-CSW1 Verbal Warning-Officer Intervention-VBW1 Attend Job Readiness w/in 30 business days-AJC1	16 hours of CSW w/in 30 days-CSW2 Written Warning-Officer Intervention-WSI2 Attend Job Readiness w/in 20 business days-AJC2					
		Non-payment of Financial Obligation NPFO		Attend Victim Impact-AVI1 Payment Plan Established-PPE1 8 hours of CSW w/in 14 days-CSW1 Verbal Warning-Officer Intervention-VBW1	Attend Victim Impact-AVI2 Payment Plan Established-PPE2 16 hours of CSW w/in 30 days-CSW2 Written Warning-Officer Intervention-WSI2		Curfew for 90 Days-CUR3 Attend Victim Impact-AVI3 Payment Plan Established-PPE3 24 hours CSW w/in 45 days-CSW3			
		Failure to Comply with Lawful Instructions/ Special Conditions of Supervision FCLS		Curfew for 30 days-CUR1 Attend Pro-Social Life Skills-PSL1 8 hours of CSW w/in 14 days-CSW1 Increase Supervision Level-30 days-ISL1	Curfew for 60 day-CUR2 Attend Pro-Social Life Skills-PSL2 16 hours of CSW w/in 30 days-CSW2 Increase Supervision Level-60 days-ISL2		RF Monitoring-RFM3 Curfew for 90 Days-CUR3 24 hours CSW w/in 45 days-CSW3 Attend Pro-Social Life Skills-PSL3			
		Failure to Report Violations/Criminal Behavior FRVC		Verbal Warning-Officer Intervention-VBW1 GPS Monitoring-30 days-Sex/CIP Offenders-GPM1	Written Warning-Officer Intervention-WSI2 GPS Monitoring - 60 days -Sex/CIP Offenders- GPM2		RF Monitoring-RFM3 Curfew for 90 Days-CUR3 24 hours CSW w/in 45 days-CSW3 Attend Pro-Social Life Skills-PSL3 GPS Monitoring - 90 days-Sex/CIP Offenders-GPM3			
		Failure to attend Programming/Treatment/ Sex Offender FAPT		RF Monitoring-RFM1 Curfew for 30 days-CUR1	RF Monitoring-RFM2 Curfew for 60 day-CUR2	RF Monitoring -RFM3 Curfew for 90 Days-CUR3				
		Moved w/o Permission or Notification (excluding sex offenders), Leaving the County w/o Permission, or Violation of Curfew MOPC		Restrict Travel Privilege-30 days-RTP1 Increase Supervision Level-30 days-ISL1 Verbal Warning-Officer Intervention-VBW1 GPS Monitoring-30 days-Sex/CIP Offenders-GPM1	Restrict Travel Privilege-60 days-RTP2 Increase Supervision Level-60 days-ISL2 Written Warning-Officer Intervention-WSI2 GPS Monitoring - 60 days -Sex/CIP Offenders- GPM2	Restrict Travel Privilege-90 days-RTP3 Increase Supervision Level-90 days-ISL3 GPS Monitoring - 90 days-Sex/CIP Offenders-GPM3				
		One Positive Drug Screen/Refusal to Submit to Drug Screen (Alcohol use -Sex Offender Only) OPRD		Refer to CRC for evaluation-CRC1 Increase Supervision Level-30 days-ISL1 Submit Weekly Schedule for 30 Days-WSA1 1 Additional Drug Screens w/in 30 days-ADS1 GPS Monitoring-30 days-Sex/CIP Offenders-GPM1 Sch. appointment with FSW w/in business 30 days-SFS1	Refer to CRC for evaluation-CRC2 Increase Supervision Level-60 days-ISL2 Submit Weekly Schedule for 60 Days-WSA2 2 Additional Drug Screens w/in 60 days-ADS2 GPS Monitoring - 60 days -Sex/CIP Offenders- GPM2 Sch. appointment with FSW w/in 20 business days-SFS2	Curfew for 90 Days-CUR3 Refer to DRC for evaluation-DRC3 Increase Supervision Level-90 days-ISL3 3 Additional Drug Screens in 90 days-ADS3 Submit Weekly Schedule for 90 Days-WSA3 GPS Monitoring - 90 days-Sex/CIP Offenders-GPM3 Sch. appointment with FSW w/in 15 business days-SFS3				
		Failure to Report as Instructed FALR		Curfew for 30 days-CUR1 Restrict Travel Privilege-30 days-RTP1 Increase Supervision Level-30 days-ISL1 GPS Monitoring-30 days-Sex/CIP Offenders-GPM1	Curfew for 60 days-CUR2 Restrict Travel Privilege-60 days-RTP2 Increase Supervision Level-60 days-ISL2 GPS Monitoring - 60 days -Sex/CIP Offenders- GPM2	RF Monitoring-RFM3 Curfew for 90 Days-CUR3 Restrict Travel Privilege-90 days-RTP3 Increase Supervision Level-90 days-ISL3 GPS Monitoring-90 days-Sex/CIP Offenders-GPM3				
		New Misdemeanor Charge/Citation Class B or below (Do not use for Sex Offender) NMCB		RF Monitoring-RFM2 Curfew for 60 days-CUR2 Attend Pro-Social Life Skills-PSL2 Increase Supervision Level-60 days-ISL2 GPS Monitoring - 60 days -Sex/CIP Offenders- GPM2	RF Monitoring-RFM3 Curfew for 90 days-CUR3 Attend Pro-Social Life Skills-PSL3 Restrict Travel Privilege-90 days-RTP3 Submit Weekly Schedule -90 Days-WSA3 Increase Supervision Level-90 days-ISL3 GPS Monitoring-90 days-Sex/CIP Offenders-GPM3					
		Terminated from Programming/Treatment/ Non-Compliant Sex Offender Treatment TRPT		RF Monitoring-RFM2 Curfew for 60 days-CUR2 Restrict Travel Privilege-60 days-RTP2 Submit Weekly Schedule for 60 Days-WSA2 GPS Monitoring - 60 days -Sex/CIP Offenders- GPM2	RF Monitoring-RFM3 Curfew for 90 days-CUR3 Attend Pro-Social Life Skills-PSL3 Restrict Travel Privilege-90 days-RTP3 Submit Weekly Schedule -90 Days-WSA3 Increase Supervision Level-90 days-ISL3 GPS Monitoring-90 days-Sex/CIP Offenders-GPM3					
		In a Six Month Period More than one Positive Drug Screen-All Offenders More than one Alcohol use -Sex Offenders Only MPDS		Curfew for 60 days-CUR2 Refer to CRC for evaluation-CRC2 Increase Supervision Level-60 days-ISL2 2 Additional Drug Screens w/in 60 days-ADS2 GPS Monitoring - 60 days -Sex/CIP Offenders- GPM2 Sch. appointment with FSW w/in 20 business days-SFS2	Refer to DRC for evaluation-DRC3 3 Additional Drug Screens in 90 days-ADS3 Increase Supervision Level - 90 Days - ISL3 GPS Monitoring for 90 days-Sex/CIP Offenders-GPM3					
		Failure to Comply with Sanction FALS		Level 3 Supervisor Approval	RF Monitoring-RFM3 Refer to DRC for evaluation-DRC3 3 Additional Drug Screens in 90 days-ADS3 Increase Supervision Level - 90 Days - ISL3 GPS Monitoring for 90 days-Sex/CIP Offenders-GPM3 Sch. appointment with FSW w/in business 15 days-SFS3					
		Consistently Fails to Report/ Failure to comply with Sex Offender Treatment Contract** FALC		Sanctions shall be imposed w/in 24 hours						
		Possession of Firearm-WFIR								
Positive Drug Screen for Methamphetamine-ZTPD										
3 or more non-compliance with Level 1 Sanctions in a year-NCS1 2 or more non-compliance with Level 2 Sanctions in a year-NCS2 Any non-compliance with Level 3 Sanctions in a year-NCS3	Level 4 Zero Tolerance ZTVR									
3rd Level 2 Sanction applied w/in 6 months on separate instances- MST3										
Refusal to submit to Residence Search-RFRS										
New Criminal Class A Misdemeanor or Felony Arrest/ Conviction (Any arrest/charge for Sex Offenders) NCAC										

Contact notes in the above sanction columns end in the appropriate sanction level (example: Verbal Warning-Officer Intervention VBW1. All sanctions applied shall be entered in TOMIS and closed when completed with either 0-Successfully completed or V-Violation Warrant issued.



ADMINISTRATIVE POLICIES  
AND PROCEDURES  
State of Tennessee  
Department of Correction

Index #: 704.12

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Effective Date: April 1, 2016

Distribution: C

Supersedes: 704.12 (5/15/13)

Approved by: Derrick D. Schofield

Subject: GLOBAL POSITIONING SYSTEM OFFENDER MONITORING

- I. AUTHORITY: TCA 4-3-603, 4-3-606, TCA 40-28-601, TCA 40-39-302, TCA 40-39-303, TCA 40-39-304, TCA 40-39-305, TCA 40-39-306.
- II. PURPOSE: To establish the guidelines for the use of Global Positioning System (GPS) monitoring of Community Supervision offenders.
- III. APPLICATION: Assistant Commissioner of Community Supervision, and all Tennessee Department of Correction (TDOC) Community Supervision staff, probationers, and CSL offenders or parolees.
- IV. DEFINITIONS:
  - A. Alert: An electronic notification that something has occurred which impacts the tracking system via web-based monitoring software with an offender's GPS equipment.
  - B. Community Supervision for Life (CSL) Offender: A person convicted of certain serious violent sexual offenses who has expired the sentence and remains under TDOC supervision, pursuant to TCA 39-13-524.
  - C. Exclusion Zone: An area into which entry is prohibited.
  - D. Global Exclusion Zone: The property line of any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public. Offenders may not work or reside within 1000 feet of these property lines.
  - E. Global Positioning System (GPS): Satellite technology used with an electronic monitor to determine and track the whereabouts of an individual continuously.
  - F. Inclusion Zone: An area within which an offender is required to stay.
  - G. Monitoring Center: A designated party responsible for the initial receipt and handling of GPS alerts according to protocol.
  - H. Protocol: The response steps for handling a GPS alert.
  - I. Serious Violent Offender: For the purpose of this policy, a person without a sex offense conviction having attributes of a violent nature which have been reviewed and determined to be in need of supervision under the Community Impact Program initiative for GPS monitoring.
  - J. Sexual Offender: Any person who meets the definition of sexual offender OR violent sexual offender according to TCA 40-39-202 OR has been designated a sex offender by court order.

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Subject: GLOBAL POSITIONING SYSTEM OFFENDER MONITORING		

- K. Tampering: Any attempt to damage, destroy, or alter a GPS device or disrupt GPS satellite signal.
- L. Vendor: The company that provides GPS equipment and services to TDOC.
- V. POLICY: TDOC uses GPS technology on certain offenders as an enhancement to supervision and/or a graduated response to non-compliance.
- VI. PROCEDURES:
  - A. Eligibility Criteria
    - 1. Mandatory Offenders: The following offenders shall be placed on GPS monitoring as an enhancement to supervision:
      - a. All registered sex offenders for the first 90 days of supervision;
      - b. Offenders with a conviction for Rape of a Child and Aggravated Rape of a Child for the duration of their supervision.
      - c. Sex offenders who are homeless until stable residence is found and there are no compliance issues for at least 90 days.
      - d. Sex offenders who score HIGH on the sex offender risk assessment until risk is reduced through reassessments, compliance, polygraph, and/or sex offender treatment provider recommendations.
      - e. Violent offenders who are under court or Board of Parole (BOP) order to be on GPS for the duration ordered by the court or BOP and are supervised under the CIP initiative.
      - f. Sex offenders who are not in compliance, with exception to fees, for a period specified by the PSU Sanction Grid, CR-4007 (See Policy #704.04 and *Programmed Supervision Unit Reference Guide*).
      - g. CSL offenders being released from a facility for the first 90 days. GPS shall be installed at the institution prior to release by the institutional staff unless other arrangements have been made with Community Supervision staff.
      - h. Offenders who are supervised for tampering with or removal of a GPS device or have a history of absconding shall be supervised for a minimum of six months with the GPS monitoring software. The offender must be in compliance with supervision requirements for 90 days prior to the removal of the GPS monitoring equipment.
    - 2. Discretionary Offenders
      - a. Serious violent offenders supervised under the CIP initiative and who meet two or more of the following criteria may be considered for GPS monitoring:

Subject: GLOBAL POSITIONING SYSTEM OFFENDER MONITORING

- (1) Two or more violent offenses;
  - (2) Serious bodily injury to victim;
  - (3) Continued safety concern for the victim;
  - (4) No-contact conditions or orders of protection;
  - (5) Known member of a Security Threat Group (STG);
  - (6) Failure to comply with anger management or batterer's treatment conditions.
- b. Non-sex offenders sanctioned at Response Range 4 may be considered for GPS monitoring (See Policy #704.10) as a graduated sanction upon the approval of the ACCS, court, or BOP. When requesting court or BOP authorization to use GPS as a sanction, officers shall follow procedures outlined in Policy #704.10. The Sanction Grid Documentation Form, CR-3872, shall be completed and placed in the offender's case file.
- c. Offenders supervised in the PSU Unit or CIP initiative and who meet the following criteria may be considered for GPS monitoring:
- (1) Offenders with approved employment that requires travel;
  - (2) Offenders with court or BOP ordered curfews;
  - (3) Offenders with no-contact conditions or orders of protection;
  - (4) Offenders with a continued safety concerns for victim(s); and
  - (5) Offenders on bond status.
3. Exempted Offenders: The following offenders are exempted from GPS monitoring:
- a. Sex offenders who return an overall Moderate or Low score on the sex offender and general risk assessments and who do not meet the criteria of Section VI.(A)(1) and (2).
  - b. Offenders who reside in a secure residential facility that does not allow residents to leave unescorted.
  - c. Offenders who are not ambulatory. Examples include offenders who are bed-ridden, comatose, hospitalized, or in nursing homes).
  - d. Any offender deemed inappropriate for GPS monitoring by ACCS, the Court, or BOP.



Subject: GLOBAL POSITIONING SYSTEM OFFENDER MONITORING

B. Responsibilities

1. The Assistant Commissioner of Community Supervision (ACCS) or designee shall appoint officers to supervise offenders placed on GPS monitoring.
2. In addition to their case management duties, officers shall:
  - a. Coordinate equipment installation, inspection upon return for damage, and cleaning of GPS equipment.
  - b. Communicate equipment needs/problems to the electronic equipment inventory designee (See Policy #704.13)
  - c. Track equipment use, damage, and loss and report this information upon request to the designee (See Policy #704.13)

C. Enrollment, Installation and Fees

1. At the time of enrollment, the offender shall agree to the program requirements by signing the Global Positioning System Monitoring Rules, CR-4010. The officer shall provide a copy of the rules to the offender and the original shall be placed in the offender's case file.
2. Officers shall refer to the Electronic Monitoring Equipment Handbook (See Policy #704.13) for enrolling and installing GPS equipment. Additionally, officers shall:
  - a. Install the GPS monitoring hardware on the offender.
  - b. Determine the offender's schedule.
  - c. Impose a condition requiring the offender to abide by all conditions of the GPS program.
  - d. Review and complete the GPS Monitoring Rules, CR-4010, with the offender.
  - e. Enroll the offender on the GPS vendor website and set exclusion and inclusion zones in the GPS tracking software, if applicable.
  - f. Activate the GPS equipment.
3. Officers shall inform the offender of the GPS fee obligation and complete any necessary GPS fee waivers on the Assessment, Notice of Obligation or Exemption of Fees, CR-3882 (See Policy #705.11).
4. Officers shall document GPS enrollment and installation using contact note GPSI in the offender management system.

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D. Monitoring Procedures

1. Officers shall monitor the activities, reports, and notifications for each offender on GPS monitoring. The officer shall review the vendor's website to:
  - a. Ensure that no unaddressed alerts exist past 24 hours.
  - b. Review offender movements for any patterns that may need to be addressed with the offender twice per week (i.e., repeated visits to a specific location known to be an area of high drug activity, visits to an undisclosed storage, or revealing an undisclosed residence).
  - c. Determine if offenders are following instructions such as charging the GPS equipment correctly, abiding by curfews, and going to work.
  - d. Offenders have schedules entered that at a minimum, provide a period of time they are required to be at home that is in keeping with their charging schedule, supervision requirements, and work schedule. (Does not apply to homeless offenders)
2. Officers shall document all GPS related contact with the offender using contact code GPSC in the offender management system.
3. Supervisors shall review the vendor's website on a weekly basis to ensure that officers under his/her supervision are monitoring GPS offenders; creating offender's schedules and zones; and processing, documenting, and confirming alerts.
4. Officers shall respond to all Alert Notifications
  - a. The ACCS shall be responsible for the development and maintenance of a GPS alert protocol guide, which provides instruction on how a GPS alert is processed by the monitoring center and field services staff.
  - b. The Officer shall respond to alert notifications and document actions taken, according to the steps outlined in the *GPS Alert Protocol Guide*.
  - c. Officers shall be available to receive alert notification 24/7 unless other arrangements have been made and approved by the supervisor. The District Director (DD) shall provide an escalation list of staff to contact in the event the officer cannot be reached to respond to an alert. Each district shall submit the list to the Regional Correctional Administrator (CA). The list shall include the PSU and/or CIP supervisor, DD, and contact numbers for each.
5. Officers shall respond to GPS equipment tampering according to the *Master Tamper Response Protocol Guide* and Master Tamper Response Matrix, CR-3987. If it is determined that the offender is at fault for damage to or destruction/loss of the GPS equipment, the offender shall be held liable for the repair/replacement costs (See Policy #704.13).

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E. Terminations

1. Offenders shall be terminated from GPS when:
  - a. It is determined that no further benefit is received from GPS monitoring as an enhancement to supervision.
  - b. He/she no longer meets the criteria for GPS monitoring.
  - c. As ordered by the court.
  - d. Upon revocation or successful completion of supervision.
  - e. When he/she has been placed in total confinement/custody.
  - f. Upon absconding from supervision.
  - g. As directed by the ACCS.
  - h. If there is a confirmed medical necessity to remove the GPS monitoring equipment.
2. Within one business day of termination, officers shall:
  - a. Close the offender in the GPS tracking software.
  - b. Coordinate the return of the GPS monitoring hardware/equipment from the offender. For offenders who abscond, officers shall make every attempt to locate the equipment. Officers shall inspect the equipment for damage upon return.
  - c. Document the following on the Global Positioning System Monitoring Rules, CR-4010, and provide a copy to the offender with the original placed in the offender's case file:
    - (1) Date the equipment was returned, and
    - (2) Condition of the equipment at return.
  - c. Enter GPST in the LCDG conversation of TOMIS.

F. Violations

1. Officers shall use discretion in submitting violation reports when the offender establishes a pattern of alarms that are attributed to low battery life.
2. Violation reports shall be submitted for the following GPS-related violations:
  - a. The offender is found to be in an exclusion zone without cause;

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- b. The offender is found to be in a global exclusion zone without cause (sex offenders with minor victims only);
  - c. The offender establishes a pattern of inclusion zone violations (i.e., frequent curfew violations, failure to report for treatment, etc.);
  - d. The offender purposefully damages or attempts to destroy the GPS monitoring equipment;
  - e. The offender cannot be located; and
  - f. If the offender is caught in the act of shielding/jamming the GPS equipment.
3. Officers shall document all GPS-related violation reports using contact code GPSV in the offender management system.

G. Training

1. Officers who install GPS monitoring equipment shall be vendor-trained in a manner consistent the vendor's user guidelines, which are maintained on the vendor's website.
2. All officers responsible for supervision of offenders on GPS shall complete the vendor's user training curriculum. Supervisors shall observe the officer in initial installation to assure the officer has a working knowledge of the procedures prior to the officer conducting installations alone.

VII. ACA STANDARDS: 4-APPFS-2A-06, 4-APPFS-2A-07, 4-APPFS-2B-11, 4-APPFS-2E-01, 4-APPFS-3A-27.

VIII. EXPIRATION DATE: April 1, 2019.



TENNESSEE DEPARTMENT OF CORRECTION  
**GLOBAL POSITIONING SYSTEM MONITORING RULES**

Offender Name: First, MI. Last. TOMIS #: TOMIS.  Probation  
 Parole

Physical Address: House Number and Street Name. Apt. #.  
City. State. Zip. Phone: Phone #.

### Rules

*The following rules apply to the Global Positioning Satellite System (GPS) Electronic Monitoring (EM) Equipment. Failure to comply with the following conditions constitutes a violation of probation/parole/supervised release and is subject to sanctioning up to and including revocation.*

1. You will wear the ankle bracelet at all times and will not remove the bracelet yourself for any reason.
2. You will charge the GPS equipment twice daily for a minimum of one (1) hour each time.
3. You will respond to any and all efforts to communicate with you initiated by your Probation Parole Officer (PPO) or other representative of TDOC.
4. You will report any perceived defects, damage or malfunctions of the equipment immediately to your PPO or other representative of TDOC.
5. You will return the GPS equipment in good working order once TDOC determines that it is time for you to be removed from the system.
6. You will allow any representative of TDOC to inspect the equipment assigned to you upon request.
7. You are responsible for the care of the equipment issued to you. You may be held financially responsible for any malicious damage to the equipment and be criminally prosecuted for equipment theft.
8. You will follow all established home, work rules, etc. Deviation from your schedule and/or approved travel routes is a violation.
9. You will not enter areas that are defined as off limits.
10. You understand that all movement will be tracked and stored as an official record.

### Other Instructions

1. To charge the device, attach the charging cup by clipping it to both sides of the device. The light on front of the device indicates contact with the charger, not the battery level.
2. Do not charge the device while sleeping or driving.
3. The BluTag device is hypoallergenic and cannot overheat; however do not expose the device to extreme temperatures.
4. Do not submerge the device in water. Although showers are permissible, never submerge the device into the water such as baths, hot tubs, pools or any large bodies of waters.
5. A sock can be worn over and/or under the device.
6. Do not force a boot over the device.
7. Do not tamper with the device and/or the device's GPS satellite signal (no pulling, striking, attempting to open, shielding, or jamming).
8. Notify your PPO if a medical procedure requires removal of the device.
9. Do not press "status call button" unless otherwise instructed.
10. If the device beeps, contact your PPO immediately.
11. If the light on the front of your device shines or blinks when off the charger, contact your PPO.



**TENNESSEE DEPARTMENT OF CORRECTION  
GLOBAL POSITIONING SYSTEM MONITORING RULES**

**Acknowledgement**

*Please initial in the space provided.*

\_\_\_\_\_ I understand that any of the listed conditions are physical evidence constituting a violation of supervision and that a computer printout may be used as evidence in a court or BOP hearing to prove a violation of the GPS monitoring program.

- A. Loss of RF signal
- B. Tamper violation
- C. Absence from an assigned location (inclusion zone).
- D. Presence in a prohibited location (exclusion zone).

\_\_\_\_\_ I understand that TDOC is not liable for any damages incurred as a result of my being placed on GPS monitoring or tampering of the monitoring device. Any and all damages that may result from participating in GPS monitoring or the use of or tampering of the monitoring equipment are solely my responsibility and I do hereby indemnify and hold TDOC harmless from any loss associated herewith.

\_\_\_\_\_ I understand that I am to abide by the law of the State of Tennessee as found in TCA 40-39-304, which states:

(a) Intentional tampering with, removal of, or vandalism to a device issued pursuant to a location tracking and crime correlation based monitoring and supervision program described in Section 40-39-302 by a person duly enrolled in such a program is a Class A misdemeanor for the first offense, punishable by confinement in the county jail for not less than one hundred eighty (180) days. The minimum one hundred eighty-day sentence provided for this Class A misdemeanor offense is mandatory, and no person committing such offense shall be eligible for suspension of sentence, diversion, or probation until the minimum sentence is serviced in its entirety. A second or subsequent violation under this section is a Class E felony. Additionally, if the person violating this section is on probation, parole, or any other alternative to incarceration, then the violation shall also constitute sufficient grounds for immediate revocation of probation, parole, or other alternative to incarceration. Any violation of this section shall result in the imposition of the mandatory release condition specified in TCA 40-39-303(a) and (b).

\_\_\_\_\_ I understand that I will be held criminally and civilly liable for any damage to the equipment placed on me or in my home that exceeds normal wear and tear. This includes loss of the equipment.

I understand I am to follow the above rules and conditions of GPS monitoring and that any violation of these conditions may result in a violation and possible revocation and conviction and incarceration as stated above.

\_\_\_\_\_ Offender Name (Printed) \_\_\_\_\_ Offender Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Officer Name (Printed) \_\_\_\_\_ Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

Condition of Equipment at Enrollment :     Excellent                       Good                       Poor

The rules and instructions for the GPS monitoring program have been provided to me. I fully understand what is expected of me, and the possible consequences of my failure to comply with these rules. My signature acknowledges receipt of the electronic monitoring equipment.

