



Final Report: Proposed Performance Indicators in Conjunction with Service Providers

Performance Monitoring & Evaluation Sub-Committee Report to the Criminal Justice Commission

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Introduction:

On March 26, 2012, during the Annual Planning Meeting, the Criminal Justice Commission identify three major priorities¹ under the heading of crime prevention for the fiscal year 2013 (October 30, 2012 to September 30, 2013). The priorities included 1) drug courts; 2) reentry; and 3) juvenile issues.

The purpose of this brief is to propose performance indicators desired by the Criminal Justice Commission prior to engaging in contracts and agreements with service providers funded by the Commission in fiscal year 2013. The performance indicators stem from previous discussions with member of the Program Monitoring and Evaluation (PME) Sub-Committee, where members expressed a desire to better understand and define “success” when examining process evaluation information. As such, staff has developed preliminary performance indicators for consideration by the PME Sub-Committee and Finance Committee, and the Criminal Justice Commission.

Following the direction of the Criminal Justice Commission, the PME Sub-Committee met with the judiciary, program managers, and program staff to review and discuss the proposed performance indicators presented to the Criminal Justice Commission on September 24, 2012. This brief was updated to include the performance indicators supported by the individual programs noted below.²

Method:

The performance indicators are based on available historical programmatic data; peer reviewed literature; and program staff experience. The levels are intended to help inform discussions about the desired levels and help members of the Commission to define success. Staff will inform service providers of the desired levels as part of the development of scope of work within contracts and agreements between the COUNTY and service providers/agencies. If during this process, service providers and agencies do not agree with the desired performance and outcome measures; this will be brought back to the Finance Committee to address.

The report typically includes three performance indicators: 1) annual caseload; 2) completion (or graduation) rates; and 3) recidivism. It is important to note that the sub-committee agreed that recidivism was the most important performance indicator for reporting to the Criminal Justice Commission on a short term basis; and that recidivism was also an important outcome measure for the programs, since they are intended to prevent crime; and in most cases address behaviors that espouse criminal or delinquent conduct.

¹ Criminal Justice Commission, Annual Planning Meeting. March 26, 2012. Motioned by Steven Burdelski and seconded by Gerald Richman (recording Part 2, 1:05:00).

² Program Monitoring and Evaluation (PME) Sub-Committee meeting. October 10, 2012 at 12:00PM, Criminal Justice Commission, Government Center, 10th Floor Conference Room.

It was also noted that programs often have different definitions of recidivism. While Criminal Justice Commission staff recommended the adoption of a standard “uniform” definition; providers and some Sub-Committee members disagreed. For example, the statewide definition of recidivism for adult and juvenile drug courts includes re-arrest and a charge is filed by the State Attorney’s Office.³

The definition of recidivism can also vary in terms of “cohorts” (who is being followed), follow-up periods (e.g., during programming, 90 days after completion, six months, 1 year, 2 years, 3 years, and 5 years). It is also important to note that programs identify which criminal history source was used to determine recidivism (e.g., National Crime Information Center, Florida Crime Information Center, etc.).

The performance indicators noted below are for the purpose of providing on-going reporting and monitoring to the Criminal Justice Commission. We intend to track recidivism over a longer period of time (1 year, 3 years, and 5 years), for the purpose of reporting to the Criminal Justice Commission and conducting formal outcome evaluations of programs.

³ Office of the State Courts Administrator, Office of Court Improvement., Florida’s Adult Drug Court Recommended Practices: Tool Kit. Florida Supreme Court Task Force on Treatment-Based Drug Courts, April 2007.

Proposed Performance Indicators by Priority:⁴

Drug Court:

There are three different types of drug treatment courts under the auspices of the 15th Judicial Circuit, Palm Beach County. This includes 1) adult criminal drug court; 2) civil drug court; and 3) delinquency drug court. While there are variations between the three programs, all attempt to address substance abuse by way of court monitoring and treatment. All three courts attempt to reduce substance abuse relapse and recidivism (re-arrest) rates.

Program	Caseload (per year)	Target Population	Minimal Performance Indicator	Peer Review Journals and Reports ⁵
Adult Drug Court	180 court participants	Adult, non-violent felonies (post conviction), Palm Beach County Residents	50% graduation rate* 15% arrested and convicted within three years after graduation, reported every six months**	38% arrested after completing drug court program.
Civil Drug Court	100 court participants (treatment recommended and received)	Adults and Juveniles with substance abuse problems, Palm Beach County Residents	50% graduation rate* 15% arrested and convicted within three years after graduation, reported every six months	No studies found; however, local evaluation is on-going tracking arrest after program with FDLE criminal histories.
Delinquency Drug Court	14 court participants	Palm Beach County youth, ages 12-17, who are either on Probation with a pending violation; failed to complete the Youth Court Teen Drug Court component; or meet criteria under F.S. 985.345. (Please see Appendix B for more detail).	50% graduation rate* 25% arrested and found delinquent within three years after graduation, reported every six months	24% arrested after completing delinquent /juvenile drug court program.

*Graduation denotes that participants successfully completed the program/treatment. **From our examination of the peer review literature, we understand that recidivism rates can be as high as 80% for “highly addicted” persons to as low as 12% in the Palm Beach County adult drug court (five year recidivism rate).

⁴ Kukec, Damir., Interim Report: Outcome Evaluations of Select Programs, March 26, 2012. For detail concerning program descriptions and outcomes please see the interim report.

⁵ Ibid.