\_\_\_\_\_ Offender Name (Printed) \_\_\_\_\_ Offender Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Officer Signature \_\_\_\_\_ Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

Monitoring equipment returned on: \_\_\_\_\_ Condition of Equipment at return:     Excellent     Good     Poor

\_\_\_\_\_ Offender Name (Printed) \_\_\_\_\_ Offender Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Officer Signature \_\_\_\_\_ Officer Signature \_\_\_\_\_ Date \_\_\_\_\_



TENNESSEE DEPARTMENT OF CORRECTION  
SANCTIONING GRID DOCUMENTATION

<b>Officer Name:</b>	<b>Date:</b>
<b>Offender Name:</b>	<b>TOMIS #</b>
<b>Violation:</b>	

<b>VIOLATION</b>	<b>SPECIAL RESTRICTED &amp; RESTRICTED</b>	<b>ELEVATED</b>	<b>STANDARD</b>
First minor	Response Range 2 <input type="checkbox"/>	Response Range 1 <input type="checkbox"/>	Response Range 1 <input type="checkbox"/>
Second minor	Response Range 3 <input type="checkbox"/>	Response Range 2 <input type="checkbox"/>	Response Range 2 <input type="checkbox"/>
Third or more minor	Response Range 4 <input type="checkbox"/>	Response Range 3 <input type="checkbox"/>	Response Range 3 <input type="checkbox"/>
First major	Response Range 4 <input type="checkbox"/>	Response Range 3 <input type="checkbox"/>	Response Range 3 <input type="checkbox"/>
Second major	Response Range 4 <input type="checkbox"/>	Response Range 3 <input type="checkbox"/>	Response Range 3 <input type="checkbox"/>
Third or more major	Response Range 4 <input type="checkbox"/>	Response Range 4 <input type="checkbox"/>	Response Range 4 <input type="checkbox"/>
<b>Response Range 1</b>	<b>Response Range 2</b>	<b>Response Range 3</b>	<b>Response Range 4</b>
<b>Officer Authorization</b>	<b>Manager Authorization</b>	<b>ACRC or District Director Authorization</b>	<b>Judicial/Assistant Commissioner Authorization</b>
Choose one sanction or any combination below:	Any combination of Range 1 responses (minimum of three) or up to two below:	Any combination of responses from Range 1 or Range 2 (minimum of three) or up to two below:	Any combination of responses from Range 2 or Range 3 (minimum of three) or up to two below:
<input type="checkbox"/> Substance Abuse Assessment via Forensic Social Worker	<input type="checkbox"/> Classes - including TDOC provided and/or community provided		
<input type="checkbox"/> Community Agency referral			
<input type="checkbox"/> Curfew up to 30 days (RF)	<input type="checkbox"/> Curfew up to 60 days (RF)	<input type="checkbox"/> Curfew up to 120 days (RF)	<input type="checkbox"/> Curfew up to 180 days (RF)
<input type="checkbox"/> Increased Reporting up to 30 days	<input type="checkbox"/> Increased reporting up to 90 days	<input type="checkbox"/> Increased reporting up to 120 days	<input type="checkbox"/> Increased reporting up to 180 days
<input type="checkbox"/> Job Search		<input type="checkbox"/> Day Reporting Center	<input type="checkbox"/> GPS monitoring up to 365 days (requires Assistant Commissioner level approval)
<input type="checkbox"/> Loss of travel privileges 30 days	<input type="checkbox"/> Loss of travel privileges 90 days		
<input type="checkbox"/> CSW 8 hours	<input type="checkbox"/> CSW 20-30 hours	<input type="checkbox"/> CSW 30-40 hours	<input type="checkbox"/> CSW 40-50 hours
<input type="checkbox"/> Warning: Verbal			
<input type="checkbox"/> Phone check in: Bi-Weekly - minimum one month	<input type="checkbox"/> Phone Check in: Weekly - minimum one month	<input type="checkbox"/> House Arrest up to 30 days: Probation Only – With Court Order	<input type="checkbox"/> House Arrest up to 90 days: Probation Only – With Court Order
<input type="checkbox"/> Outpatient Treatment	<input type="checkbox"/> Intensive Outpatient or In-Patient Treatment	<input type="checkbox"/> 20 Hour Curfew up to 30 days: Parole	<input type="checkbox"/> 20 Hour Curfew up to 90 days: Parole
<input type="checkbox"/> Supervisor Intervention		<input type="checkbox"/> Professional Counseling	<input type="checkbox"/> Request Permanent Revocation
<b>Other:</b>			

\_\_\_\_\_  
Officer

\_\_\_\_\_  
Manager

\_\_\_\_\_  
ACRC Chair or District Director

\_\_\_\_\_  
Offender



TENNESSEE DEPARTMENT OF CORRECTION

ASSESSMENT, NOTICE OF OBLIGATION OR EXEMPTION OF FEES

Print Offender Name, TOMIS Number, Print Officer Name, Date Supervision Began, Sentence Expiration Date, Employer, and checkboxes for Diversion Probation, Probation, Parole, Misdemeanor Probation, ISC, and Community Supervision for Life (CSL).

INCOME: Gross, Monthly Household Income, Other Income (SSI, Welfare, etc.), Total Monthly Household Income, Number of Dependents in Household.

Table with 2 columns: HARDSHIP EXEMPTION TYPES and corresponding codes (IBPL, INCA, CORD, EXCO, UNEM, MEDI, SISS, REST, TCOR, SSDB, JORD, EMPA).

Explanation and Verification: [Empty box for text entry]

NOTICE TO OFFENDER: The General Assembly of the State of Tennessee enacted legislation providing that any person under Probation or Parole supervision shall pay a monthly fee toward the partial cost of their supervision and rehabilitation and a monthly fee to the criminal injuries compensation fund. You are to follow these rules:

- ❖ Fees shall be paid to the TDOC through JPay. JPay fee payments may be made:
❖ Via credit or debit card using JPay's secure website, http://jpay.com/,
❖ Via JPay's 24 hour a day/7 days a week toll free customer service line at 1-800-574-5729,
❖ Via JPay's mobile application available for free in the Apple App Store,
❖ By sending a money order with Offender Name and TOMIS# printed on the front along with a deposit slip to JPay's centralized processing office: JPay, P.O.Box 260088, Pembroke Pines, FL 33026
❖ Offender must qualify for TOTAL EXEMPTION of fees to receive \$50 GPS fee exemption.
❖ Any fees owed by the offender at the time of discharge or revocation are still owed.

Standard Diversion Memorandum of Understanding
CIC SPA/SPR GPS SPR only \$35.00 DIV \$10.00 SPR \$25.00

Select one

- ❖ Failure to make payments promptly and fully will result in sanctions including, but not limited to the Administrative Case Review Committee
❖ YOU ARE RESPONSIBLE for claiming and documenting any hardships EXEMPTIONS that you claim, so consult with your OFFICER. Ask your Officer to explain to you anything you do not understand about the assessment and the payment of fees.
❖ I have been notified of my fee obligations. I have discussed with my Officer. I agree to pay my fees in full.

Offender Signature, Date, Supervisor Signature, Date, Officer Signature, Date



**INITIAL EXEMPTION***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved



TENNESSEE DEPARTMENT OF CORRECTION

# Master Tamper Response Matrix

Offender Name: \_\_\_\_\_

TOMIS #: \_\_\_\_\_

## Master Tamper Response Matrix

*Instructions:* The objective of this matrix is to assess the response level needed for an offender in the event of a master tamper. This matrix is intended to be used for both sexual offenders and violent offenders. Note that while completing the assessment not all questions may be answered when assessing a violent offender. Questions marked as "Sex Offender Only" apply to offenders with a sex offense. These questions will not be answered for the violent offenders. The highest possible score for a violent offender is an eight; the highest possible score for a sex offender is a seventeen

Static Factors		Scoring Guide	Score
Risk Classification	<i>Refer to the offender's most recent risk assessment or reassessment score</i>	Low .....0 Medium.....1 High .....2	
Sex Offender Risk Classification <b>**Sex offender only</b>	<i>Refer to the most recent sex offender risk assessment or reassessment score</i>	Low .....0 Moderate .....1 High .....2	
STG Affiliation	<i>Has the offender been identified with any gang-related affiliation?</i>	No .....0 Yes .....1	
Violent Sex Offense or Violent Offense with Weapon	<i>Was any sex offense or violent offense committed using a weapon?</i>	No .....0 Yes .....1	
Sex Offense Victim Under the Age 13 <b>**Sex offender only</b>	<i>Were any victims in any sex offenses under the age of 13 at the time of the offense?</i>	No .....0 Yes .....1	
More than one Sex Offense Victim <b>**Sex offender only</b>	<i>Has the offender committed a sex offense against more than one person?</i>	No .....0 Yes .....1	
Time Since Last Instant Sex Offense or Violent Crime	<i>Was the offense date of the most recent sex offense over 3 years in the community for sex offender and 1 year for violent offenders?</i>	More than 3 years/1 year .....0 Less than 3 years/1 year .....1	

Dynamic Factors		Scoring Guide	Score
Pattern of Substance Abuse	<i>Does the offender engage in drug/alcohol use/abuse?</i>  (Check for failed drug screens, substance use assessments and prior record of drug/DUI charges)	No .....0 Yes .....1	

Pattern of Mental Instability	<p><i>Does the offender have a pattern of mental instability?</i></p> <p>(Check for mental health assessments, mental disorder diagnoses, prior suicidal ideation/threats and mental health medication usage)</p>	<p>No .....0</p> <p>Yes .....1</p>	
Current Well-Being	<p><i>Is the offender experiencing any current distress or events in his/her personal life that may make him/her more likely to behave irrationally?</i></p> <p>(Check for any existing or pending family or legal issues, current mediation use and reports of distress/odd behavior from Sex Offender Treatment providers, family and friends)</p>	<p>No .....0</p> <p>Yes .....1</p>	
Pattern of Violence	<p><i>Does the offender engage in violent behavior?</i></p> <p>(Check for any record of assaultive charges, reports of belligerence in Probation/Parole reports or treatment, and reports of anti-social behavior toward law enforcement)</p>	<p>No .....0</p> <p>Yes .....1</p>	
Resources Outside the Area	<p><i>Does the offender have resources or potential support networks outside the area of residence?</i></p> <p>(Check for family and friend locations, prior residences, and residence of recent institutional visitors on the TOMIS visitation screen LIMM)</p>	<p>No .....0</p> <p>Yes .....1</p>	
Current Financial Means (Ability to Travel)	<p><i>Does the offender have the financial means to travel outside the area of residence?</i></p> <p>(Check for current employment or family that can provide support and government assistance)</p>	<p>Unable .....0</p> <p>Able .....1</p>	
Ever had Tamper/Escape in Past	<p><i>Has the offender ever had a master tamper in the past or escaped from custody or evaded the police in the past?</i></p>	<p>No .....0</p> <p>Yes .....1</p>	
Specific Victim Concern	<p><i>Is there a concern involving the victim?</i></p> <p>(This includes the victim of current sentence, past victims, or concerns involving age and/or circumstances of victims with the offender's criminal history in general)</p>	<p>No .....0</p> <p>Yes .....1</p>	

**Master Tamper Response Level**

**Total Score**

Emergency Response .....	11 – 17	
Elevated Response .....	5 – 10	
Standard Response .....	1 - 4	

\_\_\_\_\_  
PPO Signature/Date

\_\_\_\_\_  
PPM Signature/Date

\_\_\_\_\_  
District Director Signature/Date



## TENNESSEE DEPARTMENT OF CORRECTION

### Master Tamper Response Protocol Guide

#### **Definitions**

**Active Event Timeline:** The active event timeline is a live record of events and team movement that occur during the active response. The active event timeline will be maintained at the Command Center by the Command Center Operators.

**Available:** PPO's able to work the Tamper Response. This would not include PPO's on leave or PPO's assigned to provide office coverage or those held back to work the tamper response in later stages.

**Central Communications Center:** A TDOC work unit that receives and processes internal critical incident reporting and electronic monitoring and provides other support services for the Department.

**Command Center:** The command center is the local field office headquarters for the operation. It will be comprised of the Incident Commander and the command center operators. It will also act as the staging area for the field teams.

**Command Center Operators:** The command center operator will be the point of contact for a specified field team within the command center. All information relayed to and from the field team will be routed through the command center operators. The command center operator can be made up of any PPO or support staff locally available to man the command center. The command center operators will report directly to the Incident Commander. There must be at least one command center operator for a response of Elevated or higher. The Incident Commander can serve as the sole Command Center Operator.

**Elevated Response:** Score 5-10 – Half of the available PSU PPO's will be called in along with regular PPO's, Local Law Enforcement. OIC will be placed on alert. Precedent is given to tracking down leads, canvassing areas of interest (checking areas of interest from last fourteen days of enrollee track address report).

**Emergency Response:** Score 11-17 – All available PSU PPO's called in, along with regular PPO's, OIC and Local Law Enforcement. Utilize all available resources from law enforcement. Precedent is given to tracking down leads and flooding in areas of interest (visiting areas of interest from last fourteen days of enrollee track address report).

**Enrollee Track Address Report:** Report generated via Veritracks to show the offenders prior tracking points. This report would contain information from the past fourteen days with the parameter of the visits lasting 15 minutes or longer and ending at the point in time of the Master Tamper Event.

**Field Team:** The field team will be comprised of Probation/Parole Officers, OIC Officers, and Local Law Enforcement Officers. Each team will be made of at least two officers. This will be dependent upon available resources at the specific time. There must be at minimum two field teams in the response of Elevated or higher.

**Incident Commander:** The incident commander will be the District Director or Designee of the district in which the event takes place. The District Director has the ability to appoint a Designee to assume the duties of the incident commander. The Incident Commander will report directly to the Central Communication Center at the determined time intervals (See Table 1.1) via phone or email.

**Master Tamper:** A master tamper is the unlawful intentional tampering with, removal of, or vandalism to a device issued pursuant to a location tracking and crime correlation based monitoring and supervision program described in T.C.A. Section 40-39-302 by a person duly enrolled in such a program to the extent as to prevent the device from transmitting the current location of the offender.

**Master Tamper Response Matrix:** The master tamper response matrix is an assessment tool used by the Probation/Parole Officer to assess the response level needed for the master tamper event. The matrix must be reviewed by the PPO of record and the PSU Manager for accuracy.

**Offender Information Packet:** The offender information packet is made up of the offender's Facesheet, Enrollee track address report, summary of offense(s), last known address, last tracking point address, last home visit, a

copy of the last monthly report form, printout of Sex Offender Registry (Sex Offender Only), copy of Master Tamper Response Matrix, and a brief history of supervision. This will be compiled by the officer of record.

Standard Response: Score 1-4 - One PSU PPO team including the PSU PPO of record working with Local Law Enforcement, investigating all possible leads.

### **Response Procedure:**

Initial Response Procedure for a Master Tamper commences with the verification that the GPS Unit has been unlawfully removed or tampered with as to prevent the location of the offender from being obtained. All prior phone and physical attempts to make contact with the offender by the Probation/Parole Officer have failed. The PSU Manager and District Director have been apprised of the situation.

The PSU Manager will dispatch a PPO to expedite the process of obtaining a new warrant for tampering with, removal of, or vandalism to a GPS tracking device under T.C.A. Section 40-39-302. This must be done in the jurisdiction of the location in which the master tamper occurred. Once the warrant is obtained the PPO must start the process of getting the warrant entered in NCIC is available. This will allow other jurisdictions to access the warrant if the need arises.<sup>1</sup>

The Probation/Parole Officer of record will immediately complete the Master Tamper Response Matrix to obtain the response level score to determine the required response level. The officer will begin to put together the offender information packet. Once packet is completed the officer will gather all known addresses and phone numbers for the offender to aid the search.

Once the needed response level is acquired, the PSU Manager will report the situation to the District Director. The District Director will activate the incident command protocol for the response level indicated.

The District Director or Designee will assume command of the response for the district. The District Director or Designee will set up the Incident Command Center and assume the role of Commander. The Commander will report all information to the Central Communication Center at specified time intervals (See table 1.1).

The Central Communication Center will be notified by the Incident Commander of the confirmed tamper and the response level. The Central Communication Center will notify OIC by text with response level and the cell phone number of the Incident Commander. The Central Communication Center will maintain an active timeline of events occurring within the response as provided by the Command Center. The Central Communication Center will keep all parties involved up-to-date on the status of the response.

In the event that the Master Tamper occurs outside the offender's district, the response would be conducted by the District Director or Designee of the District of the event. If, during the response, credible information arises that shows the offender may be in another district the PSU Manager in that district will be brought into the response and will report to the Incident Commander or the originating district. If it is verified that the offender has moved into another district the Incident Commander will coordinate with the District Director of the other district. The Incident Commander and Command Center may be transferred to the new district.

The Incident Commander will assign all resources responding to the appropriate teams and designations. The Commander will hold a briefing with everyone involved and give the initial assignments to each team. The response will be carried out as described in Master Tamper Response Level Table 1.1.

Once the appropriate response has been activated, the Incident Commander will lead the response in such a manner to utilize available resources in the most efficient and productive means necessary to facilitate in the apprehension of the offender and minimize the risk to the public.

The Incident Commander has the ability to scale down the response to conserve resources as shown in the Scale Down Response Procedure below:

### **Scale Down Response Procedure**

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<sup>1</sup> Each field office must work closely with their local law enforcement agencies to work out a process to have the access needed to obtain a new warrant 24 hours a day 7 days a week.

**Emergency Response** - This response level remains active for 24 hours. Here, concentration is placed on flooding known possible areas of interest and investigation of all possible leads. After 24 hours, the initial response may be re-evaluated to determine the appropriate response level.

**Elevated Response** - This response level is active until all available leads are exhausted. Once all credible leads have been exhausted, the response transitions down to the Standard Response.

**Standard Response** – This response level remains active for five days after the warrant is issued and all possible leads have been thoroughly investigated and eliminated.

\*\*Any response level may be increased by District Director or Designee if information is received that denotes a change the response level. \*\*

Once the offender has been successfully apprehended, all agencies will be notified. Prior to the deactivation of the Command Center the active event timeline will be emailed to the Central Communication Center for attachment to the final incident report. The Central Communication Center will complete the timeline of events and incident report for the event.

In the event that the offender is not located after five days and there are no possible leads to investigate the Standard Response will be terminated. The offender will be classified as an Absconder. The active event timeline will be sent to Central Communication Center for attachment to the final incident report.

Initial Response is dependent on Assessment Score of Master Tamper Response Matrix.

- *Example: If the Response Matrix produces a score of 10 the initial response would start with the Emergency Response. The scale down response procedure would be followed from that point.*

<b>Emergency Response – (Highest Level of Response)</b>	
<ul style="list-style-type: none"> <li>• <b>Score 11-16 – All available PSU PPO’s called in, along with OIC and Local Law Enforcement. Utilize all available resources to law enforcement. Precedent is given to tracking down leads and flooding personnel in areas of interest (visiting areas of interest from last fourteen days of enrollee track address report). This response level remains active for 24 hours.</b></li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Here concentration is placed on flooding known possible areas of interest and investigation of all possible leads. After 24 hours, the initial response may be re-evaluated to determine the appropriate response level.</b></li> <li>• <b>The Central Communication Center will be updated hourly or as information develops.</b></li> </ul>	
<b>Elevated Response-</b>	
<ul style="list-style-type: none"> <li>• <b>Score 5-10 – Half of the available PSU PPO’s will be called in along with Local Law Enforcement. OIC will be notified of situation. A minimum of two field teams must be dispatched out at this response level. Precedent is given to tracking down leads, canvassing areas of interest (checking areas of interest from last fourteen days of enrollee track address report).</b></li> </ul>	
<ul style="list-style-type: none"> <li>• <b>This response level is active until all available leads are exhausted. Once all credible leads have been exhausted, the response transitions down to the Standard Response.</b></li> <li>• <b>The Central Communication Center will be updated hourly or as information develops.</b></li> </ul>	
<b>Standard Response –</b>	
<ul style="list-style-type: none"> <li>• <b>Score 1-4 - One PSU PPO team including the PSU PPO of record working with Local Law Enforcement, tracking down leads.</b></li> </ul>	
<ul style="list-style-type: none"> <li>• <b>This response level remains active for five days after the warrant is issued and all possible leads have been thoroughly investigated and eliminated.</b></li> <li>• <b>The Central Communication Center will be updated at the end of the day or as information develops.</b></li> </ul>	

Table 1.1

*\*The response guidelines are the minimum required guidelines. The PSU Manager and District Director have the ability to increase the response level beyond the scored level.\**



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Effective Date: July 1, 2017

Distribution: C

Supersedes: 704.13 (5/15/13)

Approved by: Tony Parker

Subject: ELECTRONIC MONITORING EQUIPMENT INVENTORY

- I. AUTHORITY: TCA 4-3-603; 4-3-606; TCA 40-28-601; and TCA 40-39-304.
- II. PURPOSE: To maintain Global Positioning Systems (GPS) and Radio Frequency (RF) electronic monitoring equipment in a manner that assures equipment availability.
- III. APPLICATION: Assistant Commissioner of Community Supervision, Assistant Commissioner of Prisons, and all Tennessee Department of Correction (TDOC) staff.
- IV. DEFINITIONS:
  - A. Consumable Item: For the purpose of this policy, any tool used to install an electronic monitoring device such as straps, clips, cutters, etc.
  - B. Equipment: For the purpose of this policy, equipment refers to the GPS and RF electronic monitoring devices.
  - C. On-Shelf Inventory: Electronic monitoring equipment that is on site, functional, and readily available for installation onto an offender.
- V. POLICY: TDOC has an efficient inventory procedure for the proper handling of all electronic monitoring equipment and supplies.
- VI. PROCEDURES:
  - A. Each TDOC field site will maintain, in a secure location, an on-shelf inventory of between 10%-30% of current activated electronic monitoring units. Required consumable items are not included in this percentage.
  - B. Each TDOC institution site will maintain, in a secure location, an on shelf inventory of no more than 30% above the anticipated number of electronic monitoring units required for activation within the next 60 days. Required consumable items are not included in this percentage.
  - C. Each site shall identify an equipment designee to maintain order, return equipment, and maintain the inventory tracking for all units assigned to that site.
  - D. Damaged or improperly functioning equipment will be removed from the inventory and returned according to vendor instructions for replacement to assure the availability of useable inventory.
  - E. Lost or destroyed equipment

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Subject: ELECTRONIC MONITORING EQUIPMENT INVENTORY		

1. Accidental destruction
  - a. The officer shall replace the offender's equipment immediately and remind the offender of proper procedures if this contributed to loss and/or destruction.
  - b. The officer shall return the equipment to the equipment designee for return to the vendor.
  - c. The designee shall return the equipment to the vendor according to vendor instructions and request a completed invoice for the offender outlining the replacement cost of the equipment. Replacement cost is a civil debt between the offender and vendor and is not considered restitution or a condition of supervision.
  - d. If deliberate damage is suspected, the officer shall follow up with his/her supervisor for the appropriate course of action.
2. Deliberate loss or destruction: Intentional tampering with, removal of, or vandalism to the device is a criminal offense (TCA 40-39-304).
  - a. The officer shall replace the offender's equipment immediately if the offender can be located.
  - b. If the equipment is recovered, the officer shall photograph the damage and maintain the photo in the file for documentation.
  - c. If required for local prosecution procedures, the unit shall be kept in a secure location until it can be utilized for prosecution and returned to the vendor.
  - d. The officer may proceed with a violation after supervisor approval. The officer shall provide assistance as needed to the District Attorney (DA).
  - e. Replacement costs may be added by the DA as restitution but are otherwise considered a civil debt between the offender and the vendor.

VII. ACA STANDARDS: None.

VIII. EXPIRATION DATE: July 1, 2020.





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Index #: 705.02

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Effective Date: November 30, 2018

Distribution: C

Supersedes: 705.02 (10/1/16)

Approved by: Tony Parker

Subject: OFFENDER TRAVEL PERMITS

- I. AUTHORITY: TCA 4-3-603; 4-3-606.
- II. PURPOSE: To standardize procedures for approving the out-of-state travel of offenders.
- III. APPLICATION: Assistant Commissioner of Community Supervision (ACCS) and all Tennessee Department of Correction (TDOC) Community Supervision staff.
- IV. DEFINITIONS:
  - A. Business Travel Permit: Written permission for offenders to travel outside the State of Tennessee solely for legitimate employment purposes.
  - B. Emergency Travel: For the purpose of this policy only, emergency travel is any travel requested by an offender for time sensitive reasons or a death in the offender's immediate family or the death of an individual who had *in loco parentis* over the offender during his/her childhood or other situation deemed an emergency by the officer, supervisor, and District Director (DD).
  - C. In Loco Parentis: Individuals who assume parental status and legal responsibilities for another individual, usually a young person, without formally adopting that person.
  - D. Interstate Travel: For the purposes of this policy only, interstate travel is an offender's authorized travel outside the State of Tennessee.
  - E. Intrastate Travel: For the purpose of this policy only, intrastate travel is an offender's authorized travel inside the State of Tennessee.
  - F. Sex Offender: For the purpose of this policy only, a sex offender is an offender with a conviction offense defined in TCA 40-39-202 (20) or (31) or any qualifying conviction that requires the offender register as a sex offender under TCA 40-30-201 et. seq.
  - G. Travel Permit: An officer's approval permitting an offender's interstate and/or intrastate travel.
- V. POLICY: TDOC authorizes the legitimate travel by offenders according to the facts of the individual case.
- VI. PROCEDURES:
  - A. Offenders shall request a travel permits for travel outside the state of Tennessee. Officers may require offenders to request travel permits when traveling within the state of Tennessee depending on the offender's individual circumstances and threat to public safety. If travel is requested, officers shall:

Subject: OFFENDER TRAVEL PERMITS

1. Request documentation from the offender verifying the need for travel or confirm that the offender has a legitimate reason to travel.
  2. Review the offender's special conditions, circumstances, assessed risk level, supervision level, and level of compliance with supervision. For offenders supervised under the Interstate Compact, officers shall review the supervision order from the sending state.
  3. Require the offender to provide the details of the travel to include the destination, mode of travel, travel companions, duration of stay, and any other pertinent information specific to the offender situation.
  4. Determine if the travel is authorized [See Section VI.(B)] and inform the offender of the decision. If travel is authorized, officers shall complete the Travel Permit, CR-3816, obtain the appropriate signatures, provide the offender with the original travel permit, and place a copy in the offender's case file pursuant to Policy #706.01. Officers may provide verbal consent to travel out-of-state in emergency situations if time does not allow for written permission. In such situations, the officer shall immediately document that verbal permission was granted in the offender management system (OMS) as a contact note with detailed comments surrounding the verbal permission.
  5. Determine if the offender's travel will require him/her to notify local law enforcement at the destination location [See Section VI.(C)]. If such notification is deemed appropriate, officers shall instruct offenders to carry the original Travel Permit to the local law enforcement agency and obtain the signature of a law enforcement agent.
  6. Instruct the offender to personally return the original Travel Permit within five business days of the stated travel end date. Officers may make exceptions depending on the offender's individual situation.
  7. Document the travel request, approval, and issuance in the OMS as a contact note with a detailed comment discussing the nature of the travel, location, dates of travel, contact information for individuals at the destination location, need for law enforcement notification, and any other pertinent information regarding the travel.
- B. Travel Request Approval Criteria: Officers shall approve offender travel requests according to the following:
1. The offender provided the officer with at least five calendar days' notice. Officers may approve travel requests for notice given less than five calendar days depending on the offender's individual circumstances. Expedited travel permits or verbal permission may be issued in legitimate emergency situations without the five business day notice.
  2. The offender has had a negative drug screen within the last five business days for all substances for which he/she does not hold a valid prescription. Exemptions may be granted for offenders attending residential treatment programs. In-state exemptions can be approved by the supervising officer's manager while out-of-state exemptions must be approved by the DD.

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3. The offender provided the officer with verification for the nature of the travel and detailed information necessary to complete the Travel Permit, CR-3816. In an emergency situation, the offender shall provide proof of the emergency. Officers shall investigate to verify the validity of the emergency.
  4. The offender is in compliance with the conditions of supervision. Travel for offenders who are not in full compliance with supervision, and those who are under certain sanctions, shall be approved at the discretion of the DD.
  5. The out-of-state travel permit complies with ICAOS rules. For offenders who are requesting out-of-state travel due to relocating out of Tennessee, travel permits shall not be issued until reporting instructions have been received or the transfer has been approved by the receiving state.
- C. Notification to Local Law Enforcement Criteria: Offenders shall notify local law enforcement at the destination location based on the following criteria:
1. The offender has an overall risk assessment score of “high”.
  2. The offender has a supervision level of “maximum” or above.
  3. The offender is a sex offender.
  4. The offender has a conviction history that includes violence toward another person or has a current order of protection or equivalent against him/her.
  5. The offender has a history of absconding.
  6. The offender is under a current sanction.
- D. Permission and maximum time of travel outside the state of Tennessee shall be based on the offender’s assessed risk level (unless otherwise ordered by the court or the Board of Parole).
1. Minimum and medium supervision level offenders may be authorized for regular travel up to 30 consecutive days and for business travel up to 45 consecutive days.
  2. Maximum and above supervision level offenders may be authorized for business travel up to 14 consecutive days.
  3. Maximum and above supervision level offenders may be authorized for regular travel up to seven consecutive days.
  4. Sanctioned offenders may be authorized for regular and business travel up to seven consecutive days.

Subject: OFFENDER TRAVEL PERMITS

E. Procedures for Sex Offender Travel Requests

1. Officers shall submit all travel permit requests by sex offenders on probation to the sentencing court for approval as soon as possible after investigating the offender's request.
2. For sex offenders who are on parole or are supervised as community supervision for life, travel permits shall be submitted to the ACCS/designee for approval.
3. Sex offender travel request approval criteria. Officers shall:
  - a. Investigate the offender's travel itinerary and all lodging establishments along the travel route. If the victim was a minor, the officer shall contact these lodging establishments and inquire about special events or activities involving children scheduled on site during the time of the offender's stay. If such activities are scheduled and alternative lodging cannot be established, officers shall deny the request.
  - b. If employment related, verify the legitimacy of the business and confirm the necessity of the travel with the employer.
  - c. Contact the treatment provider if the offender is currently in treatment or after care. The officer shall discuss the established safety plan with the treatment provider and obtain a copy of the safety plan. If the offender is no longer under active treatment, the officer shall work with the offender to establish a current safety plan for travel. If the offender is not eligible for a safety plan with the approved provider, the request shall be denied.
  - d. If the victim is a minor and the offender is staying in a private residence, contact individuals at the residence to inquire about the presence of children during the offender's stay, and to ensure the residence is not within 1000 feet of schools, parks, recreation areas, day cares, etc.
4. Officers shall prepare a summary for submission to the court and/or the supervisor. The summary shall include:
  - a. The officer's investigation results regarding the offender's travel itinerary, employment, lodging, and destination,
  - b. The offender's current supervision level and most recent assessed risk level,
  - c. The offender's special conditions, fee payment status, and treatment participation, if applicable,
  - d. The safety plan established by the treatment provider or the date of treatment completion for offenders who have been successfully discharged from treatment,
  - e. The offender's itinerary for the duration of the stay,

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- f. The location of the victim, if known.
5. Temporary use of GPS during the period of travel may be used at the discretion of the officer in consultation with the supervisor.
6. The officer shall contact the registering agency in the state for which the offender has been granted permission to travel prior to the offender's departure. The officer shall provide the registering agency with the offender's dates of travel, destination address, conviction/victim information, and officer contact information.
7. The officer shall submit the travel request, summary, itinerary, and other documentation with the offender's case file to the supervisor for review.
8. The supervisor shall review the case file, contact notes, summary, and itinerary to determine if any additional information is needed. If approved, the supervisor shall sign the permit and forward all documents to the ACCS/designee or return the permit to the officer to forward to the sentencing court.
9. Officers shall instruct the sex offender to notify local law enforcement at the destination location and obtain the signature of a local law enforcement agent.

F. Restrictions

1. Out of state travel permits shall not be issued to offenders who are in warrant status or under certain sanctions unless an emergency exists. [See Section VI.(B)(3)] In such situations, the court or the ACCS/designee shall approve the travel permit. Sanctions that require ACCS/designee or court approval include offenders who:
  - a. Are under curfew.
  - b. Are specifically restricted from travel.
  - c. Are under electronic monitoring.
2. Officers shall submit all offender requests for travel outside the United States to the court (probationers), the ACCS (parolees and CSL), or the sending state (ISC) for approval.
3. Travel permits shall not be issued to parole offenders during the first 90 days of supervision unless an emergency exists. [See Section VI.(B)(3)] Upon recommendation by the DD, the ACCS may approve for parolees to travel outside the state within the first 90 days provided the offender has completed the intake process.

VII. ACA STANDARDS: 4-APPFS-2A-16

VIII. EXPIRATION DATE: November 30, 2021.



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Effective Date: July 1, 2017

Distribution: C

Supersedes: 705.11 (12/1/14)  
PCN 15-4 (6/1/15)

Approved by: Tony Parker

Subject: COMMUNITY SUPERVISION OFFENDER FEES

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, TCA 40-28-118(b).
- II. PURPOSE: To ensure a standard method of offender fee collections.
- III. APPLICATION: Deputy Commissioner of Operations, Assistant Commissioner of Community Supervision, all Tennessee Department of Correction (TDOC) Field Services staff, Central Office Fiscal Staff, and offenders on community supervision.
- IV. DEFINITIONS:
  - A. Administrative Status: A supervision level consisting of any supervision type which reflects that the offender is not reporting to a Probation Parole office, but whose case is active in TOMIS. Examples include: warrant status offenders or those in a residential treatment placement program.
  - B. Criminal Injuries Compensation Fund (CICF): A tax levied when any person is convicted of a crime of any nature by a circuit court, court of general sessions, or a comparable court of record with jurisdiction over criminal matters.
  - C. Day Reporting Center: A highly structured, non-residential program that combines supervision, treatment, and re-entry services.
  - D. Deoxyribonucleic Acid (DNA): This substance is the main constituent of the chromosomes of all organisms and is responsible for the transmission of hereditary characteristics of parents to their offspring.
  - E. Deoxyribonucleic Acid (DNA) Fee: A fee pertaining to the DNA sample collection process.
  - F. Drug Testing Reimbursement: Monies collected from offenders to defray the cost of drug tests conducted by a licensed drug testing laboratory to confirm or disprove use of illegal drugs.
  - G. Fee Assessment: Amount of money, as a Supervision Fee or as a CICF Fee, that an offender is obliged to pay monthly.
  - H. Global Positioning Satellite (GPS) Fee: Monies designated by the legislature to be collected from offenders monitored by GPS to defray the cost to probation and parole for GPS monitoring in compliance with TCA 40-39-305 and 40-28-201.
  - I. Interstate Compact Transfer Application Fee: Monies designated by the legislature to be collected from offenders applying for transfer of supervision to another state in compliance with TCA 40-28-201 (a) (1).

## Subject: COMMUNITY SUPERVISION OFFENDER FEES

- J. Judicial diversion: A court proceeding whereby prosecution of an eligible and selected offender is suspended, upon request of the defendant to the Judge, for a specified time and subject to conditions imposed by the court. (Conditions can include fees paid to a Judicial Fund #313)
- K. Offender Fee System: The process of assessing, collecting, enforcing, accounting, auditing and depositing the monies to be paid by offenders into the Supervision and CICF funds.
- L. Pretrial diversion: A written agreement between the prosecutor and the offender whereby prosecution of an eligible and selected offender is suspended for a specified time and subject to conditions approved by the court. (Conditions can include fees paid to a ~~DIV~~ Diversion Fund)
- M. Radio Frequency Electronic Monitoring (RF): A type of electronic monitoring of offender presence or absence from a specific location utilizing radio wave signal.
- N. Sex Offender Registration Fee: Monies designated by the legislature to be collected from qualifying sex offenders as specified in TCA 40-39-201. Two-thirds of the dollars are set aside to partially defray the cost of probation and parole oversight in the community. The remaining one-third of the dollars is remitted to the Tennessee Bureau of Investigation (TBI) in compliance with TCA 40-39-201.
- O. Supervision and Rehabilitation Fund (Supervision Fee): Monies designated by the legislature to be collected from offenders. The dollars are set aside to partially defray the cost of probation and parole oversight in the community. (Referred to by fiscal staff as Fund #11)
- V. POLICY: Offenders on Community Supervision shall be assessed monthly fees and shall be required to pay said fees to the TDOC as established by statute unless otherwise exempted.
- VI. PROCEDURES:
- A. Fee Amounts
1. All offenders on Community Supervision shall pay fees on a monthly basis unless otherwise exempted through policy or court order.
  2. Fees are due on the first of each calendar month.
  3. Offenders on a suspended sentence of probation, under the jurisdiction of a Tennessee court, shall pay \$15 per month for the supervision fee and \$30 a month to the CICF totaling \$45 a month.
  4. Offenders on a suspended probation or parole sentence, being supervised in Tennessee on behalf of another state, shall pay \$15 per month for the supervision fee.
  5. Offenders on probation supervision for a misdemeanor under the supervision of the TDOC shall pay \$45 per month for the supervision fee.
  6. Offenders on Tennessee Diversion under TCA 40-15-105 shall pay \$0 to \$25 per month for the supervision fee and \$10 a month for the Diversion Fund, as established by sentencing court order

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7. Offenders on Tennessee Diversion under TCA 40-15-105, sentenced in Shelby County, only shall pay \$0 to \$25 per month as established in the Memorandum of Understanding and \$10 per month to the Diversion Fund.
8. Offenders on Pre-Judgment Diversion under TCA 40-35-313 shall pay \$0 to \$35 per month to the Supervision Fee.
9. Offenders on Community Supervision for Life, TCA 39-13-524, shall pay \$15 a month to the Supervision Fee.
10. Offenders on GPS monitoring must reimburse the TDOC \$50 per month.
11. Offenders on RF monitoring shall not be charged a usage fee.
12. Offenders who fail a drug screening that is sent to the laboratory for confirmation must reimburse the TDOC for the cost of the confirmation.
13. Offenders requesting to transfer out of Tennessee shall be assessed a \$150 transfer fee. The officer shall enter the ISCT contact note code in TOMIS conversation screen LCDG to establish this fee in TOMIS when the application for transfer is completed or when reporting instructions are requested in the Interstate Compact Offender Transaction System (ICOTS).
14. Offenders shall reimburse the TDOC \$37 for each DNA sample collected and submitted to the Tennessee Bureau of Investigation (TBI). The officer shall enter the DNAS contact note in TOMIS conversation screen LCDG to establish this fee when the sample has been collected and submitted to the TBI. The DNA sample is collected to maintain compliance with TCA 40-35-321.
15. Offenders whom the TDOC registers on the Tennessee Sex Offender Registry shall pay the agency \$150 per year per TCA 40-39-204.

B. Fee Hierarchy: Offender payments shall be applied to the offender's fees according to the established hierarchy of fees as follows:

1. Sex offender registration
2. DNA
3. Past due supervision fee
4. Current supervision fee
5. CICF
6. GPS



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7. Drug testing reimbursement
8. Interstate compact transfer fee

C. TOMIS entries

1. TOMIS entries shall be made timely and accurately within 72 hours for new offenders to ensure that the offender fee system is properly populated and ready to accept offender fee payments.
2. Entries to be made shall include the following TOMIS conversation screens:
  - a. Arrival Departure (LIMD),
  - b. Staff Assignment (LCD3),
  - c. Supervision Plan (LCDF),
  - d. Diversion (LSTT); and
  - e. Contact Notes (LCDG).
    - (1) DNAS to generate the DNA fee when a sample has been collected and submitted to the TBI.
    - (2) ISCT to generate the ISC transfer fee when an application has been completed.

D. Exemptions

1. Offenders may be granted an exemption towards the payment of an assessed fee based on qualifying hardship factors. Offenders must provide documentation of such hardship factor in order to qualify.
2. Hardship exemptions are:
  - a. Sole income is from Social Security Retirement, Social Security Disability Insurance, or any other government funding program. This shall qualify the offender for a full exemption of the supervision fee, CICF, GPS, and sex offender registration fee.
  - b. Mental or physical disability as certified by a licensed medical doctor, psychiatrist, or psychologist practicing in the State of Tennessee. This shall qualify the offender for a full exemption of the Supervision Fee, CICF, GPS and sex offender registration fee.

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- c. Court or Board of Parole order waiving offender fee obligations. This shall qualify the offender for a full exemption of the supervision fee, CICF, GPS, and sex offender registration fee.
- d. If the offender is paying doctor, medical, or hospital expenses exceeding 25% of his or her total gross monthly income and he or she is not covered by insurance, worker's compensation or any other source of reimbursement, then the offender shall receive a \$10 reduction in the CICF fee. The offender must supply monthly documentation of actual payments in order to receive the reduction.
- e. If the offender is paying in excess of 25% of his or her gross monthly income toward court ordered expenses, then the offender shall receive a \$10 reduction in the CICF fee. Court ordered expenses include:
  - (1) Alimony,
  - (2) Child support; and
  - (3) Court ordered fines and fees other than restitution
- g. If the offender is ordered to pay restitution by the sentencing court or parole board, and he or she provides monthly documentation of payment(s), then the offender shall be exempted from the \$30 CICF fee.
- h. If the offender falls below the poverty level as specified in the U. S. Census Bureau poverty guidelines, a copy of which can be found in this policy's companion handbook, he or she shall be exempt from the \$30 CICF fee. Only gross income and qualified dependent(s) as specified as acceptable under the Internal Revenue Code to claim exemptions and dependents may be used to determine if an offender is below poverty level. Staff shall refer to IRS publication 501 for definitions of qualifying dependents.
- i. Unemployed offenders shall be monitored on a monthly basis. If the offender provides proof that he or she is actively seeking employment, then the offender shall be exempted from the \$30 CICF fee. Offenders must register with the Tennessee Department of Labor and Workforce Development in order to receive this exemption. If the offender fails to provide proof of an active employment search, prior to the 25<sup>th</sup> of the month, the offender's unemployment exemption shall be discontinued for that month.
- j. Full time students shall be assessed fees based upon their ability to pay. For example, a full time student, who is supported by parents/spouse/other person, may receive an exemption based upon whether the household income is below poverty level, or upon unemployment if the offender is actively seeking employment. A student status does not automatically provide an exemption.

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- k. If the offender is the primary care giver for a disabled individual, adult, or child, making the offender unable to work otherwise the offender must provide a letter from the disabled individual's primary care physician stating that the person for whom the offender is providing care for is in need of such care or the officer shall make a home visit where the offender provides care to validate the offender's obligation. Protection of the patient's privacy is important and the officer's inquiry into the situation shall be such that it does not place the person receiving care in an uncomfortable situation. Information validated by the officer that is pertinent to the fee exemption shall be documented in TOMIS.
  - l. Offenders sentenced to a misdemeanor sentence are eligible for hardship exemption amounts utilized for felony offenders. For example, a misdemeanor offender with an income below poverty level would pay \$15 a month with a \$30 exemption provided towards the supervision fee.
  - m. Community Supervision for Life (CSL) offenders are responsible for supervision fees and are not responsible for CICF fees if they are only on supervision for CSL. If the offender violates his or her CSL and is placed on probation in conjunction with the CSL sentence, then he or she would be responsible for both the supervision fee and the CICF fee.
3. No exemption shall be given for offenders on diversion unless the sentencing court orders such fee waived.
  4. No exemption of reimbursements, such as damaged GPS equipment, RF equipment, DNA, or failed drug screen confirmation testing shall be allowed.
  5. No exemption of the Interstate Compact (ISC) Transfer Fee shall be allowed. Incoming ISC offenders who pay \$15 a month shall only become exempt under the provisions as laid out in Section VI. (D)(2)(a-d).

E. Collection of Fees on Administrative Status Offenders

1. Fees shall not be invoiced for offenders whose supervision plan, TOMIS conversation screen LCDF, reflects an administrative status.
2. Fees shall only be invoiced once the offender's supervision plan is updated to reflect that the offender is no longer in an administrative status.

F. Other Exemption Factors

1. If a sentencing court reduces a fee by court order, either diversion or regular probation, the officer shall obey the court order.
2. Officers shall not request a judicial exemption on behalf of an offender. Exception may be made for sex offenders who are on the sex offender registry and who permanently reside in a nursing home or in a mental health facility.
3. If the offender is issued a job waiver, by either the sentencing court or the Board of Parole, the exemption shall be entered for the full fee amount.

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4. If the sentencing court or Board of Parole dismisses a violation for a fee arrearage, or upholds the violation but immediately reinstates supervision without addressing the offender's responsibility for unpaid fees, the officer shall seek clarification as to the court's intent regarding the fee arrearage. If the court does not intend for the offender to pay the arrearage, the officer shall submit a Request for Backdate Fee Exemption, CR-3829.
5. All exemptions shall expire after a term of six months with the exception of:
  - a. Permanent judicial exemptions,
  - b. Day Reporting Center phase one,
  - c. Permanent Social Security Retirement exemptions,
  - d. Permanent Social Security Disability exemptions,
  - e. Three month temporary court ordered exemptions; and
  - f. Unemployed exemptions shall expire at six months or when the offender obtains employment, whichever comes first.
6. In the event of changed circumstances, the officer shall reissue an exemption and make a notation in TOMIS conversation screen LCDG. The officer's manager shall make the appropriate adjustment in the offender fee system.
7. If an offender has a credit balance at the time it is determined he or she qualifies for an exemption, the exemption shall not be entered until the full credit amount has been applied.

G. Documentation of Fee Exemption

1. The officer, upon determining the offender has a valid hardship, shall complete the exemption application form.
2. The form shall be signed by both the offender and the officer and forwarded to the appropriate approving authority.
3. No exemptions shall be approved without supporting documentation attached to the request.
4. The exemption must be entered into the fee program no earlier than the month prior to the exemption's start date and no later than the same month the exemption begins.

H. Backdate Fee Exemption Requests

1. If the exemption is not entered in a timely manner, a Request for Backdate Fee Exemption, CR-3829, must be submitted to Central Office, Community Supervision Division, Probation/Parole Fee Program Specialist.

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2. No request to backdate exemptions shall be submitted due to an offender's failure to provide documentation as exemptions start only after documentation has been received.
3. Requests for backdate fee exemptions must include an explanation of why the request is being made.
4. Managers shall make a determination upon each backdate request to assure officers receive remedial instruction if the request is being made due to officer oversight or negligence. Patterns of such negligence shall be documented in interim reviews and performance evaluations. Excessive backdate requests may lead to disciplinary actions.

I. Collection Procedure

1. The officer shall take the following actions during the first personal contact with the offender:
  - a. The officer shall ensure that the offender's responsibility regarding fees is explained and documented by use of the Assessment, Notice of Obligation, or Exemption of Fees, CR-3882, and in TOMIS conversation LCDG. Offenders shall be notified of their responsibility to independently verify fee payments as a condition of their supervision. Verification may include, but is not limited to, money order receipts, credit card/bank card statements, and printed third party vendor confirmation screens.
  - b. The officer shall determine the offender's eligibility and ability to pay fees using the criteria set forth in this policy and accompanying handbook. It is the responsibility of the offender to provide documentation of any alleged hardship.
  - c. Should the offender fail to provide documentation of an alleged hardship, an exemption shall not be granted at the time the fees are assessed, nor shall a backdated fee exemption be approved at a later date. Exemptions shall only begin once the required documentation has been provided.
  - d. The officer shall carefully explain to the offender that any advance payments made are non-refundable unless the payment exceeds statutory limits. Statutory limits provide that the number of fee payments is equal to and not greater than the number of months under supervision. Should the offender's payment exceed statutory limits, a refund will be made only at the written request of the offender.
  - e. The officer shall explain to the offender the consequences of non-payment of fees. Upon reaching a delinquent status in excess of 30 days, intermediate sanctions shall be applied. Upon 90 days delinquent, a referral to ACRC is appropriate.
  - f. The offender shall be notified that fee payments are processed by a third party vendor for the TDOC. The offender shall be provided written instructions on how to make their fee payments through the vendor.

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Subject: COMMUNITY SUPERVISION OFFENDER FEES		

g. Officers shall provide assistance to offenders when requested, or otherwise determined necessary, in the preparation of fee payments to include assistance with addressing envelopes, instructions/assistance on filling out money orders, assistance completing the third party vendor mail-in form, questions regarding the navigation of the vendor's website, and access to the vendor's automated telephone payment hotline. At no time shall officers collect fee payments for or accept cash from offenders. However, officers are permitted to copy money orders or cashier's checks for the offender's case file

2. The fee payment for the first month shall be determined by the month the offender is placed under supervision in that the actual payment of fees shall begin the first full month of supervision.
3. All offenders must be current in fees prior to expiration of supervision. If the offender owes fees prior to expiration, then a payment plan shall be developed for the offender.
4. If an error occurs in determining fees, which results in an underpayment of fees through no fault of the offender, the correct amount should be determined, the offender informed, and a payment schedule arranged. In this specific incident, a violation report is not required so long as the offender complies with the payment schedule.
  - a. When payments are made and incorrectly applied due to an error in determining fee eligibility, resulting in an overpayment, a request to correct the fee error must be made through the Probation Parole Fee Program Specialist.
  - b. The Fee Program Specialist shall maintain documentation of the change made to the offender's fees for audit purposes for three years per RDA 1696.

J. Fee Program and TOMIS

1. The Fee Program utilized to track and maintain offender fees on probation and parole shall interact with TOMIS.
2. Staff shall ensure that data entry into TOMIS is accurate and timely to ensure that population of offender fees is accurate and timely.
3. Staff shall update supervision plans in a timely manner to ensure that fees start and stop properly.
4. Staff shall check the fee balance of offenders on their case loads quarterly to ensure that fee exemptions and balances are current and correct.

K. Access to Offender Fee System

1. All probation parole officers, managers, District Directors, and others who need access to the Offender Fee System as identified by the Deputy Commissioner of Operations, Deputy Commissioner of Administrative Services, or Assistant Commissioner of Community Supervision shall be provided access.

2. Access shall be revoked upon termination of employment or change in responsibilities.

L. Notification to Sex Offender Treatment Providers about Indigent Sex Offenders

1. Sex offenders under TDOC supervision who qualify for an exemption under Section VI.(D) of this policy may request an Indigent Sex Offender Treatment Notice, CR-3890, be approved on their behalf.
2. The form is submitted to the offender’s sex offender treatment provider by the offender for services rendered when he/she is indigent and is requesting the provider to bill the Sex Offender Treatment Board.
3. The form is invalid if it is not signed by both the probation parole officer and probation parole manager.
4. The form shall be valid for the same amount of time that the offender’s regular fee waiver is effective or six months. For example, if the offender has a six month exemption for income below poverty level, then his form shall be good for six months as well.

M. Fee Exemption Codes: The following codes shall be utilized in the Offender Fee System to document exemptions:

<u>Exemption Type</u>	<u>Exemption Code</u>	<u>Verification Type</u>	<u>Verification Type Defined</u>	<u>Exemption Length</u>
Court/BOP order	CORD	CORD	Court/Board Ordered	Permanent
Judge Ordered	JORD	CORD	Court/Board Ordered	Permanent
Temporary Court Order	TCOR	TCOR	Court/Board Ordered	3 months
Day Reporting Center (Phase One)	DRCI	OFOB	Officer Observation	3 months
Excessive Court Ordered Obligations	EXCO	CTRC	Court Clerk Receipt	6 months
Income Below Poverty Level	IBPL	DHUM, PCHK	-Department of Human Services Document -Paycheck stub	6 months
Incapable of Working	INCA	MEDO, VADM, DMEH	-Medical Documentation -Veterans Administration -Department of Mental Health Documentation	6 months
Restitution	REST	VIRC, CTRC	-Victim’s Receipt -Court Clerk’s Receipt	6 months
Social Security Retirement	SISS	SSEC	Social Security Verification	Permanent
Social Security Disability/Welfare	SSDB	SSEC	Social Security Verification	Permanent
Unemployed	UNEM	EMSE, OFOB	-Employment Security Documentation -Officer Observation	6 months
Excessive Medical Expenses	MEDI	MEDR	Medical Payment Receipts	6 months
Full Time Student or Primary Care Giver	EMPA	OFOB	Officer Observation	6 months

O. Fee Grievances: Offenders may file a grievance if he or she believes they were unfairly assessed any amount of fees. (See Policy #705.07)

VII. ACA STANDARDS: 4-APFS-3D-25.

VIII. EXPIRATION DATE: July 1, 2020.







TENNESSEE DEPARTMENT OF CORRECTION  
Request to Back-Date Fee Exemption

**Offender Information**

TDOC Number: Enter TDOC Number. Offender Name: Enter Offender's Full Name.

**Staff Information**

Date: **5/20/2016**

District Number: D##. Site ID: Enter Site ID.

Manager Name: Enter Manager Name. Manager Staff ID: Enter Staff ID.

Officer Name: Enter Officer Name. Officer Staff ID: Enter Staff ID.

**Supervision Information**

Supervision Type: Select Supervision Type. Case Type: Select Case Type.

**Back-Date Request** (Note: 24 hours must be allowed for system to credit arrearages before new staff assignments are opened)

Reason: Select Back-Date Reason.

Explanation (Note: Form will be returned if reason states "explanation required" and this section is not filled in properly):

Enter Detailed Explanation.

I have reviewed the case notes and this offender's record contains the back-date request explanation.

**Exemption Information**

Start Date	End Date	Fee Type	Exemption Amount	Exemption Type
Enter start date.	Enter end date.	Select Fee Type.	Enter exemption amount	Select Exemption Type.
Enter start date.	Enter end date.	Select Fee Type.	Enter exemption amount	Select Exemption Type.
Enter start date.	Enter end date.	Select Fee Type.	Enter exemption amount	Select Exemption Type.
Enter start date.	Enter end date.	Select Fee Type.	Enter exemption amount	Select Exemption Type.

**For Manager Use Only**

I hereby verify that the exemption documentation has been reviewed and I attest that all information on this request has been researched and found to be accurate.

Enter Manager Name.  
Manager Name (Please Type)

Enter Today's Date.  
Date

**For Central Office Use Only**

Request approved by:

Enter Approver's Name.  
Approver's Name (Please Type)

Enter Today's Date.  
Date



TENNESSEE DEPARTMENT OF CORRECTION

ASSESSMENT, NOTICE OF OBLIGATION OR EXEMPTION OF FEES

Print Offender Name, TOMIS Number, Print Officer Name, Date Supervision Began, Sentence Expiration Date, Employer, and checkboxes for Diversion Probation, Probation, Parole, Misdemeanor Probation, ISC, and Community Supervision for Life (CSL).

INCOME: Gross, Monthly Household Income, Other Income (SSI, Welfare, etc.), Total Monthly Household Income, Number of Dependents in Household.