Reentry:

The Reentry program includes a number of individual programs administered by various not-for-profits and the Public Defender’s Office Reentry Initiative.⁶ Other funding was also provided under the auspices of the Weed and Seed program and most recently under the Youth Violence Prevention Project (e.g., Riviera Beach Community Justice Service Center). There are at least nine different service providers working toward helping returning inmates (from either jail or state prison) to reintegrate with society at large. Most recently, the grant funded project entitled RESTORE expanded the scope of the countywide effort to assist reentry for individuals returning from state corrections facilities. The RESTORE program is implemented in partnership with the Florida Department of Corrections; which relocated prisoners from Palm Beach County to a local facility. These individuals are provided pre and post release services to help them transition from the state system back to the community. Programs provide services that include the provision of basic identification, the restoration of specific rights; job training, education, substance abuse treatment and/or mental health treatment, transitional housing, peer mentoring, literacy classes, and case management.

Program	Caseload (per year)	Target Population	Minimal Performance Indicator	Prison and Jail Comparisons
RESTORE	200 adult felons	Adult felons returning to Palm Beach County from Florida Department of Corrections	15% convicted of a new crime and re-sentenced to DOC within three years after release reported every six months*	33 % arrested and return to Department of Corrections within three years after release. ⁷
Non-Restore	250 adult ex-offenders	Adult misdemeanants and felons returning to Palm Beach County from Florida Department of Corrections or the County Jail	25% convicted of a new crime and returned to incarceration within three years after release reported every six months*	51% arrested and return to Palm Beach County Jail within three years after release. ⁸

* The recidivism rate is approximately one-half of the Department of Corrections recidivism rate (30% of prisoners released from state prison returned to the state prison system within three years). The recidivism rate for individuals released from county jail is approximately 50%; where one-half are re-incarcerated within three years following release. The RESTORE and non-RESTORE reductions in recidivism are also identified in the five year Reentry Strategic Plan; as well as the RESTORE project grant funded by the federal Department of Justice.

⁶ Previously called the R.E.A.P. program (Recovery, Empowerment, Achievement, and Prosperity).

⁷ For more information see www.dc.state.fl.us/oth/faq.html

⁸ Kucec, Damir., Recidivism for Palm Beach County Jail Inmates., Research and Planning Brief. October 7, 2008.

Juvenile Issues:

During the Annual Planning Meeting members identified Juvenile Issues as a priority. In the absence of specific programming, staff will develop specific outcome measures that will be proposed once programming (i.e., intervention, education, positive environment, etc.) is considered by the Finance Committee.

APPENDIX A:

The statewide performance indicators include a definition of recidivism and retention to include:

A. Recidivism:

(1) Any re-arrest *for a serious offense* resulting in the filing of a charge* for drug court participants during involvement in the drug court program after successful completion of the program for the following time frames:

0-12 months after program completion; 1-2 years after program completion; and 2+ years after program completion. Case disposition should also be captured.

*Serious offenses are defined as any arrest and charge with a crime that carries a sentence of at least one year upon conviction. Though not strictly part of the definition of serious offenses, DUI and misdemeanor drug offenses are also important indicators of drug court effectiveness and should be captured.

(2) Recommitments to probation or prison within the Department of Corrections while under supervision or not. Includes recommitments for drug court participants during involvement in the drug court program and after completion of the program for the following time frames: 0-12 months after program completion; 1-2 years after program completion; and 2+ years after program completion. The types of arrests (e.g., drug possession, other nonviolent offenses, and violent offenses) and case disposition should be captured.

APPENDIX B:

ELIGIBILITY CRITERIA*

A youth is eligible to enter the program if he/she:

1. Is between the ages of 12 and 17 (will have at least 18 months before turning 19)
2. Resides in Palm Beach County
- 3a. Is currently on Probation for any crime that is NOT: a 1st degree Felony, a sex crime or a crime involving a firearm **and** a Violation of Probation has been filed to include one of the following:
 - a. Failing a random drug screen
 - b. Refusal of a random drug screen
 - c. Failure to attend outpatient treatment
 - d. Failure to complete a JET assessment

OR

- 3b. Is currently on Probation for any crime that is NOT: a 1st degree Felony, a sex crime or a crime involving a firearm **and** a Violation of Probation has been filed **and** information has been received identifying the youth as having a substance abuse issue(s)

OR

- 3c. Failed to complete the Youth Court diversion program and information has been received identifying youth as having a substance abuse issue

OR

- 3d. Meets criteria as outlined in F.S. 985.345:
 - a. Has not previously been adjudicated for a felony; **and**
 - b. Is charged with a felony of the second or third degree for:
 - I. Purchase or possession of a controlled substance under Chapter 893;
 - II. Tampering with evidence;
 - III. Solicitation for purchase of a controlled substance; **or**
 - IV. Obtaining a prescription by fraud
4. Referral by one of the following:
 - a. The State Attorney's Office
 - b. Defense Counsel
 - c. DJJ Probation Officer
 - d. Delinquency Drug Court Team member
 - e. Juvenile Judge
 - f. School District contacts JPO

Considerations for Team Review:

1. Youth is deemed a drug dealer or profiteer as opposed to a drug user/abuser
2. Youth is incapable of benefiting from the program due to serious mental health issues
3. Youth is prescribed mood altering drugs that will test positive when drug tested; doctor is unable to prescribe an alternative medication that does not test positive
4. Office of the State Attorney has confidential information that would disqualify him/her from participation in the Delinquency Drug Court
5. A responsible family member or other advocate should be willing and able to participate in court hearings and treatment activities consistent with the program design.

***An exception(s) to the Eligibility Criteria can be referred to and reviewed by the Team**