Table with 2 columns: HARDSHIP EXEMPTION TYPES and corresponding codes (IBPL, INCA, CORD, EXCO, UNEM, MEDI, SISS, REST, TCOR, SSDB, JORD, EMPA).

Explanation and Verification: [Empty box for text entry]

NOTICE TO OFFENDER: The General Assembly of the State of Tennessee enacted legislation providing that any person under Probation or Parole supervision shall pay a monthly fee toward the partial cost of their supervision and rehabilitation and a monthly fee to the criminal injuries compensation fund. You are to follow these rules:

- ❖ Fees shall be paid to the TDOC through JPay. JPay fee payments may be made:
❖ Via credit or debit card using JPay's secure website, http://jpay.com/,
❖ Via JPay's 24 hour a day/7 days a week toll free customer service line at 1-800-574-5729,
❖ Via JPay's mobile application available for free in the Apple App Store,
❖ By sending a money order with Offender Name and TOMIS# printed on the front along with a deposit slip to JPay's centralized processing office: JPay, P.O.Box 260088, Pembroke Pines, FL 33026
❖ Offender must qualify for TOTAL EXEMPTION of fees to receive \$50 GPS fee exemption.
❖ Any fees owed by the offender at the time of discharge or revocation are still owed.

Standard Diversion Memorandum of Understanding
CIC SPA/SPR GPS SPR only \$35.00 DIV \$10.00 SPR \$25.00

Select one

- ❖ Failure to make payments promptly and fully will result in sanctions including, but not limited to the Administrative Case Review Committee
❖ YOU ARE RESPONSIBLE for claiming and documenting any hardships EXEMPTIONS that you claim, so consult with your OFFICER. Ask your Officer to explain to you anything you do not understand about the assessment and the payment of fees.
❖ I have been notified of my fee obligations. I have discussed with my Officer. I agree to pay my fees in full.

Offender Signature, Date, Supervisor Signature, Date, Officer Signature, Date

**INITIAL EXEMPTION***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

**REASSESSMENT***Exemption Type:* \_\_\_\_\_

Exemption Begins: \_\_\_\_\_ Expires: \_\_\_\_\_ CIC \_\_\_\_\_ GPS \_\_\_\_\_ SPR/SPA \_\_\_\_\_ SPR Only \_\_\_\_\_ DIV \_\_\_\_\_ SPR \_\_\_\_\_  
 Month-Year Month-Year \$30 \$50 \$15 \$35 \$10 \$25

Modified Expiration Date: (Enter when, if applicable)

\_\_\_\_\_ Month-Year


\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Recommendation  Approved  Not Approved

 <p style="text-align: center;"> <b>ADMINISTRATIVE POLICIES AND PROCEDURES</b>          State of Tennessee          Department of Correction       </p>	Index #: 704.12	Page 1 of 1
	Effective Date: February 1, 2018	
	Distribution: C	
	Supersedes: N/A	
Approved by: Tony Parker		
Subject: GLOBAL POSITIONING SYSTEM OFFENDER MONITORING		

POLICY CHANGE NOTICE 18-8

**INSTRUCTIONS:**

Please add the following subsection to Section VI.(A)(1) to read as follows

- “i. Offenders who are homeless and are being supervised under the Community Impact Program (CIP) initiative, until stable residence is found or they are no longer required to be supervised under electronic monitoring guidelines of the program”.

Please change the following subsection to Section VI.(A)(1) to read as follows:

- “f. Sex offenders who are not in compliance, with exception of fees, for a period specified by Policy #704.10.”

Please strikethrough Section VI.(A)(2)(b) on page 3 of the policy and re-letter accordingly.

# Memphis Community Impact Program (MCIP)

**Standard Operating Procedures (SOP)**

**John Parker, Parole Administrator**  
**Susan Siedentop, Correctional Administrator**  
**Jeremy Buckelew, Specialized Caseload Director**  
**Rochelle Rupert, PPM**  
**Todd Cash, PPO**  
**Lashuna Evans, PPO**

**Revised April 17, 2017**

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# **MEMPHIS COMMUNITY IMPACT PROGRAM**

## **(MCIP)**

### **Mission**

To serve high risk offenders ages 18-24 under the supervision of the Tennessee Department Of Correction through a collaborative community corrections program involving local and state agencies to reduce recidivism and enhance public safety. The MCIP (Memphis Community Impact Program) serves to protect the public and increase the likelihood of success for high risk offenders by means of intensive supervision and support programs that increase compliance with supervision and encourage successful re-entry.

### **Objectives**

The provision of human/social services will provide an opportunity for stability through focused aggressive law enforcement and community compliance tactics that will increase offenders' likelihood of refraining from pro-criminal activity. The intent of MCIP's service provision component is to provide or identify the appropriate resources to help program participants get back on track and become positive contributors to the community, i.e., jobs, education, housing, mental health and substance counseling, support and treatment when needed.

- Identify offenders who are most problematic and likely to re-offend
- Develop individual supervision plans for offenders
- Assess education needs
- Provide employment training and opportunities (job skills, entrepreneurship)
- Identify cognitive skills & deficits to change behaviors, attitudes and decision making

The program involves TDOC staff in collaboration with community partners working towards the common goal of enhancing public safety by reducing offender recidivism.

### **Composition & Capacity**

The MCIP team consists of Probation Officers (PPO) and a Probation Manager (PPM). The team is also monitored by the Specialized Caseload Director (DD) and the Correctional Administrator (CA). Each PPO carries no more than 50 cases. In its current capacity, MCIP shall supervise up to 100 active offenders. The caseload may increase over time, if additional PPOs are added to MCIP as determined by the Assistant Commissioner of Community Supervision.



## **Program Eligibility**

In order for an offender to participate in MCIP, the offender must meet three (3) core requirements:

- 1. Reside in Shelby County, TN; and**
- 2. At the time of referral to MCIP, the offender is 18-24 years old; and**
- 3. Currently on Supervision for a Target Offense (sex offenders are not eligible)**
  - **Violent Crime with an Aggravated Component**  
Recommended Courses:
    - A&D assessment, treatment referral as assessed
    - Pro-Social Life Skills and/or Batterers Intervention
    - Literacy/Adult Education
    - Vocational assessment and Job Readiness referral
    - Victim Impact and/or Anger Management referral
  - **History of Violent Crimes with an Aggravated Component**  
Recommended Courses:
    - A&D assessment, treatment referral as assessed
    - Pro-Social Life Skills and/or Batterers Intervention
    - Literacy/Adult Education
    - Vocational assessment and Job Readiness referral
    - Victim Impact and/or Anger Management referral
  - **Drug Offense (Sale/Mfg. of Schedule I or II Drugs) or History of Drug Offenses**  
Recommended Courses:
    - A&D assessment, treatment referral as assessed
    - Victim Impact and/or Pro-Social Life Skills
    - Literacy/Adult Education
    - Vocational assessment and Job Readiness referral

## **Referral Process**

Eligible offenders will be admitted into MCIP based on Court referrals, Community Partnership referrals, and transfers from regular supervision:

### **1. Court Referrals**

The Court may refer an offender to MCIP at any time. The MCIP Manager will review cases referred by the court to determine if they are eligible for MCIP based on the three core requirements.

- a) For new cases from court, the Court Specialist/Intake Officer shall notify the MCIP PPM when an offender has been referred to MCIP by the Court on the day of the referral. The MCIP PPM will review each case on the day of the referral to determine if the offender is eligible for MCIP in accordance with the three (3) core requirements. In accepting these referrals, the MCIP Manager will take into account the current caseload capacity of the MCIP program.
- b) If the referral is accepted, the PPM will assign the case to one of the MCIP Officers within two (2) working days and after the Intake process has been completed. If the case is not eligible for MCIP, the MCIP PPM will contact the local DA's office to advise and discuss alternative supervision options.
- c) Once the offender is admitted to MCIP, the offender will be assigned to the appropriate MCIP officer. The offender will complete the intake process as established by the District. The MCIP PPO will then schedule a Post orientation session for the offender within five (5) days of the intake as stated below.

## **2. Community Partnership Referrals**

Gunstat is a monthly meeting in Memphis among various criminal justice agencies in which each precinct reviews individuals who have been identified as a potential threat to the community. If under TDOC supervision and in compliance with the three (3) core components, those individuals may be transferred to MCIP supervision with Manager and District Director approval.

- a) After each Gunstat meeting, the MCIP team and the PPM shall work together to identify cases for possible transfer into MCIP within three (3) work days.
- b) The offenders must satisfy the three (3) core requirements. In accepting these referrals, the MCIP Manager will take into account the current caseload capacity of the MCIP program.
- c) The PPM shall review the file and submit the identified offenders and all relevant information to the District Director, who shall have final approval.
- d) When the case is transferred to MCIP, the notes on TOMIS shall not indicate that the offender was referred based on Gunstat. All efforts should be made to keep the Gunstat nature of the referral confidential and within the confines of the MCIP unit, DD, and CA.
- e) Once the offender is admitted to MCIP, the PPO will schedule an orientation session for the offender within five (5) work days as stated below.

## **3. In-House Referrals**

Existing cases in Memphis may be referred to MCIP at any time with approval of the MCIP Manager and District Director. Existing cases must have at least 12 months left on supervision to permit the offender to successfully matriculate through the program.

When transferring a case into MCIP, the case is to remain under the supervision of the original officer until the case is accepted or rejected. The original case carrying officer will complete a referral form and forward to the MCIP PPM. MCIP will have five working days to review and investigate the case. During the review, the MCIP officer will determine which resource programs (A&D treatment, anger management, job readiness, etc.) will be needed. The investigation will consist of the MCIP officer conducting a face to face home visit to the last reported address to allow the MCIP officers to meet the offender initially and verify the validity of the residence. This procedure would also be applicable for parole release plans, for STG releases, and allow the MCIP officers to discuss the program with the offender's family prior to release. Prior to final approval, the MCIP Manager will review each case to determine if the offender is eligible for MCIP in accordance with the three (3) core requirements. In accepting these referrals, the MCIP Manager will take into account the current caseload capacity of the MCIP program. The PPM shall review the file and submit all relevant information to the District Director, who shall have final approval.

## **MCIP Orientation**

**MCIP Orientation:** All MCIP offenders must attend an orientation session conducted by a member of the MCIP team within five (5) work days of being transferred or assigned to the MCIP unit. Offenders will complete the intake process as defined by the District.

1. If the case is a new referral from court, the Court Specialist/Intake Officer will put the file together once finished with the orientation. For new cases from GunStat or In-House referrals, if the file is not complete prior to orientation, the MCIP PPO shall ensure all needed information is gathered during the MCIP Orientation and placed in the file. If the offender fails to appear for orientation, a home visit will be completed and if contact is not made, the PPO will put the file together with the information that they have currently and file the violation in accordance with policy and procedure. (Note: if it is determined that an arrest has not been detected by previous officer or other violations exist (failed to pay restitution/ positive screens/ etc.) then VRPT should be completed by the previous Officer). All MCIP files shall contain:
  - a) PSI or Personal Questionnaire,
  - b) Probation and judgment orders,
  - c) Release of information form,
  - d) Grievance,
  - e) Notification of fees,
  - f) New Offender Checklist,
  - g) SID number,
  - h) Offender photo. (PPO takes photo at orientation and enters on OMS)

- i) DNA: PPO will check the DNA website to check if an offender has been tested. If not, the PPO will ensure that DNA is taken at orientation.
2. The completed file shall be forwarded to the MCIP PPM for review within two work (2) days of completing MCIP Orientation. A Home Visit and Risk/Needs shall be completed within 30 days per policy.
3. GPS: All MCIP offenders shall be placed on GPS monitoring at during the Intake period for thirty (30) days.
4. Upon conclusion of the intake period and with PPM approval, offenders are assigned to the New Beginners track or the Re-Conditioning track depending upon offender history and needs.
5. Curfew: All MCIP offenders shall be placed on a restricted curfew at orientation of 8pm – 5am until completion of Phase One. This curfew will be monitored by GPS. Any curfew imposed after Phase One will be monitored by RF equipment. An offender’s curfew can be altered to assist with the offender gaining suitable employment.
6. Drug Screens: All MCIP offenders shall be drug screened per TDOC policy.
7. Home Visit: The MCIP team shall conduct a home visit with the offender within 30 days of Intake. Additional home visits will be conducted in compliance with the Standards of Supervision and as needed.
8. Court referred MCIP offenders that fail to report as instructed and contact is unable to be made via home visit shall be violated, if applicable, by the assigned MCIP PPO in accordance with TDOC policy. .
9. Ceasefire: All MCIP offenders must attend and complete Ceasefire prior to moving to the Re-inventing track.
10. Warrants: MCIP Officers will forward all MCIP violations along with warrants via e-mail to the Court Specialist assigned to the appropriate Court. The Court Specialist will be instructed to request an immediate warrant. The assigned MCIP officer will follow-up within three (3) work days and confirm that the warrant has been issued and that all appropriate codes have been entered into the OMS.
11. Community service work (CSW): Any offender that is unemployed shall be required to complete twenty (20) community service hours per month until employed. Exceptions to this rule must be approved by the MCIP Probation/Parole manager.

## **Offender Progression through MCIP**

**Intake Period:** All new MCIP offenders start here.

1. 30 days- all assessments and referrals made and offender attends orientation. At the end of this period the offender would be assigned to the appropriate track.
2. GPS mandatory
3. 8:00 pm – 5:00 am curfew mandatory

4. At least one (1) drug screen and one (1) home visit completed.
5. Offenders will be supervised in the Special Restricted supervision level during the entire Intake Period.
6. After the Intake Period, if an Offender has a substance abuse issue, he/she will be assigned to the New Beginners Track. If the offender does not have a substance abuse issue, he/she will be assigned to the Re-Conditioning Track.

### **Phase One**

**New Beginners Track:** Designed for offenders with substance abuse issues.

1. Maximum of 60 days.
2. Offenders assigned to this track must be in some type of 28 day or outpatient drug/alcohol program at time of entry or referred by supervising officer to FSW.
3. GPS monitoring mandatory
4. 8:00 pm to 5:00 am curfew mandatory
5. CSW 20 Hours per month unless working
6. MCIP PPO to have Weekly communication with FSW and treatment providers
7. Random drug screens monthly.
8. One home visit monthly.
9. Once offender completes the New Beginners Track, has tested negative for drugs a minimum of two (2) times, and a positive change is observed in offender by the MCIP PPO, PPM, FSW, and family, the offender will be moved to Phase 2.
10. Offenders required to complete the New Beginners Track will be supervised in the Resistive Elevated Supervision Level throughout the entire 60 Days.

**Re-conditioning Track:** Designed for offenders without substance abuse issues.

1. Maximum of 60 days
2. GPS monitoring mandatory
3. 8:00 pm – 5:00 am curfew mandatory
4. CSW 20 hours per month unless working
5. Must attend Ceasefire
6. Must complete Victim Impact Program
7. Must complete Pro Social Life Skills, Batterers Intervention class or TDOC programming, as applicable.
8. Rewards and incentives will be offered, graduation ceremonies or praise offered for each milestone met, and officers will use positive communication with family members.
9. Offenders who do not have a High School Diploma/GED will be referred to an accredited GED Program during the Re-Conditioning Track unless waived by the District Director.

10. If an offender comes into MCIP without a drug problem, with adequate education, and with employment- they will be moved to the Re-Inventing Track after 60 days. Offenders will be supervised per their Risk and Needs assessment and TDOC Standards of Supervision.
11. The Re-conditioning Track will be supervised at the Resistive Elevated Supervision level.

### **Phase Two**

**Re-Inventing Track-** Designed to ensure job readiness and employment.

1. Minimum of 180 days
2. Curfew 11:00 pm – 5:00 am mandatory monitored by RF monitoring. An offender's curfew can be altered to assist with the offender gaining suitable employment.
3. CSW 20 hours per month unless in school/training and/or supplies documentation of at least ten (10) employment applications each week
4. All Offenders must be referred to a job readiness class if unemployed.
5. Offenders who do not have GED must be actively enrolled in a GED program and/ or trade school or obtained a job at the end of 30 days.
6. Those offenders with a High School Diploma or GED and/or have completed the Job Readiness Class will be referred to Employers via the Employment Specialist or assisted by officer/Job Readiness Officer in getting Grants etc. through local colleges and/ or trade schools.
7. Offenders in the Re-Inventing Track will be supervised in the level of supervision dictated by their risk/needs score and TDOC Standards of Supervision.
8. All offenders in the Re-Inventing Phase may be referred to a GED Program during the Re-conditioning Track to increase success in this area. Completion of the Re-Inventing track will be a collaborative decision between FSW, Employment Specialist, Supervising Officer, MCIP Manager, and District Director.

### **Phase Three**

**Maintenance Track:** Designed to ensure successful transition into the Community.

1. Minimum of 90 days
2. No Curfew or Electronic Monitoring
3. Offenders will be supervised per their Risk and Needs assessment and TDOC Standards of Supervision.
4. Offender non-compliance may move the offender back under the Phase Two after consultation with the Specialized Caseloads Director.

## **MCIP Completion**

After the offender has completed all required tracks, he or she may be transferred out of the program to a regular caseload carrying officer with the approval of the MCIP Manager and the DD, if the following conditions are met:

1. The Offender has completed a minimum of one (1) year in MCIP, has shown diligence in completing all required special conditions and has complied with recommendations. All special conditions do not have to be completed but they must be in progress and have positive feedback from the provider.
2. The offender has completed Ceasefire.
3. Offender shall have maintained employment and be in compliance.
4. The offender passes a drug screen on his/her final day in MCIP.
5. The MCIP team will identify the requirements the offender needs to follow going forward while on regular supervision and communicate that to the regular PPO. (CSW, finish programs, etc.)
6. MCIP will ensure the offender is in the appropriate supervision level based on the risk and needs assessment.
7. If the offender was a court referral, the MCIP Manager shall advise the Judge via a form letter that the offender has successfully completed the MCIP program. The DD must review and approve the letter before it is delivered to the Judge.

## **Additional Manager Duties**

In addition to the duties listed above, the MCIP PPM will:

1. Communicate all requirements with the Courts and their Judges;
2. Ensure the Court Specialists are trained on which offenders would be eligible MCIP referrals and the three (3) core requirements of MCIP eligibility.
3. Communicate weekly with the District Director regarding the progress of the MCIP.
4. Meet quarterly with community partners to establish working relationships between the MCIP and the agencies.
5. Maintain a MCIP Collaborative Contact Log detailing the agencies communicated with, the date of communication, the current status, follow-up items, contact names and phone numbers. The PPM will submit this list to the District Director and CA by the last day of each month.
6. Maintain a log of offenders in MCIP and update it on a weekly basis. The log will identify what Stage the offenders are in and a projected completion date for each Stage and the program.
7. Conduct required file reviews monthly.

8. Meet weekly with the MCIP PPOs to discuss areas for improvement, innovative ideas, collaboration efforts, etc.
9. Accompany MCIP PPOs on home visits as a team and individually on a monthly basis.
10. Submit a weekly MCIP activity report to the District Director by the 5<sup>th</sup> of each month. The weekly activity report will include the MCIP schedule for the upcoming week, weekly statistics (Curfew Checks, Violations Completed, Individual Program Completions, CCIP Arrests) and weekly caseload numbers (Total Active and Inactive, Total offenders in Phase One, Phase Two and Phase Three). After review and discussion, the Director will forward the Report to the CA by the 10th of each month.

## **Goals**

Our goal is to reduce recidivism of individuals age 18-24 placed on probation supervision. The MCIP offenders benefit from increased contacts with Probation Officers and the smaller caseloads allow for more accountability. Early intervention is the key to success. MCIP is not designed to violate offenders but to exhaust all possibilities to avoid a violation. Our anticipated goals are to reduce recidivism of individuals placed on probation and parole using a three pronged approach centered on prevention, intervention, and suppression. Upon completion of MCIP, our desire is to have created a change in cognitive thinking when faced with the opportunity to commit other crimes. However, probation officers will always place the interests of public safety above the needs of the offender when addressing possible violations.

While enrolled in the MCIP, the MCIP team will:

1. Conduct 100% face-to-face home visits and other offender contacts required each month
  - a) Address special conditions
  - b) Residence Verification
  - c) Curfew Checks
  - d) Non-Compliance follow-ups and swift and decisive corrective action
2. Conduct 100% collateral contacts required each month,
3. Conduct 100% required drug screens each month,
  - a) Positive screens will be reported to the Courts via notification and or violation depending on judges' request.
  - b) Offenders identified as having a substance abuse problem will also be referred to the FSW and appropriate treatment according to policy. Non-compliance will result in violation.
4. Ensure that 100% of the offenders are actively enrolled and participating in the referred program
  - a) This may have the offender enrolled in more than one program at a time.
5. 100% follow-up for all needed actions in a timely manner,
6. Conduct 100% arrest checks required,
7. Provide resources and opportunities for the offenders in efforts to develop positive skills and increase the opportunity for successful re-entry, and



8. Support high risk offenders with the advantages of participation in educational enhancement, employment opportunities, and training skills programs which will lead to increased opportunity for positive contributions to society.

## **Collaborative Partners**

Law enforcement agencies in Shelby County are partnered with a probation/parole officer to perform joint supervision of offenders. Police officers communicate with other officers throughout the department and other law enforcement agencies to gather data and give additional insight into supervision. The collaborative supervision model will allow a team approach that increases the resources available to monitor MCIP offenders. Police officers receive information daily about significant arrests and incidents which will be shared with MCIP. Police officers will be able to check arrestees, suspects, and victims to determine if they are under community supervision and immediately notify the MCIP officers which can only enhance real-time response in the field. The MCIP officers will conduct weekly follow-ups on offenders who have failed to report as instructed. Police officers will accompany probation/parole officers in the area to conduct face to face field contacts, home checks, etc. Face to face field contacts will be made at various times, including weekends and evenings, with the intent to discourage and prevent criminal behavior.

MCIP staff will be better equipped to account for the whereabouts of offenders and ensure that they are compliant with the terms and conditions of their release. Weekly roundtable meetings will be held with law enforcement to discuss offenders in MCIP. In addition, monthly gang information exchange meetings will be held involving all law enforcement agencies in Shelby County. These meetings will provide an increased ability to share historical and real time information between law enforcement and MCIP.

## **Community Outreach**

The community outreach aspect of MCIP will focus on working cooperatively with individual citizens, groups of citizens, and both public and private organizations to identify and resolve issues which potentially affect public safety in the community. The MCIP team will establish contact with individual organizations and develop a partnership that positively impacts Shelby County. The MCIP team will meet with schools and community leaders to determine needs and formulate a plan of action to address those issues. The MCIP officers will collaborate with school resource officers to conduct presentations to area students in an effort to spread awareness about gangs and the negative impact of gang affiliation and membership. Community policing stresses prevention, early identification, and timely intervention to deal with issues proactively. The MCIP team works together with the community and law enforcement to ensure public safety and offender success.

## **Operation Nightlight**

MCIP will conduct a monthly curfew check/home visit/residence search operation entitled "Operation Night Light." MCIP will partner with law enforcement to conduct these checks on targeted MCIP offenders. The target offenders shall be offenders who are on GPS/RF monitoring and a curfew but may also target offenders with recent compliance issues such as: failed drug screen, continuous unemployment, failure to report or recent law enforcement activity.

## **Quarterly Offender Notification Meeting**

Quarterly Offender Notification meetings will be held as part of MCIP. The meetings will be directed toward recent parolees and probationers. The message will be delivered by a panel of law enforcement, prosecution, and probation/parole officers, along with drug treatment and job placement professionals, and community advocates.

The goal is to provide a balanced message to offenders to make them aware of the penalties for gun possession by felons at both the federal and state level. Tennessee enacted a law that adds criminal street gang membership as an enhancement factor for sentencing defendants who have committed a prior offense within the past three years.

Additionally, members of MCIP will inform offenders about local services that could help them succeed in creating a better, more productive life that may enable them to stay out of prison.

## **Equipment**

Tennessee Department of Correction and its collaborative partners (MPD and SCSO) will supply their own equipment needs. TDOC MCIP team has access to the following:

- GPS or RF unit trackers for the Offenders
- Ballistic Vests, Pepper Spray, Baton, Flashlight, Handcuffs, .40 Caliber Glock Model 23
- Detailed Map of Shelby County
- Business Cards
- Whiteboard Magnets and Tape
- Vehicle(s)
- iPads/Tablets, State Cell Phone, Camera
- Laptop with wireless cards or cell phones with wireless connectivity availability
- Radios

## **Programming and Re-Entry**

The MCIP officers will complete assessments and submit referrals to appropriate programs to address offender needs. There will be 100% of referrals submitted with an expectation of 100% completion. These referrals will be submitted based on priority. Upon admittance, subject will be closely supervised to ensure completion. Failure to attend class will result in immediate follow-up. The follow-up will consist of a home visit to bring the offender into compliance.

Once the offender has completed a program, the subject will then be referred to the next class on the priority list, as needed. Once the subject has completed the enrolled program, the subject will then be referred to the next class on the priority list. These programs may include but not limited to:

- A&D Treatment
- Anger Management
- Community Service
- Batterer's Intervention (SAFE)
- GED/Adult Literacy
- Job Readiness
- Pro-Social Life Skills
- Ceasefire
- Victim Impact

### **1. A&D Treatment**

Officers will refer offenders to the Forensic Social Worker for assessment of individual needs. All offenders who require drug and/or alcohol treatment will be required to complete the New Beginners Track (Minimum of 60 days). The MCIP uses assessment and services to link probationers with drug counseling to increase the opportunity for successful discontinuation of substance abuse. These services are provided in an outpatient and/or inpatient setting and participation is mandatory as a condition of the offenders' probation if listed on special conditions or assessed as needed by the risk/needs assessment. Drug testing will be conducted as required by the Standards of Supervision, frequently in a random manner or as scheduled.

### **2. Anger Management**

The Purpose of Anger Management is not to eliminate anger, but to increase awareness of various strategies of controlling anger. Anger Management is facilitated through a cognitive behavioral (CBT) approach. The CBT approach aims to enlighten participant's awareness of their anger triggers and effectively express their anger and frustrations in a rational, constructive and healthy way with the avoidance of negative consequences. Some techniques that are used in anger management include cognitive reconstruction, meditation, self-awareness, breathing techniques and relaxation strategies. Participants of Anger Management are most likely court ordered as a result of a domestic or legal issue. Anger Management is offered on a continuing basis free of charge. Clients are also offered the opportunity to attend Anger Management within their community. Participants are able to strengthen their techniques by completing homework assignments/group exercises.

### **3. Community Service Work**

The Criminal Courts of Shelby County, TDOC and the Parole Board have initiated a policy of directing certain persons placed on probation to perform public service work. The purpose of this program is to provide needed services to public or charitable organizations and to help orient the persons in the program to develop a strong work ethic. This program will also serve as a deterrent for the offender and others.

The work that is performed may include custodial, clerical, general labor work, and any other skilled and unskilled labor for which a person under probation supervision may be qualified. This work will be performed at no wage or salary cost to the community organization.

In addition, offenders who remain unemployed while under MCIP supervision shall be required to perform community service work weekly. Community Service shall also be used as a sanction to address noncompliance areas.

### **4. Batterer's Intervention (SAFE)**

SAFE is the batterers' intervention program which offers men the education and tools they need to disrupt cultural patterns that promote violence, dominance and abuse against women. Any offender participating in MCIP with any form of violence in their history will be referred to this program, if available. Attendance is mandatory.

### **5. Education**

Education is an instrumental factor in transitioning into society. Those who do not have a high school diploma or a GED will be enrolled in an Adult Literacy Program. Class attendance is mandatory.

### **6. Employment**

Provides academic and vocation instruction, on the job training, career counseling, interviewing skills, entrepreneurship/work venture programs to develop an offender based employment and community service. Unemployed offenders assigned to MCIP who have not obtained employment within 30 days and lack the skills to obtain employment shall be referred to a Job Readiness program and/ or the Department's Employment Specialist.

### **7. Pro-Social Life Skills**

Pro-Social Life Skills is a behavior modification program that incorporates 3 modules, cognitive restructuring, social skills, and problem solving. The modules are integrated in a program that allows the individual to assess his or her behavior and identify a pattern of choices that have led to negative consequences in their lives. The program does not attempt to teach right or wrong which varies by perspectives, but to determine the

inherent risk associated with the choices that we make and the ensuing consequences. Pro-Social Life Skills can be described as responding rather than reacting to stimuli in our lives.

#### **8. Ceasefire**

Ceasefire is a collaborative agreement between Tennessee Department of Correction Probation and Parole and other law enforcement agencies designed to promote community relations by increasing public safety and informing offenders of social services specific to their needs and new law enforcement initiatives especially as it relates to gun laws governing convicted felons. All MCIP Offenders will be referred to Ceasefire and must have attended/completed prior to completion of Phase 1.

#### **9. Victim Impact**

The goal of victim Impact is to reduce the victimization by reducing recidivism. This goal is achieved by meeting two objectives. The primary objective is to help the offender understand the impact their crime had on their victims. To this end, the facilitator(s) must be prepared to confront and re-direct any minimizations, justifications, or denials the offenders have in their responses to the impact their actions had on their victims. To effectively address victimizing behavior, it is important for all of us, the facilitators as well as the offenders, to understand, what is driving the negative and criminal behaviors. There is a root cause for any behavior, good or bad. Finding the root cause allows the offender to understand their behavior, and gives them direction for addressing their core issues. Classes are 1x per week for 2h, for 12 weeks. This class will be used as a primary option for change and referrals will be made upon class availability.



TENNESSEE DEPARTMENT OF CORRECTION

# Community Supervision

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Manual of Unit Operation

# Programmed Supervision Unit

February 2018

This manual has been established in compliance with TDOC Policy #102. 02. It specifies how TDOC policies regarding the supervision of sex offenders are implemented by the Programed Supervision Unit (PSU).



TENNESSEE DEPARTMENT OF CORRECTION

**Review and Approval**

This manual has been reviewed and approved by: \_\_\_\_\_  
District Director

Approval Date: \_\_\_\_\_

Annual Review Date: \_\_\_\_\_



TENNESSEE DEPARTMENT OF CORRECTION  
TDOC Mission Statement, Vision, and Guiding Principles

# Tennessee Department of Correction



## Mission

To operate safe and secure prisons and provide effective community supervision in order to enhance public safety.



## Vision

To be recognized as the best correctional agency in the nation.

## Guiding Principles

We...

*believe in and support the mission of our agency and our team.*

*will treat all people fairly.*

*will not purposely compromise public safety.*

*will stand behind our word.*

*will protect each other but not at the expense of compromising our integrity.*

*will always accomplish our mission.*

January 2013





TENNESSEE DEPARTMENT OF CORRECTION  
**Mission Statement, Vision, and Guiding Principles**  
**Community Supervision**  
**Programmed Supervision Unit**  
**2016 – 2018**

Mission Statement

To operate safe and secure prisons and provide effective community supervision in order to enhance public safety.

Vision

The Programmed Supervision Unit will utilize evidence based practices daily in the supervision, containment, and rehabilitation of sex offenders by:

- Training staff
- Adhering to the Containment Model for the community-based supervision of sex offenders
- Promoting the use of validated specialized risk assessments and treatment practices

Guiding Principles

The Programmed Supervision Unit is:

- Committed to improving the supervision success rate of sex offenders
- Reducing the sex offender opportunity for re-offending
- Meeting Tennessee statutes governing the sex offender registry requirements, public safety, and victim needs
- Holding each staff member accountable to the Department of Correction and the citizens of the State of Tennessee.



TENNESSEE DEPARTMENT OF CORRECTION

**Programmed Supervision Unit**

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## TENNESSEE DEPARTMENT OF CORRECTION **Programmed Supervision Unit**

The Programmed Supervision Unit (PSU) is the Tennessee Department of Correction's (TDOC) specialized unit for the supervision of registered sex offenders. TDOC recognizes that this offender population is in need of a more structured form of supervision. Through the incorporation of evidence-based principles in sex offender supervision, validated specialized risk assessments and treatment practices, as well as offender electronic monitoring/tracking tools, the Unit's goal is to improve the offenders' success rate and reduce the opportunity for re-offending, while meeting the requirements of Tennessee statutes, public safety, and victim's needs. Due to the nature of the offender types and risk levels under PSU supervision, it is imperative that every member of the Unit has a sound and working knowledge of the handbook as well as any future updates. Further, cooperation among the Unit's members whether between co-workers, offices or districts, is of the utmost importance.

### **POLICY**

The following policies govern the supervision of sex offenders.

- #704.04, Sex Offender Standards of Supervision
- #704.05, Program Supervision Unit
- #704.07, Community Supervision for Life
- #703.22, Searches of Offenders Under the Jurisdiction of Community Supervision
- #704.12, Global Positioning System Offender Monitoring
- #703.03, Initial Contact with Probation and Parole Offenders
- #702.01, Sex Offender Registry
- #702.02, DNA Testing
- #704.02, Special Conditions
- #704.03, Offender Financial Obligations
- #705.11, Community Supervision Offender Fees
- #708.03, Interstate Commission on Adult Offender Supervision
- #708.01, Offender Intrastate Transfers
- #704.14, Community Supervision Home Visits
- #705.04, Substance Abuse Screening
- #702.05, Investigative Reports
- #705.02, Offender Travel Permits
- #702.30, Parole Release Plans
- #707.30, Parole Violations and Warrants
- #707.20, Probation Violations
- #707.21, Probation Violation Reports and Warrants
- #707.22, Absconder Process
- #511.06, Reentry Services
- #704.13, Electronic Monitoring Equipment Inventory
- #703.02, Offender Risk and Needs Assessment and Classification
- #706.01, Offender Case Record Management
- #706.03, Offender Contact Notes



## TENNESSEE DEPARTMENT OF CORRECTION **Programmed Supervision Unit**

This manual describes the Programmed Supervision Unit current duties and responsibilities in the supervision of sex offenders. It serves as a reference for supervision procedures of sex offenders and is a working tool. The manual shall serve as a starting reference for policies and procedures relative to the supervision of sex offenders and ensures consistent application of sex offender supervision procedures across the Programmed Supervision Unit. It cannot, however, address each and every unique situation that arises during sex offender supervision. If, after consulting this manual, and determining that it is not clear in application to a particular situation, officers and managers shall refer to the Programmed Supervision Unit's District Directors, Correctional Administrators, and/or Agency Legal Staff for instruction.

### **PURPOSE**

The Programmed Supervision Unit (PSU) provides supervision for sex offenders and violent sex offenders who register on the TBI Sex Offender Registry. Offenders supervised under this unit have a specific set of supervision standards that outline the path for offender supervision. The PSU supervision model is based on the Containment Model and designed to encompass involvement from outside agencies to include sex offender treatment providers, polygraph examiners, local law enforcement, and victim advocacy groups.

### **COMMON DEFINITIONS RELATED TO SEX OFFENDER SUPERVISION**

1. **Business Travel Permit**: A completed CR-3816 giving an offender permission to journey within the United States, for a specified period as long as the offender is employed by and performing duties for a specified approved employer.
2. **Community Supervision for Life** – This supervision type is for offenders who have been convicted of one of the following offenses: Aggravated Rape, Rape, Aggravated Sexual Battery, Rape of Child or the attempts of any of these charges as defined in TCA 39-13-524. In addition, per TCA 39-13-524, offenders who been convicted of an Aggravated Rape of a Child offense, or attempt thereof, after **07/01/2010** shall be supervised as lifetime supervision. Community Supervision for Life (CSL) commences immediately upon the expiration of the imposed sentence for the above stated crime whether that is expiring from probation, parole, or imprisonment. Offenders on CSL supervision are supervised under the same conditions as parole sex offenders.
3. **Familial Minor Victims**: For the purposes of this handbook, familial minor victim is defined as a minor victim who is an individual under 18 years of age who is or was a family member related by blood, biology, adoption, or marriage to the offender.
4. **Interstate Travel**: Journey outside the boundaries of the state of Tennessee.
5. **Jurisdiction**: In this instance, an officer's assigned geographic area or county(s) within a region of Tennessee.
6. **Passed Polygraph**: A polygraph in which the overall outcome shows no deception indicated and no compliance issues by the offender in the pre, post and relevant questions portion of the polygraph examination.
7. **PSU Standards of Supervision**: Specialized Standards of Supervision developed to monitor and direct the action of sex offenders under community supervision that allows for both offender success and ensures safety to the community in which the live.

8. Regular Travel Permit: A completed CR-3816 pending giving an offender permission to journey to another Tennessee county(s) or another state.
9. Residence Search: A thorough examination of an offender's residence to ensure the offender is not in violation of any of the specialized conditions for sex offenders, the sex offender registry law or any other state or federal statute.
10. Rules of Supervision: Regulations and special conditions or instructions governing the offender's conduct within the community as set forth in the Court's Probation Order or Certificate or the Board's Parole Certificate.
11. Sex Offender: The term "sex offender" includes sex offenders and violent sex offenders and is broadly defined as an offender with a conviction offense contained within TCA 40-39-202 (20) or (30), and are placed on the TBI Sex Offender Registry.
12. Sex Offender Treatment Verification: For the purposes of this handbook, sex offender treatment verification is defined as an in-person or telephone conversation between the probation/parole officer and the sex offender treatment provider.
13. Significant compliance: For the purposes of this handbook, significant compliance is defined as the absence of offender behaviors or actions that potentially create a risk to public safety and harm to others or oneself. Offenders must achieve significant compliance to move from PSU Secondary to PSU Intermediate upon the approval of the Probation Parole Manager. An example of significant compliance is an offender who meets all specialized conditions of supervision, adheres to the sex offender registry laws, and does not have any violations of supervision. Conversely, a sex offender who consumes alcohol, illegal drugs, or views pornography is engaging in behaviors and actions that hold the potential to place the public or him/her at risk. Actions such as these would not be considered "significant compliance".
14. Tennessee Approved Sex Offender Treatment Provider/Evaluator: a community mental health provider who has been approved by the TSOTB and determined to have met the competency and professional standards requirements to conduct evaluations and/or sex offender treatment in Tennessee.
15. Tennessee Sex Offender Treatment Board (TSOTB): a legislative board established by TCA 39-13-702 that is charged with developing and monitoring the standards and procedures of sex offender treatment and evaluation in the State of Tennessee.
16. Travel Permit: CR-3816 that is used to authorize an offender to journey outside the officer's jurisdiction.
17. Waiver of responsibility: A notarized statement provided to the agency that waives agency responsibility for future criminal acts, after the sponsor has been notified of the offender's criminal history (Parole only).



TENNESSEE DEPARTMENT OF CORRECTION  
**Programmed Supervision Unit**  
**Sex Offender Supervision Levels**

TDOC supervises sex offenders using four specialized supervision levels. These supervision levels are:

1. PSU Primary
2. PSU Secondary
3. PSU Intermediate
4. PSU Transitional

These four supervision levels have benchmarks and specific requirements that must be met monthly. The offender is responsible for meeting the benchmarks and officers must meet the specific supervision requirements. Those requirements are known as *Minimum Monthly Required Interactions*.

Minimum Monthly Required Interactions are one of two actions: Face-to-face contact with the offender or a collateral contact. Face-to-face contact with an offender may be made in either the Probation/Parole Office or it may be in the field. Field contacts may be made anywhere in the community such as the offender's home, job site, treatment facility, friend's house, neighbor's house, or any public or private location away from the Probation Parole Office. Those contacts with the offender occurring in the community are considered "Field Visits".

All offenders supervised under the PSU Sex Offender Standards of Supervision must:

- Submit to objective testing according to supervision standards and/or the clinical recommendation of the approved sex offender treatment provider.
- Sign Consent for the Release of Confidential Information: Sex Offender Treatment and Polygraph, CR-4006.
- Complete a Sex Offender Supplemental Monthly Supervision Report, CR-4009

Objective testing (i.e. Polygraph Exam) is to be conducted in conjunction with sex offender treatment. A signed Release of Information must be maintained in the offender's file in order to speak with the examiner of the test. The polygraph examination can be substituted by another form of objective testing (i.e. Penile Plethysmograph) at the clinical recommendation and discretion of the approved treatment provider. PSU Officers shall request objective testing reports directly from the polygraph examiner or objective testing administrator. If the offender is in sex offender treatment and the TSOTB Approved Sex Offender Treatment Provider has not scheduled the offender for a polygraph or any other form of objective testing, the supervising officer may refer the offender for a polygraph exam only after approval from the PSU District Director. If the offender is not recommended for sex offender treatment or has been recommended as having met all the requirements to no longer attend sex offender treatment, the supervising officer may refer the offender for a polygraph exam with the approval of the PSU Manager.

All offenders determined to be indigent pursuant to TDOC policy and procedures are eligible for an Indigent Sex Offender Treatment Notice CR-3890. Determination of an offender's indigent status must occur within the first 7 days of the offender's intake or return to supervision. The completed CR-3890 must be given to the TSOTB Approved Sex Offender Treatment Provider/Evaluator within 48 hours of the supervising officer being notified of the first appointment with the provider. All indigent form renewals must be completed and given to the provider within 48 hours of expiration. Offenders who are not recommended for treatment and/or no longer attending treatment are not eligible to use the CR-3890 Indigent Sex Offender Treatment Notice for a polygraph exam.

## **PSU PRIMARY**

The PSU Primary level is the highest, most intensive level of supervision for sex offenders. This level is for the highest risk and/or unknown risk sex offender. This is the first level for all PSU offenders new to supervision, regardless of probation, parole, or CSL status.

### **Benchmarks**

1. Risk Assessments
2. Psychosexual Evaluation
3. Sex Offender Treatment Enrollment
4. Objective Testing as determined by the Approved Sex Offender Treatment Provider
5. One-year Time Frame

PSU officers must refer the offender for the initial risk assessment to ensure completion within 30 days of supervision. The VASOR II will be completed at the intake appointment or the first appointment with the PSU Officer. (See Policy #703.02 <\\bi01sdcwf00001\TDOC\DOCS\Policy\700 Policy Series\703-02.pdf> ).

Offenders must establish an appointment with an approved sex offender treatment evaluator for a psychosexual evaluation within the first 30 days of supervision, if the evaluation has not already been completed and received from a TSOTB Approved Evaluator. Offenders must have completed the psychosexual evaluation and, if recommended for sex offender treatment, be enrolled in sex offender treatment with a TSOTB Approved Sex Offender Treatment Provider within the first 60 days of supervision. A copy of the evaluation report must be in the offender's case file and the supervising officer shall review all recommendations of the evaluation to ensure compliance by the offender. The offender must be in compliance with sex offender treatment before being eligible to move down to a lower supervision level.

If an offender is not recommended for sex offender treatment by a TSOTB Approved Evaluator, the offender shall complete a Full Disclosure or Sexual History Polygraph within the first year of supervision. This examination must be conducted by a certified polygraph examiner and scheduled by the offender with the referral of the supervising officer. The purpose of the Full Disclosure/Sexual History Polygraph is to gain a complete understanding of the offending patterns and victimology of the offender in order to supervise the offender in the community in a manner that best ensures public safety. As such, officers shall ensure that no identifying information is given that would identify previous victims of the offender and the polygraph examination report will be used only to ensure appropriate supervision of the offender in the community. The offender must pass the polygraph examination before being eligible to move down to a lower supervision level. Indigent offenders are not eligible for the CR-3890 Indigent Sex Offender Treatment Notice and approval must be given by the PSU Director prior to referring an indigent offender to the examiner. This will not affect moving down supervision levels as long as the offender has met all other benchmark requirements and has made an effort to complete the exam and the polygraph examiner was not available for it to be completed within the required time frame.

Offenders who are recommended for sex offender treatment by a TSOTB Approved Evaluator should complete the first sex offender treatment objective testing (i.e. polygraph examination, penile plethysmograph) within the first year of supervision. The offender must have passed the examination in order to be considered to move down to PSU Secondary. If this testing has not been conducted, the supervising officer shall meet face to face with the TSOTB Approved Sex Offender Treatment Provider to determine the clinical recommendation for this testing as outlined in the offender's treatment contract/plan with the provider. If the testing is not recommended by the provider, the supervising officer shall document with an XPOL in the offender management system with the date and time of the meeting as well as the reason for not requiring the testing. The provider's clinical determination that the testing is not required will satisfy this requirement for TDOC standards. If the provider is attempting to schedule the objective testing but the examiner is not available to complete within the first year of supervision, this will not affect moving down supervision levels as long as the offender has met all other benchmarks.

Offenders who have had this requirement waived by the court as a condition of probation will have a POLT entered into the offender management system and the court documentation placed in the offender case file. Offenders who are determined by the objective testing examiner (i.e. polygrapher) that they are not eligible for the exam due to cognitive, medical, or mental health deficits shall not be required to schedule objective testing. Documentation from the examiner shall be placed in the offender's file and a contact note shall be entered into the offender management system with a POLT contact code. Specific deficits must be noted in the documentation.

All new offenders including probation, parole, and CSL must remain at PSU Primary for at least one year and have all stated benchmarks completed.

<i>Benchmarks for PSU Primary</i>	<i>Time Frame (from date of supervision)</i>	
Risk Assessment	Initial	30 days
	VASOR II	Intake
Psychosexual Evaluation	Appointment	30 days
	Completed	60 days
Sex Offender Treatment	Enrollment	60 days
Objective Testing (if required)	Completed	12 months
All Benchmarks	Completion	1 year

Table 1

### Supervision Standards

Offenders are responsible for meeting the benchmarks of this supervision level. The PSU officer uses the following supervision standards to ensure the offender is meeting these benchmarks and public safety is maintained through the offender's compliance with the conditions of supervision and the law. These standards include the following actions:

- 3 face-to-face contacts per month in the field or office
- 1 home visit per month
- 1 employment verification per month
- 1 fees/special conditions verification per month
- 1 sex offender treatment verification per month
- 1 arrest check per month
- 1 residence search every 3 months
- 1 drug screen every quarterly registration month
- 1 objective testing (if required) annually
- 1 sex offender specific risk assessment during the intake period

It is the offender's responsibility to provide employment, fee payments, and special conditions verification on a monthly basis. Officers will conduct thorough random residence searches once every three months to ensure the offender is in compliance with the supervision and sex offender registry requirements.



<i>PSU Primary Compliance Criteria</i>	<i>Monitoring</i>	<i>Frequency</i>	<i>Minimum Monthly Interactions</i>
Face-to-face	3	every	1 month
Sex Offender Treatment	1		
Home Visit	1		
Employment	1		
Fees/Special Conditions	1		
Sex Offender Registry	1		
Arrest Check	1	every	3 months
Residence Search	1		
Drug Screen*	1		
Polygraph	1	every	12 months

Table 2 (\*Drug Screens are to be completed during Quarterly Registry months of March, June, September and December.)

## **PSU SECONDARY**

The PSU Secondary level is the second highest level of supervision for sex offenders. This level identifies those offenders in the PSU that have completed their first year of supervision and met the PSU Primary benchmarks. High risk offenders who have completed all PSU Primary Benchmarks must be supervised at PSU Secondary for at least one year. Offenders who score moderate high, moderate low or low on the VASOR II risk assessment are supervised at this level for a minimum of six months before they can be considered for a lower level of supervision. Post violation offenders are supervised in this supervision level. Additionally, any offender who has completed PSU Primary and had a revocation upheld in court, before the parole board, or a new charge of violation of SOR or CSL may be placed on this supervision level upon reinstatement of supervision as long as they previously completed all benchmarks for PSU Primary. All warrant on bond offenders are supervised at this level along with GPS Monitoring if the offender has previously completed the PSU Primary level. All sanctions must be completed before consideration will be given for a reduction in supervision level.

### **Benchmarks**

1. Risk Reassessments
2. Objective Testing, if required
3. No Sex Offender Registry Violations
4. Significant Compliance
5. Compliant with Sex Offender Treatment, if required

As with PSU Primary, offenders are responsible for completing their Benchmarks for PSU Secondary before they can be considered for a lower supervision level. If the offender is in sex offender treatment, objective testing is completed at the discretion of the TSOTB Approved Sex Offender Treatment Provider in conjunction with their treatment contract/plan. If the provider does not require the objective testing, the provider's clinical determination that the testing is not required will satisfy this standard. A contact note shall be entered into the offender management system with a XPOL contact code stating the specific determination of the TSOTB Approved Sex Offender Treatment Provider. If the offender was not recommended for sex offender treatment or sex offender treatment is no longer required as determined by a TSOTB Approved Sex Offender Treatment Provider, the offender will be sent for a Maintenance Polygraph Examination after approval from the PSU Manager. Indigent offenders sent for objective testing by the supervising officer are not eligible for the CR-3890 Indigent Sex Offender Treatment Notice and may only be referred with approval from the PSU Director. If required, the offender must pass his/her last two objective testing examinations and be in significant compliance with the requirements of supervision, have no sex offender registry violations within the past year (*registry violation does not*

include the current offense), and be in compliance with sex offender treatment before he or she is eligible for a lower supervision level.

<i>Benchmarks for PSU Secondary</i>	<i>Time Frame (from date of supervision level placement)</i>
Objective Testing, if required	6 months
No Sex Offender Registry Violations	
Significant Compliance	
Compliance with Sex Offender Treatment	

Table 3

### Supervision Standards

The following supervision standards must be met to ensure the offender is meeting the benchmarks for this supervision level:

- 2 face-to-face contacts per month, in the field or office
- 1 home visit per month
- 1 sex offender treatment participation verification per month
- 1 arrest check per month
- 1 employment verification every 2 months
- 1 Special Conditions monitoring every quarterly registration month
- 1 Fee monitoring every quarterly registration month
- 1 drug screen every other quarterly registration month
- 1 residence search every 6 months
- 1 objective testing every 6 months, if required

<i>PSU Secondary Compliance Criteria</i>	<i>Monitoring</i>	<i>Frequency</i>	<i>Minimum Monthly Interactions</i>
Face-to-face (Field or Office)	2	every month	3
Sex Offender Treatment Verification	1		
Home Visit	1		
Arrest Check	1		
Employment	1	every 2 months	
Special Conditions	1	every quarterly month	
Fees	1		
Drug Screen*	1	every other quarterly month	
Residence Search	1	every 6 months	
Polygraph	1		

Table 4 (\*Drug Screens will be completed on Quarterly Registry months of March and September.)

Offender's employment must be verified once every two months. Their fees and special conditions must be verified once per quarter. Officers will conduct thorough random residence searches once every six months to ensure the offender is in compliance with their supervision and sex offender registry requirements.

**PSU INTERMEDIATE**

This is the third level of supervision for sex offenders. This level identifies those sex offenders who have completed benchmarks of the PSU Secondary level of supervision. Offenders who score high on the VASOR II risk assessment, but who have completed at least two years in the PSU and all the required benchmarks, are eligible for supervision at this level. All moderate high, moderate low, and low scoring offenders are eligible for supervision at this level after completing at least 18 months in the PSU and the benchmarks. Offenders who reach the PSU Intermediate level and still have a VASOR II risk reassessment score of high do not qualify for supervision at a lower level. Offender’s whose VASOR II risk reassessment score is moderate high, moderate low, or low qualify for a lower supervision level once benchmarks have been met.

**Benchmarks**

1. Risk Reassessments
2. Significant Compliance
3. No violations during the previous 12 months
4. Objective Testing (pass last 3), if required
5. Completed sex offender treatment or participate in a maintenance program

<i>Benchmarks for PSU Intermediate</i>	<i>Time Frame (from date of supervision level placement)</i>
Objective Testing	6 months
No violations	12 months
Significant Compliance	
Completed Sex Offender Treatment or Participate in Maintenance Program	

Table 5

The offenders must remain in significant compliance with all the requirements of supervision and have no violations for a minimum of 12 months. If the offender is in sex offender treatment, objective testing is completed at the discretion of the TSOTB Approved Sex Offender Treatment Provider in conjunction with their treatment contract/plan. If the provider does not require the objective testing, the provider’s clinical determination that the testing is not required will satisfy this standard. A contact note shall be entered into the offender management system with a XPOL contact code stating the specific determination of the TSOTB Approved Sex Offender Treatment Provider. If the offender was not recommended for sex offender treatment or sex offender treatment is no longer required as determined by a TSOTB Approved Sex Offender Treatment Provider, the offender will be sent for a Maintenance Polygraph Examination after approval from the PSU Manager. Indigent offenders sent for objective testing by the supervising officer are not eligible for the CR-3890 Indigent Sex Offender Treatment Notice and may only be referred with approval from the PSU Director. Each offender must pass his or her last three objective testing exams, if required. Proof of passing the objective testing examinations must be present in the offender’s case file and documented in TOMIS before this benchmark is considered satisfied. Moreover, the offender must participate in a sex offender maintenance program or have completed sex offender treatment as recommended by a TSOTB Approved Sex Offender Treatment Provider in conjunction with the PSU Manager. If the offender has completed sex offender treatment or is required to participate in the maintenance program, the treatment provider must provide officers with signed documentation to be placed in the offender’s case file. Supervisors will enter a contact code in TOMIS indicating their review and approval of the offender’s significant compliance.

**Supervision Standards**

- 1 Face-to-face per month in either the field or the office
- 1 sex offender treatment/maintenance participation per month (if applicable)
- 1 arrest check per month

- 1 home visit every 2 months
- 1 employment verification every 2 months
- 1 fee verification every quarterly registration month
- 1 special condition verification every quarterly registration month
- 1 objective testing every 6 months, if required
- 1 residence search every 9 months
- 1 drug screen annually

<i>PSU Intermediate Compliance Criteria</i>	<i>Monitoring</i>	<i>Frequency</i>	<i>Minimum Monthly Interactions</i>
Face-to-face (office or field)	1	every 1 month	2
Sex Offender Treatment/Maintenance	1		
Arrest Check	1		
Home Visit	1	every 2 months	
Employment	1		
Fees	1	every Quarterly Registration Month	
Special Conditions	1		
Sex Offender Registry	1		
Objective Testing	1	every 6 months	
Residence Search	1	every 9 months	
Drug Screen	1	every 12 months	
Risk Assessment	1		

Table 6

Offenders' employment must be verified once every two months. Fees and special conditions must be verified once a quarter. Officers will conduct thorough random residence searches once every nine months to ensure the offender is in compliance with the supervision and sex offender registry requirements.

### **PSU TRANSITIONAL**

This is the lowest level of supervision for sex offenders. Offenders in this level have demonstrated their capacity to comply with supervision and have either completed sex offender treatment and transitioned to a "maintenance program" or have completed all required sex offender treatment as determined by a TSOTB Approved Sex Offender Treatment Provider with agreement from the PSU Manager. Only offenders who score moderate high, moderate low or low on their VASOR II risk assessment and have completed all benchmarks for the higher supervision levels qualify for supervision at this level. Sex offenders can remain under supervision at this level **IF** they refrain from violating the conditions of their supervision. Additionally, offenders are not required to meet additional benchmarks for this level.

### **Supervision Standards**

- 1 Arrest check per month
- 1 Face-to-face contact either in the field or office every 2 months
- 1 Employment verification every 2 months
- 1 Home visit every 3 months
- 1 Fee monitoring every quarterly registration month
- 1 Special condition verification every quarterly registration month

- 1 Sex offender treatment/maintenance verification every 3 months
- 1 objective testing every 6 months
- 1 Drug screen annually
- 1 Residence search annually

<i>PSU Transitional Compliance Criteria</i>	<i>Monitoring</i>	<i>Frequency</i>	<i>Minimum Monthly Interactions</i>
Arrest Check	1	every month	1
Face-to-face (office or field)	1	every 2 months	
Employment	1		
Fees	1	every Quarterly Registry Month	
Special Conditions	1		
Sex Offender Treatment/Maintenance	1	every 3 months	
Home Visit	1		
Objective Testing	1	every 6 months	
Drug Screen	1	Annually	
Residence Search			

Table 7

Offender's employment must be verified once every two months. Fees and special conditions must be verified once a quarter. Officers will conduct thorough random residence searches once yearly to ensure the offender is in compliance with the supervision and sex offender registry requirements.

## **FLUID SUPERVISION**

Fluid supervision is the movement of an offender through the different levels of supervision based on the offender's compliance and VASOR II risk assessment. The offenders' compliance is a dynamic variable and can change throughout supervision. The risk assessment is a *snapshot* in time or a static variable of the likelihood that the offender could reoffend for that assessment period. These two variables are taken into consideration for moving offenders through supervision levels.

These specialized supervision levels are designed to ensure the offender meets certain benchmarks before he or she can proceed to the next lower supervision level. This ensures the offender has met the evidence-based criteria associated with a reduction in risk. While compliance with the standards of supervision is a factor in the supervision level, it is not a deciding factor. The offender's compliance alone does not justify a reduction in supervision level. The offender must be compliant **and** complete the benchmarks associated with each supervision level before he or she is considered for a lower supervision level. The offender may exhibit non-compliant issues while working on completing the benchmarks in each level. It is of note that the offender's non-compliance lengthens the amount of time the offender spends in each supervision level. Non-compliance is addressed through the use of sanctions and/or revocation processes through the court or the Board of Parole.

Fluid supervision commences in the PSU Primary level. This is the level in which all sex offenders will start supervision. All offenders remain at this level for at least the first year of supervision. In order for the offender to move down to the next level all benchmarks of PSU Primary level must be complete.

At the PSU Secondary level, the offender's VASOR II risk assessment will assist in determining how long the offender will remain on this level. For offenders whose risk was assessed as high, their duration will

be for at least one full year. For offenders whose risk was assessed at moderate high, moderate low, or low, their duration will be for at least six full months.

At the PSU Intermediate level, the offender's VASOR II risk assessment score will determine whether or not the offender will be able to move out of this level. For offenders whose risk is assessed at a score of high, they will not be allowed to move out of the PSU Intermediate Level. All other offenders are eligible for supervision in the PSU Transitional level.

The PSU Transitional level is for moderate to low risk, significantly compliant sex offenders.

## Chapter 2: Sanctions

According to the Behavioral Modification Theory, Social Learning Theory, Administrative Sanction Model, Community Treatment Model, Procedural Justice, Restorative Justice, and Proactive Supervision principles, sanctioning undesirable behavior and rewarding desirable behavior plays an important role in the effective supervision of sex offenders. These underlying philosophies are linked to positive behavior modification (Behavior Modification Theory, Social Learning Theory), reduced technical violations (Proactive Supervision Theory), prevention of serious and/or criminal violations (Administrative Sanction Model, Community Treatment Model), promotion of procedural trust among offenders and the courts (Procedural Justice), and promotion of offender accountability (Restorative Justice) – all of which are risk reduction strategies associated with lower rates of recidivism.

Sanctions are not designed to *punish* an offender. Sanctions are designed to address non-compliance and reduce recidivism. According to current literature and underlying philosophies correlated to positive behavior modification, sanctions must be swift, proportionate, predictable, and consistent in order to impact non-compliant behaviors. Swift sanctioning means that officers must sanction undesirable behaviors as soon as possible after learning/discovering the behavior. Proportionate sanctioning means the sanction must directly relate to the non-compliant behaviors. Predictable sanctioning means offenders know what the sanction will be for every act of non-compliance; and consistent sanctioning refers to the act of sanctioning EVERY known non-compliant act. In other words, no acts of non-compliance remain unaddressed.

Due to the high risk nature of sex offenders, there are fewer sanctions available to this population than that of regular probation/parole offenders. In order to ensure that the sanctions are proportionate, predictable, and consistent, TDOC uses a sanctioning grid. This grid consists of two areas: the violations which would warrant a sanction and the actual sanction that may be imposed.

Technical Violation Sanction Grid		Sanctions										
		Increased Reporting	Restrict Travel	Curfew	GPS Monitoring	Submit Weekly Schedule of Activity	Referral to FSW: drug related issues only	Intervention	30 Day Restriction	60 Day Restriction	90 Day Restriction	ACRC
Nature of Violation	Pornography	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Internet Access without Permission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to participate in Sex Offender Treatment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alcohol or Illicit Drug Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Contact with Minors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Working in Unapproved Employment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to follow lawful instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Search of Residence Refusal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to pay fees or restitution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gang Activity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to comply with GPS rules	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Table 8

For CSL offenders with technical violations, officers find the non-compliant behavior on the left hand column and check the proportionate sanction in the columns across the top. Similarly, officers will use the criminal violation sanctioning grid.

Criminal Violation Sanction Grid		Sanctions		
		Submit Violation Warrant	Proceed with New SOR Charge(s)	Proceed with New CSL Charge(s)
Nature of Violation	Confirmed Child Pornography	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Possession of Illegal Drugs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sex Offender Registry Violations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	New Arrest or Conviction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Weapons in Home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Consistent Non-Compliance after Sanctions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	True Verified Master Tamper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other: Type Other Violation(s).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Table 9

Before any sanction is imposed on sex offenders, officers must obtain the approval of the PSU PPM.

Any offender who exhibits certain compliance issues while in the PSU Secondary or PSU Intermediate levels may have sanctions imposed in an attempt to regain compliance. Those offenders may remain in the current supervision level or be moved up a level as determined by the sanction which is imposed. For

example, if an offender is in the PSU Intermediate level and is found with alcohol while doing a residence search, the officer may sanction the offender to GPS monitoring and be required to supply the officer a schedule of weekly activities. The offender would stay in the PSU Intermediate level.

Moreover, consider the offender who fails to report as instructed. The officer may sanction the offender to GPS monitoring and increase the offenders reporting for 60 days. In this case, the offender's supervision level can be increased to PSU Secondary for at least 60 days. If the offender has come into compliance within the 60 days, the offender's supervision level may be returned to PSU Intermediate at the end of the 60 day time frame.

Offenders in the PSU Primary level who exhibit technical violations may have sanctions imposed. However, sanctions cannot be imposed to increase the level of supervision due to the fact they are in the highest level of supervision. With the exception of PSU Primary offenders, offenders can only progress to the next higher supervision level until such time they become compliant with supervision.

The offender's failure to complete the imposed sanction(s) or their continued non-compliance after sanctions have been imposed will result in a violation report and request for a warrant submitted to the court or the Board. In the case of the CSL offender, officers may seek to charge the offender with new charge of violation of CSL, TCA 39-13-524.

### **Chapter 3: The Containment Model**

A collaborative, multidisciplinary approach to sex offender management is known as the Containment Model. The Containment Model is a nationally recognized, intensive, community-based Probation and Parole model for sex offenders. The Containment Model has three required components: participation by a supervising probation/parole officer, a sex offender treatment provider, and a polygraph examiner. It is also recommended to invite local law enforcement and victim/witness coordinator from the local District Attorney's office to join in for additional input to improve the supervision of sex offenders. These three people, along with the local law enforcement and victim/witness coordinators when available, form the Multidisciplinary Team. This is the core of the Containment Model although additional outside agencies should also be included when needed (i.e. mental health treatment, physicians, etc.)

Communication and collaboration among the members of the team is essential to the supervision of sex offenders. The Containment Model manages the offender in the community and is based on the theory that re-arrest is an inadequate measure of sexual recidivism because most sexual offending goes unreported. Stable employment, financial stability, offender compliance and a pro-social lifestyle are not indicative of reduced risk as it is for other felony offenders. Treatment providers must communicate with the supervising officer regularly about the offender's progress in the program and dynamic risk concerns. It is the primary responsibility of the probation/parole officer to ensure that communication occurs with the treatment provider regularly and remains open to deal with issues that arise during supervision or treatment.

The Containment Model is based on the philosophy that each sexual offense has significant potential for immediate and chronic harm to victims, their families and the community. The majority of sexual offenses are pre-planned acts that are committed within the context of an identifiable pattern integral to the offender's life. The Containment model allows probation/parole officers and sex offender treatment providers to work together in order to effectively identify, monitor, interrupt and modify this pattern. This victim-oriented philosophy for managing offenders consistently assesses the needs of the victim.

The Containment Model focuses on the reality that the sexual deviance of an offender is not necessarily related to the crime of conviction. It is imperative that information is gathered that documents each offender's unique arousal and behavior patterns. This information is used to generate a treatment plan that adequately manages the offender while teaching the offender to think and behave differently. An effective containment model includes plans for each offender that details their offending patterns,



supervision management with small caseloads for probation/parole officers, and normal supervision fees for offenders.

Sex offender treatment must conform to the standards of care established by the Association for Treatment of Sexual Abusers ([www.atsa.com](http://www.atsa.com)) which recommends that offenders should pay for their own treatment. Financial assistance should only be available for offenders who are unable to maintain employment due to medical, physical, intellectual, or psychiatric conditions. The governing board for sex offender treatment is the Tennessee Sex Offender Treatment Board ([www.tn.gov/correction/tsotb/tsofb.html](http://www.tn.gov/correction/tsotb/tsofb.html)).

Polygraph examinations are conducted by examiners who meet special experience and education standards established by the American Polygraph Association. ([www.polygraph.org](http://www.polygraph.org)). It is essential for the Containment Model that each offender be required to complete a full disclosure of their sexual history. It is important for this process that offenders not be expected to self-report information about previous crimes if such information could lead to further prosecution and convictions. As such, it is imperative to assure offenders that any self-reported historical information will be used for supervision and treatment purposes only. Polygraph Examinations for post-convicted sex offenders provides valuable information into challenging the offender's denial of the offenses and the disclosure of sexually abusive activities outside of the crime of conviction. Offenders should pay for their own polygraph examinations and financial assistance should only be available for offenders who are unable to maintain employment due to medical, physical, intellectual, or psychiatric conditions. Offenders who meet the guidelines for indigency should be given an Indigent Sex Offender Treatment Notice (CR-3890) signed by both the offender and the PSU PPM. The form should be provided to the approved Sex Offender Treatment Provider, Polygrapher, and offender, and a copy should be placed in the offender's file. Polygraphers should also be given a Release of Information (CR-3923) signed by the offender and request the examination results be sent to the supervising officer.

A partnership, when available, with local law enforcement agencies and victim/witness coordinators from the local District Attorney's office strengthens the Multidisciplinary Team. Regularly scheduled meetings that discuss the offender's behaviors, compliance, and response to treatment are essential to the success of the Team.

For the Containment Model to be effective, all information gathered during the course of supervision is shared with all members of the team and any other agencies working with the offender.

# PSU Supervision Standards

## Methodology

- CBT based
- Sex offender specific
- Approved treatment providers

- Regular polygraph examinations
- Multidisciplinary teams
- Regular team meetings
- Interagency Financial responsibility
- DNA testing
- Sex Offender Registry
- Confidentiality waivers
- Holds offenders accountable daily



- Probation/Parole intensive supervision
- GPS monitoring
- Specialized Case Loads
- Unanticipated home visits
- Drug screens
- Detailed PSI or PSR
- Employment restrictions
- Clearly defined and consistent sanctioning
- Telephone bill/text message monitoring

Figure 1

## **Chapter 4: Sexual Offender Registry**

As stated in Policy #702.01, sex offenders who are placed on the TBI Sexual Offender Registry must comply with the reporting requirements pursuant to Tennessee Code Annotated § 40-39-203. TBI registration forms require the registrant's signature and disclosure of information, under penalty of perjury, pursuant to T.C.A. § 39-16-702(b)(3).

PSU officers will be NCIC Basic Certified in order to properly use the TBI Sex Offender Registry single entry system.

## **Chapter 5: GPS Monitoring**

According to Policy 704.12, TDOC utilizes GPS technology to monitor sexual offenders under its supervision in a manner consistent with statutory mandates and evidence-based practices to enhance community safety.

Policy states that PSU officers must orient sex offenders to GPS monitoring during the offender's initial meeting with the officer. All registered sex offenders new to community supervision are placed on GPS monitoring for a minimum of 90 days or when ordered by the Court or the BOP or as outlined in Policy #704.12. Upon the offender's initial report to the PSU officer, officers must:

- Enroll the offender in the GPS monitoring system. This is done in accordance with the procedures outlined in Policy 704.13.
- Activate the GPS equipment
- Review the GPS Electronic Monitoring Rules, CR-4010, with the offender and secure signatures
- Identify exclusionary zones for the offender and activate in the GPS tracking software

The offender must be provided a copy of all paperwork related to GPS monitoring. It is important to remember that the offender's GPS fee obligations are documented on the Assessment, Notice of Obligation or Exemption of Fees, CR-3882.

During the period of supervision, any failure of the offender to comply with monitoring requirements is considered a violation and subject to sanctioning up to and including revocation.

### **SANCTIONING**

Sex Offenders who are in non-compliance (except for fees) are placed on GPS for a period specified on the PSU Sanction Grid (CSL) or Policy #704.10 (Probation). After the offender has completed the sanctioning period, GPS may be removed, if the offender does not fit one of the other criteria for being on GPS. GPS as a sanction should not be indefinitely imposed but should be utilized to bring the offender into compliance or result in a submitted violation report. Reasons for the use of GPS as a sanction may include but are not limited to:

- Positive drug screen
- Failure to provide proof of job search for two consecutive months if unemployed
- Failure to attend/ participate in treatment
- Other non-compliance issues that do not rise to the level of requesting a warrant other than financial/non-payment of fees, treatment cost, etc.
- Other appropriate sanction pursuant to policy #704.10.

## **SPECIAL CONSIDERATIONS**

The following offenders are assessed and reviewed on a case-by-case basis for possible GPS monitoring upon approval from the PPM:

- Those allowed jobs requiring travel
- Court ordered Curfews
- No-contact / Orders of protection
- Continued safety concern for victim
- Offenders who have bonded out on a warrant.

## **TRAINING**

All officers responsible for supervision of offenders on GPS will complete the vendor's user training curriculum before initiating GPS duties. PPMs/supervisors are responsible for observing an officer's initial installation to assure he or she has a working knowledge of the procedures prior to the officer conducting installations alone. Partnering new staff with experienced staff is recommended where and when possible.

## **RESPONDING TO ALERTS**

Officers receive alert notifications 24 hours a day, 7 days per week unless other arrangements have been made and approved by the PPM/Supervisor. Officers must respond to Master Tamper alerts immediately and in teams of two (2) or more. Officers must respond to all other alert notifications and document actions taken, according to the steps outlined in the GPS Alert Protocol Guide.

## **RESPONDING TO MASTER TAMPER**

The Officer shall refer to the Global Positioning System Offender Monitoring Policy #704.12 and associated Matrix when responding to all Master Tamper alerts.

## **USE OF THE GPS MONITORING SOFTWARE**

Officers monitor all assigned offenders on GPS through the vendor's website to:

- Ensure that alerts are processed, documented, and confirmed according to the *GPS Alert Protocol Guide* and are closed/ended.
- Review offender movements on the vendor's website, at least once per week, to ensure that tracking of offender movements is occurring and reviewed for any patterns that may need to be addressed. Patterns may include behaviors such as repeated visits to a specific location known to be an area of high drug activity, visits to an undisclosed storage unit under the control of the offender, or revealing an undisclosed residence.
- Monitor that offenders are following instructions such as charging the GPS equipment correctly, abiding by curfews, and going to work.
- Ensure that offenders have schedules entered that, at a minimum, provide a period of time they are required to be at home to keep with their charging schedule, supervision requirements, and work schedule. (Does not apply to homeless offenders).

## Chapter 6: Community Supervision for Life

Offenses requiring CSL supervision after expiration of sentence are Aggravated Rape; Rape; Aggravated Sexual Battery; Rape of a Child or any attempt thereof committed on or after July 1, 1996 as required by TCA 39-13-524. In addition to Aggravated Rape of a Child or attempt thereof committed on or after July 1, 2010. TCA 39-13-524 states that the sex offender's judgment order must be marked to include lifetime supervision. In the event the order is not marked and the court has declined to amend it, TDOC does not have jurisdiction to supervise these offenders.

## Chapter 7: Initial Intake Procedures

Policy #703.03 is the authority on the initial contact with offenders as well as intake procedures. PSU officers must conduct specialized intake procedures with sex offenders that are in addition to Policy #703.03. These additional procedures are outlined in Policy #704.04. Sex offenders must report in person to the probation/parole officer within than 48 hours after release or placement on supervision. New offenders to the sex offender registry have to report within 24 hours. At this appointment, officers perform the following tasks:

- Provide the offender with the Personal Questionnaire to complete prior to the next appointment.
- Take the offender's picture for Face Sheet, TBI Sex Offender Registry, and Veritracks. All photos must meet the guidelines for use in all programs.
- Generate a Probation/Parole ID card and give to the offender by the end of the appointment. The offender's TDOC ID card must be labeled "Sex Offender."
- Fingerprint the offender and/or collect his or her DNA sample, if required, and submit to the TBI. Buccal Swab collection kits are provided by the TBI CODIS Unit for collection of offender's DNA per TCA Code 40-35-321. Officers are not to conduct a DNA swab without first confirming that one has been received by the TBI using the following link for verification: [https://codis.tbi.tn.gov/\(S\(swko3gyfx5nn4qjo3okd055\)\)/login.aspx](https://codis.tbi.tn.gov/(S(swko3gyfx5nn4qjo3okd055))/login.aspx) . This is important to avoid the unnecessary use of swabs, or handling/processing of unneeded duplicate samples. When a sample is taken, the officer shall note this under LCDG Contact Note Code DNAS. A copy of both DNA verification and fingerprints shall be placed in the offender's file.
- Review all intake paperwork with the offender including the offender's Supervision Certificate and Specialized Probation/Parole Conditions for Sex Offenders, fees, fines, court costs as well as any special conditions imposed by the Court/Board and obtain the offender's signature.
- Provide the offender a copy of the Sex Offender Treatment Board Approved Provider List and advice the offender to have an appointment set within 30 calendar days and a psychosexual evaluation completed within 60 colander days.
- Place a photocopy of the offender's driver's license or any other state or federal government issued identification card in the offender's file.
- Give the offender the TN Department of Safety *Sex Offender Declaration and Supplemental Application* and instructed him or her to have the Code 88 placed on any state identification within 60 calendar days. Once obtained, officers will place a copy in the offender file and recorded in contact notes. A copy of this form must be placed in the offender's case file.
- Place the offender on the TBI Sex Offender Registry or update the registry information as required by law (See Chapter 5).
- Place the offender on electronic monitoring (GPS) in accordance with Policy #704.12

- Review the GPS Monitoring rules and procedures with the offender and obtain the offenders initials and signatures in the appropriate places.
- Provide the offender with copies of the intake documents and have the offender check all appropriate sections and sign a copy of the *Sex Offender Acknowledgement of Forms Received* (CR-3828).
- Conduct an arrest records check and NCIC check.
- Complete an initial drug screen.
- Enter the contact notes: FACI, SORI/SORC, and GPSI
- Ensure all paperwork is placed in the offender's case file pursuant to Policy #706.01.
- Refer the offender for the TDOC Risk Needs Assessment
- Make any necessary referrals to the Forensic Social Worker, if applicable

Within 30 days in the intake appointment, the PSU Officer shall complete the VASOR II risk assessment and a Post Sentence Report (PSR) for any sex offender released to probation that did not have a Pre-Sentence Investigation ordered and completed.

## **Chapter 8: Specialized Conditions of Supervision for Sex Offenders**

This section discusses the specialized conditions for sex offenders that have been established for all offenders convicted of sex offenses as defined under Tennessee state law. These specialized conditions are discussed in detail below.

The following conditions have been established for all offenders convicted of a sex offense or violent sex offense as defined in T.C.A. 40-39-202, and are imposed in addition to the conditions all sex offenders must adhere to under T.C.A. 39-13-705, 39-13-706, and the Tennessee Sex Offender Registry codified in T.C.A. 40-39-201 *et. seq.* The requirements/conditions, including but not limited to those, imposed under Tennessee law pursuant to T.C.A. 39-13-706 and 40-39-201 *et.seq.*, cannot be waived by the sentencing court.

1. *I will not purchase or be in possession of any pornographic or sexually explicit materials, including but not limited to: written, printed, photographic/videographic recorded materials, software or sexually explicit movies, television shows, or cable networks. I will not be present at or be employed by any business including but not limited to: adult bookstores, theaters, nude or strip bars, clubs, or areas of prostitution activity, where pornographic materials are openly exhibited.*
2. *If my case necessitates, in the interests of public safety, a prohibition on internet access or if the Court so orders such a restriction, I will not obtain Internet access on any computer, mobile device, or cell phone. Regardless of any prohibition on internet access, I will not utilize any electronic device for any sexually oriented purpose. I further consent to the search of any electronic device, software, or electronic data storage device (including but not limited to computers, hard drives, tables, cell phones) at any time by my Officer.*

Offenders who are not allowed internet access are not permitted to own or possess smartphones due to their ability to access the internet. All offenders who are found eligible for internet use shall sign and

comply with CR-4008 Sex Offender Permission to Use Internet. The signed form is maintained in the offender's case file.

3. *I will not use or possess any alcohol beverage.*

Due to the significant role mind-altering substances play in the offense cycle, such usage is considered a violation of supervision and not tolerated. Any noncompliance with this rule may result in a sanction being imposed to bring the offender back into compliance. Second or subsequent violations, or any violation involving an arrest, will result in a violation report being submitted to the court or the Board. Offenders are not allowed to reside in any residence where alcohol beverages are located. If alcohol is located within the residence, the offender is given the choice to remove the alcohol immediately or change residences. The refusal of either is considered non-compliance and may result in a violation report and request for a warrant being submitted. In the situation of rooming houses, the PSU Officer and PPM must review the offender rules with the landlord and ensure proper procedures are in place to prevent the offender from coming into possession of alcohol.

4. *I will submit to and pay for a polygraph assessment and evaluation as instructed by my Officer.*

Polygraph examinations should be seen as a treatment tool and utilized in accordance with the Standards of Supervision for Sex Offenders. The frequency of polygraph examination is at least annually or as directed by the standards of supervision. Any probation officer requesting a polygraph must have manager approval. Any polygraph or objective testing completed on offenders who are enrolled in sex offender treatment are completed at the clinical discretion of the TSOTB Approved Sex Offender Treatment Provider.

5. *If convicted of an offense against a minor, I will not enter into any contact with any child under the age 18 nor will I date, befriend, reside, or unite with anyone who has children under the age of 18, except if those children are biologically mine, unless further restricted by applicable law or court order. I will report all incidental contact with children to the treatment provider and my Officer.*

Offenders who have been convicted of an offense against a minor are not permitted to date, be friends with, reside, or marry anyone who has a child under the age of 18 regardless of the custody status. The only minors this rule excludes are the biological children of the offender if they are not the victim(s) of the offender. Minor blood, adoptive, and marital relatives of the offender are included under this rule. The term *parent*, as used in this section, is defined in TCA 40-39-202 as "any biological parent, adoptive parent, or step-parent, and includes any legal or court appointed guardian or custodian; however, *parent* shall not include **step-parent** if the offender's victim was a minor less than thirteen (13) years of age."

These restrictions apply to both primary and any secondary residence. A secondary residence is "a place where the person abides, lodges, or resides, or established other living accommodations for a period of 14 or more days in aggregate during any calendar year, that is not the person's primary residence...or for a period of 4 or more consecutive or non-consecutive days in any month..."

Under TCA 40-39-211, if the offender's victim is a minor, the offender may not reside in a primary or secondary residence where minors reside unless the offender is the parent of the minor, with the following exceptions:

- The offender may not live with any minor, including their own children if the offender's parental rights are being or have been terminated.
- The offender may not reside with *any* minor, including his or her own children, if the offender's victim was the minor or adult child of the offender.
- The sentencing court specifically prohibits the offender as a condition of supervision from having contact with the minor child.

6. *I will not enter into contact with anyone who is unable to give consent due to mental, physical, or emotional limitations, unless an adult is present who my Officer and my treatment provider have approved in advance, in writing, to act as a chaperone.*

Offenders, regardless of the age of the victim of their offense, should not have any unsupervised contact with persons who are not able to care for themselves. This includes but is not limited to: elderly individuals with dementia or a debilitating condition that limits their ability to be mobile, any person with a chronic medical or mental health condition and/or a person with cognitive disabilities. This restriction is intended to protect persons who may be vulnerable from being victimized.

## **Chapter 9: Assessment of Risk and Needs**

The STRONG-R Assessment Tool and VASOR II are used in combination to determine the supervision type and any necessary offender referrals. Officers must use all available tools when conducting assessments. These include but are not limited to the criminal history, NCIC, personal questionnaire, offender interview, presentence/post report, psychosexual evaluation, and any available polygraph assessments. Officers must follow Policy #703.02 when conducting risk assessments on sex offenders.

At present, Sex Offenders/Violent Sex Offenders are assessed with the Vermont Assessment of Sex Offender Risk II (VASOR II), an actuarially based and validated risk assessment scale for adult male sex offenders age 18 and older.

The TCUD assessment must be completed on all offenders.

Officers will use the information from the risk assessments in the development of a case plan for each offender. Procedures for case planning can be found in Policy #703.02.

## **Chapter 10: Sex Offender Employment**

### **APPROPRIATE EMPLOYMENT GUIDELINES FOR SEX OFFENDERS**

Employment is critical to the offender's stability, but not all forms of employment are appropriate for sex offenders. Care must be taken concerning the offender's employment to adequately limit the offender's access to potential victims and protect the public, while still assisting in their successful reintegration. In addition to the guidelines listed here, officers must take the individual offender's offense patterns into consideration. Offenders under the supervision of the TDOC are advised at the initial orientation that notifications will be made to sponsors/employer under the guidelines of TDOC policy. Nothing within TDOC policy precludes the offender from informing sponsors/employer about her or his criminal history and supervision status.

#### **Waiver Notifications**

Persons who should receive notification include, but are not limited to:

- Sponsors/Employers who are listed on a Parole Release Plan
- Sponsors/Employer to whom an officer is directly referring the offender for housing or employment
- Sponsors/Employer will be notified if the offender's presence presents a clear opportunity for repetition of a prior criminal act



- Any potential or current sponsor/employer who directly requests information regarding the offender's criminal history.

### **Information which can be provided**

It is important for public safety that the officer notifies a sponsor(s) about the offender's criminal history when the officer is investigating a release plan or other housing or job plan, such as when a sex offender requests to move or take a job. Information given to the sponsor by the officer shall be criminal history information of public record only; Tennessee convictions, sentence, county of conviction and conditions of supervision. Officers may not provide the FBI criminal history, NCIC printouts, TIES printouts, or any other information deemed "confidential for law enforcement use only" to any member of the general public, sponsor or otherwise. Officers must note any information released regarding an offender's criminal history, the name of the person(s) notified, the date and information provided, reasons why the notification was made, and the response of the person(s) notified in the offender's case file.

### **Employment**

Offenders under supervision are advised that the safety of the community is the highest priority in decisions made to notify sponsors/employers. Sex offenders are not allowed to work or reside near parks, playgrounds, schools, daycare centers, recreation centers or public athletic fields available for use by the general public or any place where children congregate. Offenders with minor victims are not permitted to work in any occupation involving children or minors. Occupations which will provide offenders access to personal information regarding customer telephone numbers, home addresses, marital status, age, sex, etc. should be evaluated by the probation/parole officer and PSU manager, after consulting with the sex offender treatment provider, on case by case basis. Any occupation which gives a sex offender direct access to a person's home shall only be approved after the offender's risk has been evaluated by risk assessments, prior record, and through consultation with the sex offender treatment provider. The PSU PPM shall approve all employment that gives offenders direct access to a person's home or personal information and document the decision in a contact note.

Until officers have a clear understanding of a particular offender's risk factors, the offender is not permitted to hold jobs that give him or her access to vulnerable populations, be in positions of authority, or in settings with no adult supervision. Offenders whose crimes are against minors must refrain from vocations or occupations that hold the potential to entice a minor to be in his or her presence and can include but not be limited to:

- Impersonating characters (real or fictional). This is a violation of TCA 40-39-215(a)(1)
- Operating vehicles (such as ice cream truck or emergency vehicle) for the purpose of enticing or attracting minors. This is a violation of TCA 40-39-215(a)(3)
- Engaging in any profession that will cause the offender to be in direct, unsupervised contact with a minor; this is a violation of TCA 40-39-215(a)(2)

Officers must make every effort to investigate an offender's employment offers and approve suitable positions to ensure the sex offender has stable employment. It is acceptable to conduct employment investigations via telephone and during on-site face-to-face contact with the potential employer's hiring authority. Additionally, officers must promptly verify an offender's changes in employment to ensure compliance with the TBI SOR. All employment contacts must be documented in TOMIS with comments to include the name and title of the person contacted and the fact that the employers was informed of the offender's criminal history and restrictions.

### **Assessing a potential job**

Aspects of a potential job placement that officers should consider include the following:

- Type of job. Does the job give offender access to potential victims?
- Type of co-workers and subordinates. Will the offender be working with Minors, Women, Other sex offenders?
- Job location. Does the work location present a particular risk or violate any sex offender statute employment restrictions?
- Travel. Does the job require travel to high-risk areas, areas that are off-limits under sex offender statute restrictions or special conditions? Does it require travel to areas that cannot be reasonably monitored?
- Willingness of the employer to communicate with the officer. Is the employer willing to cooperate and communicate with the officer about the offender's work related behavior? Employment by friend or family member could present risk if the employer may help conceal high-risk behavior.
- Access to technology. Does the offender have unsupervised access to technological equipment that offers the opportunity for inappropriate behavior? Is the employer willing to allow the officer access to equipment that is utilized by the offender?

Once the offender has been under supervision and treatment for a period of time, additional risk factors unique to the offender may present themselves.

It is counterproductive for officers to require an offender to quit a job that existed and was known to the Sentencing Court or Board at the time of sentencing/release, unless the job is in violation of the sex offender statutory restrictions. It is good practice to notify the Court (probationers) or Board (parolees) in writing to advise that the existing employment is not appropriate and cite the reasons for concern, and request permission to instruct the offender to obtain alternate employment.

## **Chapter 11: Sex Offender Religious Practices**

### **WORSHIP PRACTICES**

Offenders may *not* be restricted from attending worship services in the faith of their choice. However, officers can require the offender to supply an itinerary, including the dates and times the offender will attend and the location of the place of worship. The offender must set an appointment to meet with a person in a position of authority or oversight (minister, priest, rabbi, etc.) with that location. Officers shall call the person in authority and inform him or her of the offender's conviction, circumstances of the offense, and the restrictions on activities covered in the Specialized Conditions of Supervision for Sex Offenders and/or state law.

Officers should encourage the person in authority to provide oversight of the offender's activities while present during the religious service. Officer should provide him or her with their contact information to report any concerns or questions, in order to minimize any risk to the public, without infringing on the offender's right to worship. Before permission to attend worship service can be given to the offender, the person in authority must provide TDOC with written verification of the meeting and the offender's restrictions on business letterhead. This verification is maintained in the offender file. Attendance at worship services does not include family style events that occur outside of the worship service.

## **Chapter 12: Sex Offender Treatment**

The Tennessee Sex Offender Treatment Board is charged with developing standards for the treatment and monitoring of sexual abusers. Approved providers are required to follow the protocol that has been developed by the SOTB. The SOTB endorses Association for the Treatment of Sexual Abusers (ATSA) Practice Guidelines for the Assessment, Treatment, and Management of Male Adult Sexual Abusers (2014). Officers shall ensure that offenders required to get sex offender treatment select a provider from the SOTB Approved Provider Directory.

### **THE ATSA GUIDING PRINCIPLES**

- Most individuals who sexually offend will benefit from treatment oriented to reduce the risk of recidivism by using the treatment interventions shown to offer the greatest promise, which are outlined in these Standards and Guidelines.
- Inadequate, inappropriate, or unethical treatment is harmful to the client, damages the credibility of all treatment providers and presents an unnecessary risk to the community.
- Management of the factors that contribute to sexually abusive behavior is a life-long task for many adults who sexually offend.
- Internal motivation may improve an individual's participation in treatment. Although not always the case, many individuals who sexually offend will not request or comply with treatment or supervision requirements without external motivation such as being legally mandated to participate.
- Criminal investigation, prosecution, a court order, or similar directive requiring specialized sexual abuser treatment may be important components of effective intervention and management and may provide impetus for treatment.
- It is advisable to provide specialized evaluation to determine treatment and/or supervision needs before releasing individuals who have sexually offended to the community without treatment.
- Effective management of sexual abusers is enhanced by working collaboratively with probation/parole officers, child welfare workers, clients' support persons, community members, victim advocates, and therapists who work with victims to increase community safety

### **THE OFFICER-TREATMENT PROVIDER RELATIONSHIP**

In keeping with the ATSA guiding principles, constant collaboration between the supervising officer, the treatment provider and others in the community is an important component of PSU practices. All PSU officers are required to keep a continuum of communication with these different groups. Special emphasis should be placed upon the open communication between the officer and the offender's treatment provider, as they are an excellent resource for consultation regarding the offender's current status and can provide valuable insight that can assist the officer in making sound and informed supervision decisions. In order to do this, officers must obtain a release of information from the offender to communicate with the treatment provider about the offender.

It is the officer's responsibility to make every effort to maintain contact and share information with the provider. The provider contact standards may be met by phone or personal contact. The contact should include information regarding the offender's compliance with treatment program, participation level, and progress.

Officers must request a copy of the offender's personal relapse prevention/safety plan he or she developed with the provider during the course of treatment from the treatment provider and maintain this in the offender's file. Although individual acts of sexual offending are very similar in their patterns and victim impact, every offender is different and requires specific safety planning to prevent re-offending. The safety plan is tailored to the offender's personal patterns and encompasses many facets of the relapse prevention plan. The officer's awareness of the offender's plan enhances the officer's effectiveness in working with that individual. The officer shall share with the treatment provider any unusual occurrences (moving, employment changes, change in household composition, polygraph results, etc) or any other concern.

It is critical to preserve the appropriate professional boundaries between the respective roles of treatment provider and probation/parole officer. Officers who are permitted to attend group treatment sessions should attend as *observers*, not as *co-facilitators* or active participants. Officer input should be limited to responding to questions about supervision, clarifying TDOC procedures, etc. An officer's failure to comply with this section can inhibit the treatment process, possibly be construed as practicing without a license, and is outside the scope of the officer's authority.

### **CHAPERONE APPROVAL**

An Offender does not need an approved chaperone to have contact with a minor if:

- The victim of sex offense of conviction is an adult and the offender has no history of child victims and verified by a passed sexual history polygraph and followed by two passed maintenance polygraph examinations.

An Offender can get an approved chaperone for contact with familial minor children if:

- The offender has no familial minor victims as verified by a passed sexual history polygraph and the offender is requesting to have contact with nieces, nephews, and/or grandchildren. The offender must also have passed two maintenance polygraph examinations.
- The offender is in significant compliance and in the PSU Intermediate or Transitional supervision level.

An Offender can get an approved chaperone for contact with a vulnerable adult if:

- The offender has no history of harm towards the adult.
- The offender is in significant compliance and in the PSU Intermediate or Transitional supervision level.

A person can be approved as a chaperone if:

- There is an agreement between the officer, PSU Manager, and approved treatment provider that the person will be able to meet the guidelines established for an appropriate chaperone. A formal meeting will be held with the proposed chaperone to assist in determining the dynamics between the offender and the proposed chaperone.
- Proposed chaperones must have details of the offending patterns and offense dynamics and believe that the offender committed the offense(s).
- Proposed chaperones must be willing to address issues that may arise with the offender and agree not to keep secrets about the offender's risky behaviors.

- Chaperone training must be done by a TSOTB Approved Sex Offender Treatment Provider and must be approved by the PSU manager and the District Director. Training should include knowing and understanding the offender's risks. Proposed Chaperones must be willing to follow the agreement and training provided.
- All contact must be pre-approved by the supervising officer and a follow up must be done with the offender at the officer's next contact detailing the address where the contact took place and who was in attendance. A safety plan is required that is reviewed with the chaperone, PSU Manager, sex offender treatment provider, and supervising officer prior to the contact.
- If the offender is not in sex offender treatment due to successful completion, the previous sex offender treatment provider or local provider (if the previous provider is not available) shall be contacted to complete the chaperone process. If the offender is on probation and sex offender treatment or polygraph examinations were waived by the court, the offender should be counseled regarding requesting permission through the court system.

A person cannot be approved as a chaperone if:

- The proposed chaperone has a criminal history and/or shows signs of criminal, grievance, or distorted thinking.
- The proposed chaperone has an active substance abuse history and/or has passive behaviors that could impair their judgment or ability to confront the offender. Check the dynamics of the relationship to see if there are power/control issues. Spouses, elderly parents, and children do not make good chaperones due to power/control of the offender.
- The proposed chaperone is in denial of the offense or the offender's behavior and/or shows anger at team (officer, provider, etc.) for the supervision of the offender.
- The proposed chaperone believes that the offender's problems are in the past and/or significantly minimizes offender's actions and behaviors.

### **INDIGENT SEX OFFENDERS**

The cost of sex offender treatment is the responsibility of the offender unless he/she is considered indigent. Offenders who qualify for fee waivers pursuant to Policy #705.11 also qualify to have their sex offender treatment fees waived. Officers must complete all fields of the Indigent Sex Offender Notice, CR-3890, and submit to [TSOT.TDOC@tn.gov](mailto:TSOT.TDOC@tn.gov) and the treatment provider with a copy placed in the offender's case file.

**NOTE: Officer must complete a new Indigent Sex Offender Notice every year for offenders who have a "permanent" exemption.** All indigent sex offender notice renewals must be completed within 48 hours of expiration.

### **TERMINATION OF TREATMENT**

The decision to terminate treatment must be approved by the officer, the PSU Manager and the treatment provider. The decision may be considered only after:

- The offender has satisfactorily completed the treatment requirements associated with the offender's specific program
- The offender has no ongoing compliance issues
- The offender has passed a full disclosure polygraph examination

- The offender has passed the two most recent maintenance polygraph or objective testing examinations.

In the event treatment is terminated without support of the polygraph/objective testing examination, officers must document such in the offender's electronic file and indicate the offender's potential risk to the community.

## Chapter 13: Polygraph Examinations

Polygraph examinations are a useful tool for sex offender treatment and maintenance. The supervising case officer along with manager approval or the treatment provider may require the offender to schedule a polygraph examination with a polygraph examiner in order to maintain compliance with the PSU Standards of Supervision. All interactions with the polygraph examiner must be documented.

Officers or the treatment provider may request a polygraph if supervision has provided some indication of possible violations of the offender's relapse prevention plan and/or compliance. A copy of the polygraph report is maintained in the offender's case file. Any polygraph report that indicates the offender is not in compliance with treatment and/or the conditions of supervision, is engaged in high risk behaviors, or indicates deception or is inconclusive must be considered for sanctioning in accordance with PSU Sanctioning Grid.

Any polygraph examination is at the offender's expense unless indigent and an indigency waiver has been approved by the PSU Manager. The Tennessee Sex Offender Treatment Board shall cover polygraph examination costs for any offender who is receiving a polygraph at the standard rate determined by the TSOTB only for those indigent offenders whose polygraph is conducted as a part of treatment under an approved provider. TDOC is not responsible for any portion of the billing procedures beyond providing a letter from the officer and their manager documenting the offender's indigence, which includes the time period for which the offender has been exempted/determined to be indigent, the reason and the expiration of the exemption. Offenders who meet the guidelines for indigency are given an Indigent Sex Offender Treatment Notice (CR-3890) signed by both the officer and the PSU PPM. The form is provided to the Approved Sex Offender Treatment Provider, Polygrapher, emailed to [TSOT.TDOC@tn.gov](mailto:TSOT.TDOC@tn.gov), and a copy placed in the offender's file. Offenders must sign a Release of Information for the polygraphers allowing the examination results to be sent to the supervising officer.

Polygraph examination results are *not* sufficient in and of themselves to pursue violation proceedings. Results may be utilized to enhance the effectiveness of treatment and to increase the officer's awareness of areas of concern, which could impact supervision level or warrant closer scrutiny or investigation.

Polygraph examinations are a useful tool in the supervision of sex offenders; however, they are not the only option of objective testing. TDOC recognizes that other objective measures exist, such as the penile plethysmograph, that provide a more reliable measure of the offender's risk. The method and frequency of such objective testing, including the polygraph exam, for those offenders enrolled in sex offender treatment will be at the clinical discretion of the TSOTB Approved Sex Offender Treatment Provider.

## Chapter 14: Transfer of Supervision

Policy #708.03 outlines procedures for the transfer of supervision for offenders out of the state of Tennessee and Policy #708.01 outlines intrastate transfer procedures. In addition to these procedures Policy #704.04 includes the procedures officers must follow when transferring the supervision of sex offenders.

### **OFFENDERS TRANSFERRING TO ANOTHER STATE**

No offender is allowed to relocate to another state without *advance* notification and approval of the interstate compact authority of the **receiving** state. The offender is to remain in Tennessee until reporting instructions have been obtained from the interstate compact. (Please see ICOTS web portal for status).

Under no circumstances should an offender ever be allowed to leave the state without notification to that area's law enforcement and/or probation/parole authorities. Officers shall expedite the entry of transfer applications into ICOTS in hardship situations, such as when the offender has no residence in Tennessee in order to reduce the length of time the offender must maintain temporary residence.

In the event an offender is allowed or ordered to leave by the sentencing court, the officer is to immediately notify Central Office, which shall forward the Interstate Offender Alert notification to the receiving state. Because TDOC Community Supervision CANNOT issue a travel permit before reporting instructions are received (according to ICAOS Rule 3.101-3 and federal law), the sentencing court should be notified of these mandates in which TDOC Community Supervision must comply. Due to time constraints in receiving reporting instructions, TDOC District Directors or designees should encourage the sentencing courts to avoid the sentencing of sex offenders on Fridays and days that are immediately prior to state holidays. Offenders who proceed in violation of ICAOS rules may jeopardize their ability to transfer and may be required to return to Tennessee.

A Post Sentence Report is required and shall be completed by the sentencing county in instances where a Pre-Sentence Report was not ordered for a sex offender by the court.

Sex Offenders who are currently under TDOC Community Supervision and are being transferred to another state shall report as instructed pursuant to the Reporting Instructions provided by the receiving state. **Notification shall be given prior to departure** by the officer to their district's/agency's assigned ORI# TIES operator by email informing the operator of the offender's known identifiers, travel and arrival date, residence, employer address and vehicle information so that the TIES operator may send a teletype to the receiving/designated law enforcement agency. This is a federal requirement to ensure registered sex offenders are accounted for during their movement or transfer from one registering agency to another. When an offender arrives and updates their registry within the required 48 hours at their new registering agency an automatic notification by AM/SON teletype is sent to the sending TDOC ORI# operator. This allows the sending TIES operator to clear their entry in NCIC on the offender thus dissolving the TDOC operator of validating that offender's NSOR registry information.

### **OFFENDERS TRANSFERRING INTO TENNESSEE**

Standards and conditions for supervising sex offenders apply equally to ISC cases. When discerning the criminal charges of another state to classify an offender seeking residency in Tennessee, the officer should refer to the TBI for the correlative statutes.

All applicants must meet the Tennessee statutes regarding residency and family. Officer conduct an Interstate transfer investigation on sex offenders and must completed it within 10 days of receipt. All incoming ISC applicants who meet TDOC classification standards for sex offenders must be willing to comply with the approved Specialized Probation Conditions for Sex Offenders or Specialized Parole Conditions for Sex Offenders by law and shall, at first contact by a TDOC Community Supervision officer, be advised to schedule a psychosexual evaluation from a Sex Offender Treatment Board approved provider and begin treatment as directed. The offender must fulfill this requirement within 30 days of

arrival. Failure to fully comply is considered a violation and will require officers to forward a violation report to the sending state.

Advance notification is to be given by the sending state prior to arrival. Any violation of this shall require the offender to return to the sending state and remain there until application is resubmitted, unless waived by the State Director. In the event the local probation/parole office is contacted by an offender from another state to report notice of arrival when advance notice has *not* been forwarded to the office by the Tennessee interstate compact authority, the officer is responsible for the following procedures:

- Obtain the offender's name, address, employer, phone number, offense and sending state.
- Refer the offender to local law enforcement for TBI registry.
- Notify Central Office immediately with this information and await further instructions from Central office.
- Forward an Interstate Offender Alert notice to local law enforcement.

### **INTRASTATE TRANSFERS**

Sex offenders are not allowed to relocate without advance notification and investigation of the proposed residence by a probation/parole officer assigned to supervise offenders in that area. All transfer requests for sex offenders seeking transfer from one county to another shall include the following:

- Offender name and TOMIS #
- Proposed Address
- Telephone number of offender
- Reason for Transfer
- Household composition of proposed address
- Employment (if any)
- Sex Offender Registry status
- Type of supervision (CSL, Probation, Parole)
- Conviction offense and length of supervision (to include date supervision began).

Investigations are completed as per Policy #708.01 and shall include a comprehensive home visit investigation to ensure the residence is in compliance with the TBI SOR and conditions of supervision. The receiving district must accept the transfer before the offender can move into that district.

Situations may arise in which the supervising officer has little to no advance notice of the offender's relocation. In such cases the supervising officer should immediately notify his/her supervisor/manager of the situation and make an entry in TOMIS of the events. In a case where the offender resides in another county at the time of conviction, the supervisor/manager shall then contact the respective supervisor/manager to coordinate a home investigation. **The receiving county shall provide "courtesy supervision" to monitor the offender until the investigation can be completed. This investigation should be completed within 3 business days.** The offender shall report to the county of conviction within 24 hours of sentencing and complete the intake process. The Manager or Manager's designee of the sending county shall contact the Manager or Manager's designee of the receiving county and obtain reporting instructions to be given to the offender at the conclusion of the intake. The sending county (county of conviction) shall ensure the offender's SOR update is completed upon arrival/report to the county's field office indicating the offender's address.

In these occurrences, situations may arise resulting in the offender needing to move to another county, the supervisor/manager shall then contact the respective supervisor/manager to coordinate a home investigation. **The receiving county shall provide "courtesy supervision" to monitor the offender until the investigation can be completed. This investigation is completed within 3 business days.** The sending county shall update the SOR in order to assist in the SOR being current. The sending county/office should not change the offender's SOR before the receiving office has been made aware of the offender's transfer. The manager or manager's designee of the sending county shall contact the



manager or manager's designee of the receiving county and obtain reporting instructions to be given to the offender departing for the receiving county. Offenders are placed on GPS for all emergency transfer requests prior to moving to the receiving county and the offender shall be given a travel permit to the receiving county.

Homeless sex offenders shall submit a transfer request when the homeless sex offender has been formally accepted by the shelter into a program, including assigned living space for the offender. Homeless sex offenders wishing to transfer to shelters where the shelter accepts residents daily on a first come first serve basis do not qualify as a basis for transfer.

Supervisors/managers over each county shall coordinate and cooperate to ensure that sex offenders are being appropriately monitored at all times during this transfer process. If the transfer request is denied for any reason, the offender shall be instructed to return to the sending county immediately. A new transfer request may then be submitted by the sentencing county with a new address to be investigated.

Sex Offenders who are currently under TDOC Community Supervision and are being transferred to another county shall be instructed in writing to report within 48 hours after acceptance of the transfer to the TDOC Community Supervision office that has accepted the transfer request. **Notification shall be given prior to departure** by the officer to their district's/agency's assigned ORI# TIES operator by email informing the operator of the offender's known identifiers, travel and arrival date, residence, employer address and vehicle information so that the TIES operator may send a teletype to the receiving/designated law enforcement agency. This is a federal requirement to ensure registered sex offenders are accounted for during their movement or transfer from one registering agency to another. When an offender arrives and updates their registry within the required 48 hours at their new registering agency an automatic notification by AM/SON teletype is sent to the sending TDOC ORI# operator. This allows the sending TIES operator to clear their entry in NCIC on the offender thus dissolving the TDOC operator of validating that offender's NSOR registry information.

Upon acceptance of the transfer request, the sending Officer shall complete the case file and submit to supervisor/manager for approval as soon as possible. The sending Manager shall then forward the file to the receiving Manager. Once the file is received by the Manager in the receiving county, that Manager will make the appropriate TOMIS movements. A Post Sentence Report is required and shall be completed by the sentencing county in instances where a Pre-Sentence Report was not ordered for a sex offender by the court. The post report should be completed and sent to the receiving county no later than 30 calendar days.

When an offender enters into a Residential Treatment Program (RTP) located in another county, the officer shall notify the supervisor/manager who shall notify the manager of the respective county. The manager of the county where the program is located shall designate an officer to be responsible for any SOR reporting requirements during the offender's stay, if the stay will be more than 14 days. The RTP shall be considered a secondary residence. Such placements that are anticipated to last more than 90 days shall have the staff assignment transferred.

When an offender enters a State approved Halfway House or RTP as a primary residence, the offender shall be opened by or transferred to an officer in that jurisdiction.

Decisions made during investigations and transfer processes should always be based on the best interest of community safety and offender success.

All transfer denials must be approved by a manager.

## Chapter 15: Home Visits and Searches

All search procedures of offender's person, residence, and other property are outlined in Policy #703.22. Programmed Supervision Unit officers are responsible for routinely searching offender residences on a schedule determined by the sex offender's level of supervision as described in Policy #704.04.

### **INITIAL RESIDENCE VERIFICATION**

Officers can deny a sex offender's proposed residence when:

- The residence is in an exclusionary zone as defined in the TBI Sex Offender Registry Law (T.C.A. 40-39-203)
- The victim resides in the proposed residence
- The offender has a history of offending against children and there are children under age 18 in the home, unless the offender is the legally recognized parent of the child/children and TDOC, the Court, or BOP approve the contact
- The family or occupants of the residence refuse to accept the offender
- The proposed residence conflicts with any condition of release or supervision
- Any other instances where community safety is at risk.

### **RESIDENCE SEARCHES**

Much like the home visit, residence searches are an effective tool to ensure that the offender is compliant with all the requirements of both supervision and the TBI Sex Offender Registry Law. Given the strict standards and regulations in dealing with sex offenders, simple walk-throughs of the offender residence are not enough to ensure compliance. Officers need to look for any items or materials that would place the offender in violation of the special conditions for sex offenders or the sex offender registry law. For that reason, residence searches are executed in the following means:

As a general rule, residence searches are to be unannounced and should vary in time and day of visit. Officer safety is of utmost importance when conducting residence searches. Policy #704.04 requires officers to work in teams of at least two (2) anytime a residence search is being conducted and when possible, enlist the help of local law enforcement or OIC. Officers should be aware of their surroundings when conducting residence searches. Officers should be aware of any animals when arriving at the home as well as make mental notes of any outbuildings or vehicles on the property. Offenders must be present in order for the residence search to be conducted.

Officers shall conduct the search in the following manner:

- One officer is to stay with the offender and other occupants in the residence in a central location in the dwelling while the search is being conducted
- Second officer should conduct room-by-room search.
- Officer should begin their search at a fixed point in the room and work from top to bottom, left to right.
- Any violations found need to be thoroughly photographed prior to moving or picking up the item or violation.

- If evidence is found that indicates a violation of supervision or criminal activity, officers must follow procedures outlined in Policy #703.22.

Any technical violations such as alcohol or pornography can be disposed of by the offender after they have been photographed and documented.

Officers should search as much of the residence as permitted, but at a minimum, the offender's bedroom, common areas (living rooms, dens, and kitchen), vehicle(s), and bathroom. In cases where the offender resides with family members or roommates, officers should gain permission from the other person before conducting the search. If permission is not given, then the offender will be instructed that the residence is no longer approved. The offender will be instructed to find a residence that will comply with the search requirements of supervision.

Officers can also search with caution the Internet History on any computer in the residence and the offender's personal telephone. If the computer does not belong to the offender, permission from the owner must be obtained before accessing the computer. If permission is not granted, officers must at a minimum inquire as to the access limitations of the computer. Officers should ask and verify that the computer is password protected to ensure the offender is not able to access the computer. In the event that child pornography is found, the officer must immediately suspend the search and notify local law enforcement of the findings. The officers must ensure the scene remains untouched until local law enforcement arrive. **Under no circumstance should the officer photograph any of the findings.**

### **HOME VISIT WHERE RESIDENCE SEARCH IS NOT CONDUCTED**

The home visit is a means to ensure that the offender is compliant with all the requirements of both supervision and the TBI Sex Offender Registry Law. The strict standards and regulations in supervising sex offenders require each home visit to include at minimum, walk-throughs of the offender's residence where a plain view search is conducted to ensure compliance. Officers should look for any items or materials in plain view that would place the offender in violation of the specialized conditions for sex offenders or the sex offender registry law.

Home visits should be unannounced and should vary in time and day of visit. Officer safety is of utmost importance when conducting home visits. Officers shall work in teams of at least two (2) officers anytime a home visit is being conducted. Officers should be aware of their surroundings when conducting home visits. Officers should be aware of any animals when arriving at the home as well as make mental notes of any outbuildings or vehicles on the property. Offenders must be present in order for the home visit to be conducted.

Please refer to the PSU Standards of Supervision for Sex Offenders chart (Appendix A) for frequency of residence searches.

## **Chapter 16: Travel Permits**

Policy #705.02 governs the issuance of travel permits for offenders under TDOC Community Supervision. Due to the elevated risk to public safety posed by sex offenders, PSU officers must take extra precaution when issuing travel permits to sex offenders. These procedures are found in Policy #704.04 and are discussed below.

### **REQUIREMENTS FOR PSU TRAVEL PERMITS**

No action within this section shall take the place of or supersede strictly following the *International Travel of Registered Sex Offenders*, or the *NCIC Entry and Validation for Registering Agencies*, or *Notification*

*to Out of State Jurisdictions on Offender Movement* within the *Standard Operating Procedures* of the Tennessee Board of Investigation (TBI). In instances where any of these procedural criteria are met, then those procedures shall be followed accordingly.

A sex offender pending an out-of-state transfer application/request shall not be issued a travel permit unless the offender's request for transfer of supervision has been approved, or reporting instructions have been issued, by the receiving state. All sex offender travel permits must be submitted for approval by the Courts in regards to probationers and the Director of Field Services in regards to parolees, ISCs, and CSLs (community supervisions for life).

Officers must limit non-essential travel not related to work, treatment, or daily living activities. When considering travel permits for sexual offenders, officers must take into consideration the offender's level of compliance, progress with sex offender treatment, and most recent polygraph examination results.

Required information for a sex offender travel permit request:

- A summary of the officer's investigation into the travel plans, which contains the Offender's current compliance level, including any type of supervision fee arrearages, special conditions, and treatment participation.
- If employment related, officer's verification of the travel plans and purpose, confirmation from employer of work-related travel, and the method by which the officer has verified the authenticity of the business.
- The results of consultation with the offender's treatment provider and a copy of the offender's safety plan. Offenders who have been successfully discharged from treatment shall require notation of the date treatment was completed.
- If the trip involves a stay at a hotel, motel, or similar establishment, and the offender's victim was a minor, the officer shall contact the establishment to inquire if any there are any special events or activities involving children scheduled on site during the time of the offender's stay (ex: church youth convention, cheerleader camp, youth sports tournament).
- If the offender has a minor victim, and is staying in private residence, the officer shall contact that person to inquire as to whether there will be children present, whether the residence is in close proximity to any restricted areas (schools, parks, recreation areas).
- The offender's anticipated itinerary for the duration of the stay.
- The victim(s)'s current location, if known.

Temporary use of GPS during the period of travel shall be used if there are particular concerns. (Ex: The offender is returning to his home state for his mother's funeral and his victim lives in the same town. There are concerns he could attempt contact with the victim, so GPS is initiated and an exclusion zone established around the victim's residence). The officer shall indicate that the offender is required to notify local law enforcement upon arrival, get the permit signed, and return the signed permit to the officer upon return.

The officer shall submit the travel request, summary, itinerary, and other documentation with the offender's case file to the Manager/Supervisor for review. The Manager shall review the case file, contact notes, summary and itinerary and determine if any additional information is needed. If the travel plan meets with the manager's approval, the manager will sign the permit, and the permit, summary, and itinerary shall be sent by the manager to the Director of Field Services (or designee) for review, if CSL, parolee, or ISC. The officer will present the travel permit, summary, and itinerary to the Court, if for a probation case.

In the event of a dire emergency such as imminent death of an immediate family member, the office manager may determine approval after investigating the validity of the situation. If approval is given, notification must be sent to Central Office the next business day as to the circumstances of the emergency.

CSL and parole travel permits shall be reviewed by the District Director (or designee). The District Director (or designee) shall evaluate the summary, itinerary, and determine if further information is required, or if travel permit is denied/approved. Approved travel permits will be returned to the officer or an email indicating basis for denial or any need for further information.

It is important to remember that travel permits should never be authorized for sex offenders for a period in excess of seven days unless a longer period is approved by the officer and the PSU Manager with consultation with the treatment provider. If extended travel is approved, the offender must report to the local jurisdiction to determine if sex offender registry is required.

Officers may deny travel permits based on any concerns noted by the treatment provider and/or PSU officer/manager.

All travel permit requests must be documented in the offender's electronic file.

## **Chapter 17: Investigative Reports**

Tennessee statutes are very specific in the information to be included in the investigative reports for sex offenders. The *Investigative Reports Handbook* and Policy #702.05 outline the information PSU officers must include in the each type of report. Further, the following forms are necessary and/or available to assist in the investigation and writing of reports for sex offenders.

- Investigative Report Cover Sheet, CR-3850, see TDOC Intranet
- Release of Information, CR-3923, see TDOC Intranet
- Victim Impact Statement, CR-3926, see TDOC Intranet
- Notification to the Victim, CR-3929, see TDOC Intranet
- Personal Questionnaire and Statement, CR-3883, see TDOC Intranet
- Investigation Worksheet, CR-3928, see TDOC Intranet
- Court Referral, CR-3939, see TDOC Intranet
- Sex Offender Investigation Worksheet, CR-3924, see TDOC Intranet

## **Chapter 18: Parole Release Plans for Sex Offenders**

Policy #702.30 outline procedures for the completion of parole release plans for all felony offenders. Policy #704.07 requires additional parole release plan requirements. These requirements are discussed below.

## **CSL RELEASE PLANS**

CSL Release Plans are outlined in Policy #704.07 Community Supervision for Life

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Managers should monitor the TBI report and start investigation of CSL Release Plans 120 days from proposed expiration. This includes sending an officer to the institution to meet with the offender and review all rules and forms related to sex offender supervision. A full investigation of the proposed residence shall be conducted including a face to face meeting with any residents in the home to review the offender's rules of supervision. All efforts should be made to release the offender to appropriate housing in order to minimize the offender's risk in the community. Any offender who is reporting to be released from the institution as homeless must be reported to the PSU Director and the PSU Correctional Administrator.

Officers must instruct the offender upon his/her release to report within 48 hours to his or her probation/parole officer and provide the offender with the address and telephone number of that office. If the CSL offender's proposed plan does not meet the requirements of sex offender residency restrictions outlined in TCA 40-39-211, the assigned officer shall notify the IPPO to obtain an alternate plan. As a last resort, if no plan can be developed after exhausting all other options, and the offender is going to be homeless, the case shall be assigned to the county of conviction. A homeless shelter address may be given as a residence plan only if the offender has been formally accepted by the shelter into a program, including assigned living space for the offender. Shelters accepting residents daily on a first come basis does not satisfy this requirement.

At the initial intake, the probation/parole officer (PPO) shall follow Policy #703.03 and Policy #704.04. Additionally, Policy #704.07 requires officers to review the conditions as stipulated in the Community Supervision for Life release certificate with the offender. The officer shall further advise the offender of the following:

- It is a new offense to knowingly violate a condition of community supervision for life. If such conduct violates the condition without being a criminal offense, such violation is a Class A misdemeanor.
- If such conduct constitutes a misdemeanor, such violation shall be a Class A misdemeanor.
- If such conduct also constitutes a criminal offense, classified as a felony, such violation is a Class E felony.
- Each condition violated constitutes a separate violation.

## **Chapter 19: Violations / New Charges for CSL and SOR**

### **VIOLATION PROCEDURES FOR CSL**

As the original Probation or Parole sentence is expired, a different violation process applies for Offenders convicted of CSL eligible offenses. Violations of CSL are considered to be a new offense, and therefore the process is one of prosecution. The Probation/Parole officer shall follow the instructions of the District Attorney General of the county in which the violation occurred regarding the method of prosecution. Officers should review TCA 39-13-526 (d)(1) and (2) for further instructions regarding the appropriate prosecution venue and the officer's role in initiating CSL prosecution.

A violation of any of the rules of CSL such as failure to maintain employment or changing residence without permission is charged as a class A misdemeanor, a new offense committed by an offender is

charged as a class E felony if the new offense is a criminal offense classified as a felony. Per TCA 39-13-526: "The venue for a violation of community supervision shall be in the county where the person was being supervised at the time of the violation and this venue shall include those persons placed on supervision in this state but who are being monitored in another state." In all cases the PPO will follow the local rules and guidelines of the Court.

## **INVESTIGATION OF SEXUAL OFFENDER REGISTRY VIOLATIONS**

Offenders found to be in violation of The Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004 (TCA 40-39-210) will be prosecuted by the officer in the court in which the violation occurred or through direct presentment to the grand jury in the county in which the violation occurred. Any violation of the SOR is charged as a class E felony.

When conducting an investigation for the violation of the sexual offender registry, the officer must first determine what kind of violation is being investigated. Registry violations can be classified as either reporting violations or criminal violations. The Officer will use the District Attorney's preference as to how to present charges (i.e. grand jury or sessions warrant). The officer will gather information for the violation and build an investigation file based on what type of violation is being investigated.

### **Reporting Violations**

Reporting violations are classified as those violations that are committed by an offender failing to register or report any required information that is contained on the registry. Officers must print the most recent signed copy of both the SOR Instruction Form and SOR as evidence of the violation. Officer will collect evidence to prove their violation in addition to the SOR material. Evidence collected should include, but not be limited to any information regarding unregistered addresses, unregistered vehicles, scheduled report etc.

### **Criminal Violations**

Criminal violations are classified as those violations that are committed by an offender such as residing with minors or any other activity that is prohibited by registry law, but not listed on the registry as a registry item. Officer must print the signed SOR Instruction Form as evidence that the offender has knowingly violated the SOR law. Officer will then collect evidence to prove their violation included but not limited to names of minors, names of minor's guardians, date violation occurred, names and addresses of witnesses to the alleged violation, etc.

It is essential to have certain documents in order to properly investigate and prosecute a sex offender registry violation. Officers should construct an investigation file consisting of the following:

1. Signed SOR Instruction Form
2. Signed Recent Registry
3. Copy of Specific Registry Law Violated
4. Any other gathered evidence

For those areas where the District Attorney and/or the PPO present to the Grand Jury:

1. The officer shall prepare a report outlining the official version of the original offense, offender's supervision history, and the specific nature of the violation(s). The DA may have a preference as to format.
2. Officers are not to use the violation of probation report form. Phraseology of probation or parole violation reports such as "revocation" or "reinstatement of suspended sentence" are not

applicable to a CSL or SOR, so they shall not be used. The term "Defendant" should be used in place of offender.

3. Care should be taken to cite the correct rule numbers or TCA and wording from the offender's CSL certificate or SOR in the writing of the report.
4. The report shall be submitted to the PSU PPM for approval.
5. The report shall be submitted with a cover letter to the District Attorney General's office in the county in which the offender was supervised. For those offenders whose supervision has been transferred to another state, this is the location of the officer who transferred the case.

For those areas where the PPO swears out an affidavit of complaint with General Sessions Court:

1. The PPO shall prepare an affidavit of complaint outlining the official version of the original offense, offender's supervision history, and the specific nature of the violation(s).
2. The affidavit of complaint shall be submitted to the PSU PPM for approval.
3. The approved affidavit of complaint shall be presented along with a copy of the CSL certificate or SOR to the General Sessions Court and a request made for the offender's arrest and prosecution. It is recommended that the officer also have a copy of the CSL statute or SOR TCA available, should the Court have need of it during the proceedings.

### **Presentment to the Grand Jury**

Should the PPO be required to present a new offense to the Grand Jury, or if the offense is bound over to the Grand Jury after hearing in General Sessions Court, the PPO must be prepared to present the case. Prior to the Grand Jury date the PPO will prepare two copies of the case file to include all documents, statements or photos obtained, and a detailed brief of the incident. The PPO should include in the files any copies of the signed CSL certificate, Specialized Conditions for Sex Offenders, SOR updates, or TBI instructions as applicable. It is often helpful for the PPO to include in the file any applicable TCA or CSL case law. The PSU PPM will review the file for accuracy and completeness, and when approved the PPO will submit a copy of the file to the D/A. The PPO will arrive at the Grand Jury room well prior to the scheduled time, be dressed appropriately for the hearing, and will have reviewed the material and be ready to answer in questions that arise from the jury.



## Appendix A

Supervision Level	Compliance Criteria Monitoring Frequency Per Month												Minimum Monthly Interactions
	Face-to-Face	Home Visits	Collateral	Employment	Fees/Special Conditions	Drug Screening	Sex Offender Registry	Sex Offender Treatment	Residence Search	Polygraph	Arrest Check	Risk Assessment	
<b>PSU Primary</b>	3/1	1/1	1/1	1/1	1/1	1/3	1/3	1/1	1/3	1/6	1/1	1/12	<u>5 Total</u> 3 Face-to-Face 2 Collateral
<b>PSU Secondary</b>	2/1	1/1	1/2	1/2	1/3	1/6	1/3	1/1	1/6	1/6	1/1	1/12	<u>4 Total</u> 2 Face-to-Face 2 Collateral
<b>PSU Intermediate</b>	1/1	1/2	1/2	1/2	1/3	1/12	1/3	1/1	1/9	1/6	1/1	1/12	<u>2 Total</u> 1 Face-to-Face 1 Collateral
<b>PSU Transitional</b>	1/2	1/3	1/1	1/2	1/3	1/12	1/3	1/3	1/12	1/6	1/1	1/12	<u>1 Total</u> 1 Collateral
<b>Administrative</b>	Absconder, Deported, Detainer, In Custody on TDOC sentence, Inter-State Compact outgoing, Judicial Suspension of Supervision, Residential Treatment Placement, Suspension of Direct Supervision, Warrant											Status (Interactions as Needed)	

## Appendix B – TOMIS Compliance Requirements

	Func	Standard	Types	Frequency	Months	End Code
PSU PRIMARY		ARR	ARREST CHECK	1	1	
		DRU	DRUG SCREEN	1	3	
		EMP	EMPLOYMENT VERIFICATION	1	1	
		FEE	FEE MONITORING	1	1	
		HOMF	FACE TO FACE HOME VISIT	1	1	
6P1		SPE	SPECIAL CONDITION MONITORING	1	1	
		SOT	SEX OFFENDER TREATMENT	1	1	
		RES	RESIDENCE SEARCH	1	3	
		POL	OBJECTIVE TESTING	1	12	
		FAC	"FACE RELATED CODES"	3	1	

	Func	Standard	Types	Frequency	Months	End Code
PSU SECONDARY		ARR	ARREST CHECK	1	1	
		DRU	DRUG SCREEN	1	6	
		EMP	EMPLOYMENT VERIFICATION	1	2	
		FEE	FEE MONITORING	1	3	
		HOMF	FACE TO FACE HOME VISIT	1	1	
6P2		SPE	SPECIAL CONDITION MONITORING	1	3	
		SOT	SEX OFFENDER TREATMENT	1	1	
		RES	RESIDENCE SEARCH	1	6	
		POL	OBJECTIVE TESTING	1	6	
		FAC	"FACE RELATED CODES"	2	1	

	Func	Standard	Types	Frequency	Months	End Code
PSU INTERMEDIATE		ARR	ARREST CHECK	1	1	
		DRU	DRUG SCREEN	1	12	
		EMP	EMPLOYMENT VERIFICATION	1	2	
		FEE	FEE MONITORING	1	3	
		HOMF	FACE TO FACE HOME VISIT	1	2	
6P3		SPE	SPECIAL CONDITION MONITORING	1	3	
		SOT	SEX OFFENDER TREATMENT	1	1	
		RES	RESIDENCE SEARCH	1	9	
		POL	OBJECTIVE TESTING	1	6	
		FAC	"FACE RELATED CODES"	1	1	

	Func	Standard	Types	Frequency	Months	End Code
PSU TRANSITIONAL		ARR	ARREST CHECK	1	1	
		DRU	DRUG SCREEN	1	12	
		EMP	EMPLOYMENT VERIFICATION	1	2	
		FEE	FEE MONITORING	1	3	
		HOMF	FACE TO FACE HOME VISIT	1	3	
6P4		SPE	SPECIAL CONDITION MONITORING	1	3	
		SOT	SEX OFFENDER TREATMENT	1	3	
		RES	RESIDENCE SEARCH	1	12	
		POL	OBJECTIVE TESTING	1	12	
		FAC	"FACE RELATED CODES"	1	2	



TENNESSEE DEPARTMENT OF CORRECTION  
**Programmed Supervision Unit**

**Appendix C - Forms**

TDOC Forms relevant to the supervision of sex offenders

Assessment, Notice of Obligation or Exemption of Fees, CR-3882

Release of Information, CR-3923

Indigent Sex Offender Treatment Notice, CR-3890

Sex Offender Acknowledgement of Forms Received, CR-3828

Global Positioning System Monitoring Rules, CR-4010

Specialized Probation Conditions for Sex Offenders, CR-3827

Specialized Parole Conditions for Sex Offenders, CR-3833

Programmed Supervision Unit Sanctioning Form, CR-4007

Sex Offender Permission to Use Internet, CR-4008

Sex Offender Supplemental Monthly Supervision Report, CR-4009

Consent for the Release of Confidential Information: Sex Offender Treatment and Polygraph, CR-4006

Sex Offender Investigation Worksheet, CR-3924

Non-TDOC Forms relevant to the supervision of sex offenders

TSOTB Providers <https://www.tn.gov/content/dam/tn/correction/documents/ProviderDirectory.pdf>

Tennessee Sexual Offender/Violent Sexual Offender Registration/Verification/Tracking Form

Sexual Offender Declaration and Supplemental Application

Tennessee Bureau of Investigation Sexual Offender/Violent Sexual Offender/Violent Juvenile Sexual Offender instructions Form



# State of Tennessee

## PUBLIC CHAPTER NO. 598

### HOUSE BILL NO. 1811

**By Representatives Hawk, Casada, Crawford, Jones, Gilmore**

**Substituted for: Senate Bill No. 2235**

**By Senators Norris, Watson, Swann**

AN ACT to amend Tennessee Code Annotated, Title 40 and Title 41, relative to notification of crime victims and victim representatives.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-28-505(b)(4), is amended by deleting the subdivision in its entirety and substituting the following:

(4) The victim or the victim's representative who has requested notification of the date and place of the scheduled hearing or notice of the board's final decision. However, at any time, the victim or victim's representative may withdraw the request for notice by sending the board a written notarized statement that the request for notice is withdrawn or, if the victim or victim's representative is registered with the state's electronic victim notification system, by cancelling that registration in the system.

SECTION 2. Tennessee Code Annotated, Section 40-28-505(e), is amended by deleting the subsection in its entirety and substituting the following:

(e) Any notice required to be provided to the victim or victim's representative by this section shall be mailed to the last known address of the victim or the victim's representative unless the victim or victim's representative is registered with the state's electronic victim notification system, in which case the notice shall be communicated to the victim or victim's representative by the method or methods indicated by the registration in the system. It is the responsibility of the victim or victim's representative to provide the board a current mailing address.

SECTION 3. Tennessee Code Annotated, Section 40-38-103(b), is amended by deleting the subsection in its entirety and substituting the following:

(b) Upon the request of a victim of violent crime involving serious bodily injury or death of a relative, the victim shall be supplied information and a request form by the law enforcement agency responsible for the investigation of the crime or the arrest of the defendant, the sheriff or other custodian of the defendant, or the victim-witness coordinator as to how the victim or relative of a victim may request and secure notification of the release from custody of an offender from a jail or detention facility prior to trial. The jailer, sheriff, or other custodian of criminal offenders shall maintain a physical or electronic record or file of the victim's request for notification and, prior to the release of an offender about whom a notification request has been made, give immediate and prompt notice of the release to the requesting victim or family member of a victim by the most direct means available, including telephone, messenger, or telegram; provided, that if the victim or family member of a victim is registered with the state's electronic victim notification system, the notice required by this section shall be communicated by the method or methods indicated by the registration in the system. Any identifying information contained in the request forms shall be confidential. For purposes of this subsection (b), "identifying information" means the name, home and work addresses, telephone numbers, email address, and social security number of the person being notified or requesting that notification be provided.

SECTION 4. Tennessee Code Annotated, Section 41-21-240(a), is amended by deleting the subsection in its entirety and substituting the following:

(a) At least ninety (90) days prior to the date an inmate serving a felony sentence of two (2) or more years in a facility operated by or under contract with the department of correction is scheduled to be released by reason of expiration of that inmate's sentence, any victim or victim's representative who complies with subsection (b) shall be given notice by the department of the tentative date of the inmate's scheduled release and that the date is subject to change as a result of the award or loss of sentence credits and other factors. The notice required by this section shall be in writing, unless the victim or victim's representative is registered with the state's electronic victim notification system, in which case the notice shall be communicated to the victim or victim's representative by the method or methods indicated by the registration in the system. The department's responsibility to provide this notice at least ninety (90) days prior to the tentative date of the inmate's scheduled release upon expiration is contingent upon the department's receipt of all relevant sentencing information within that time period.

SECTION 5. Tennessee Code Annotated, Section 41-21-240(b), is amended by deleting the subsection in its entirety and substituting the following:

(b) In order for a victim or victim's representative to be notified as provided in subsection (a), the victim or victim's representative must either send the department a written statement requesting notification and providing the address at which notification is to be made or register with the state's electronic victim notification system and specify the method or methods available within the system for communication of the notice. At any time a victim or victim's representative may withdraw a request for notification by sending the department a written notarized statement that the request for notification is withdrawn or, if the victim or victim's representative is registered with the state's electronic victim notification system, by cancelling that registration in the system.

SECTION 6. Tennessee Code Annotated, Section 41-21-240(c), is amended by deleting the subsection in its entirety and substituting the following:

(c) Pursuant to subsection (b), the notification required by subsection (a) shall be sent to the address provided by the victim or victim's representative if the notification is requested by written statement, or shall be communicated to the victim or victim's representative by the method or methods indicated by the registration in the state's electronic victim notification system if the victim or victim's representative is registered with that system. It is the responsibility of the victim or the victim's representative to provide the department with a current mailing address or other means of communication indicated in the electronic victim notification system registration.

SECTION 7. This act shall take effect July 1, 2018, the public welfare requiring it.

HOUSE BILL NO. 1811

PASSED: March 12, 2018

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

  
\_\_\_\_\_  
RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 23<sup>rd</sup> day of March 2018

  
\_\_\_\_\_  
BILL HASLAM, GOVERNOR

Applicable ACA Standards for Electronic Monitoring (as a form of release/supervision)

Based on Standards for Adult Correctional Institutions 4th Edition

#### Section G: Release

##### Temporary and Graduated Release

4-4443 All temporary release programs should be staffed and funded adequately and operated according to a detailed written plan. Participation should be restricted to inmates who are eligible for release within one year and others deemed suitable, and selection should be based on an assessment of the potential benefits to the inmate and the safety of the community.

4-4444 When possible, provision should be made for work or study release, extended visits to family and community, or placement in a pre-release center or halfway house. Supervision should be decreased systematically, and the inmate's progress should be evaluated on the basis of specified behavioral criteria rather than on sentence, time served, or subjective judgments regarding attitude.

Based on Standards for Adult Probation and Parole Field Supervision 4<sup>th</sup> Edition

##### Victim(s) Notification

4-APPFS-1A-04 When an offender is under the supervision of the agency for a crime of violence, consistent with the law of the jurisdiction, and if the victim(s) requests, there is a system for providing notification to the registered victim(s) that includes but not limited to:

- Prior to any type hearing regarding the offenders sentence
- Prior to any release from confinement or supervision of the offender
- Immediately after the offender escapes from custody or supervision

Follow up notification is recommended to victim(s) when the offender is apprehended and returned to custody after an escape.

Custody may include halfway house, work release, treatment facility or electronic supervision.

##### Supervision/Service Plan

4-APPFS-2A-08 An individualized supervision plan is developed for each offender. This plan is reviewed and approved by a supervisor. The offender receives a copy of the plan. The plan includes, as appropriate:

- Conditions of supervision
- The appropriate level of supervision as determined by the offender's risk and need
- Objectives to be met by the offender and the field officer
- Services that may address the offender's need

Higher risk offenders should have a more comprehensive supervision plan.

##### Sanctioning Violations

4-APPFS-2B-11 When violations occur, alternatives to revocation and incarceration are considered and used to the extent that public safety allows.