

**PROGRAM MONITORING AND
EVALUATION SUB-COMMITTEE**



Palm Beach County Governmental Center
10th Floor, CJC Conference Room
301 N. Olive Avenue
West Palm Beach, Florida 33401
<http://www.pbcgov.com/criminaljustice>
Tuesday, 12:00pm, June 18, 2013
3:00 PM to 4:00 PM

- D R A F T A G E N D A -

- 1. Welcome / Opening Comments, Lee Waring, Chair**
- 2. Roll Call & Introduction of Guests**
- 3. Approval and/or Additions to the Agenda**
- 4. Approval of March 19, 2013 Minutes**
- 5. Proposed Chairman's Comments**

Welcome new members and guests to the Program Monitoring and Evaluation Sub-Committee. Thank all of the program coordinators who provided valuable input on developing individual performance measures and for submitting their most recent results.

6. New Business

- A. No New Business

7. Old Business

- A. Program Performance Indicators – Proposed Revisions to Indicators
- B. Drug Court Outcome Evaluations
 - a) Adult Drug Court
 - b) Riviera Beach Civil Drug Court
 - c) Delinquency Drug Court
 - d) Family Drug Court
- C. Reentry Outcome Evaluation

8. Member and Guest Comments

9. Attachments

- A. March 19, 2013 Draft Minutes
- B. Draft Report: Proposed Definition for Key Performance Indicators (date: May 15, 2013)
- C. Final Report: Proposed Performance Indicators in Conjunction with Service Providers (October 19, 2012 (Updated)): as approved by the Criminal Justice Commission on October 22, 2012.

Next PME Meeting: To be determined.

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Tuesday, 12:00 pm, March 19, 2013

- D R A F T M I N U T E S -

Members:

Lee Waring, Chair
Jim Barr, Criminal Justice Commission
Carey Haughwout, Public Defender

Guests:

Cristy Altaro, Court Administration
Ronald Alvarez, Judge, 15th Judicial Circuit
Jennifer Loyless, Public Defender
Felicia Scott, Riviera Beach Civil Drug Court
Tony Spaniol, Palm Beach County Youth Affairs
Twila Taylor, Palm Beach County Youth Affairs
Dorrie Tyng, Adult Drug Court

Staff:

Michael Rodriguez, Executive Director
Damir Kukec, Research & Planning Manager
Rosalind Murray, Criminal Justice Program Development Specialist
Brenda Oakes, Youth Violence Prevention Planning Coordinator
Craig Spatara, RESTORE Program Manager
Becky Walker, Criminal Justice Manager

1. Welcome / Opening Comments, Lee Waring, Chair

2. Roll Call & Introduction of Guests

3. Approval and/or Additions to the Agenda

The approval and/or additions to the agenda were done out of order (at the end of the SOW discussion under New Business). The agenda was approved with no additions or deletions.

4. Approval of October 10, 2012 Minutes

The approval of the minutes was done out of order (at the end of the SOW discussion under New Business). The minutes from the October 10, 2012 meeting were approved without amendments.

5. **Chairman's Comments:** Mr. Waring welcomed members and guests to the meeting and asked Damir Kukec to introduce the first item on the agenda: the Scope of Work.

6. **New Business**

A. Scope of Work of the PME Sub-Committee

Damir Kukec referred to the draft of Scope of Work of the PME sub-committee included in the packet. First, he talked about the purpose of the committee, its membership, and the authorities granted to the Criminal Justice Commission under the ordinance that in turn give weight to the PME SUB-committee. And lastly, Mr. Kukec talked about the scope of work or how the PME will operate as a committee. Michael Rodriguez added the importance of having a scope of work and knowing what to focus on, with which Mr. Waring agreed. Mr. Waring would like to get directions from the committee to bring back to the CJC. The committee then discussed the draft in detail and amended it accordingly. Specifically, the committee voted and agreed to keep the SOW narrow and seek direction from the CJC in terms of which programs to evaluate. Also, upon the recommendation of Mr. Waring, the committee voted and agreed to amend the meeting schedule to "bi-annual and as needed" basis.

B. Highridge Evaluation

The committee discussed what to do with the Highridge report. It was presented to the CJC which sent it back to the PME to review. A question was raised whether the report should have been done in the first place since Highridge is not funded by the CJC. Tony Spaniol stated that years ago, they had wanted to have an evaluation done to determine the effectiveness of their program and reached out to CJC staff. He said the report and the data collected were helpful in showing that what they are doing is effective, and Barbara Taylor concurred. Ms. Haughwout noted that they should be careful in using the term "evaluation" and agrees that the Highridge report is educational, but it is not an evaluation. After further discussion, Mr. Waring recommended and the committee agreed that the report be returned to the subcommittee and the program that originally requested for it (Highridge) with no action taken at the PME.

7. **Old Business**

A. Program Performance Indicators – First Report by Programs

Mr. Kukec reminded the committee that in October 2012 the PME met with the various drug court and reentry program coordinators and providers in the county to review previously compiled statistics/baseline data on recidivism in addition to programmatic data and set up performance indicators. Mr. Kukec had requested data updates from the all the programs in preparation for the annual planning meeting. He asked the program coordinators to provide a summary of the information they provided.

B. Drug Court Outcome Evaluations

a) Adult Drug Court

Dorrie Tyng reported data as of February 28, 2013. She stated that the Adult Drug Court met the program's three goals: 1) Caseload (per year) of 180 participants (average caseload for FY13 is 189 participants); 2) Graduation rate of 50% (57% graduation rate since November 2000); and 3) 15% or less of graduates not arrested and convicted of

serious crime within three years after graduation (10% of graduates arrested). She noted that the program has been following the state's minimum standard at 10%.

There was a discussion to clarify what is the reporting period. Mr. Kukec stated today's report is the baseline, i.e., the first report based on what the PME has asked for. He also requested the PME to define the performance indicators define the performance indicators and give direction as to how much interaction can he have with the program coordinators. Mr. Kukec added that the committee recognizes that different programs will report differently, and clarified that the minimal standards are indicators, not goals.

b) Riviera Beach Civil Drug Court

Felicia Scott reported data for the 6-month period of October 1, 2012 to February 28, 2013 based on 25 petitions filed. As Ms. Scott reported data only for the last 6 months and not from inception of the program, she expressed that the data is not really able to capture the success of the program. The committee agreed to clarify its definition of reporting period. Mr. Kukec also asked permission from the committee to work with the programs regarding this issue.

c) Delinquency Drug Court

Cristy Altaro presented data as of March 2013. She reported data from time of inception but noted that she can break down the numbers per year. She raised the issue of how to measure recidivism being that Delinquency Drug Court measures recidivism differently from Adult Drug Court. The committee agreed that it should be measured uniformly across the programs for consistency. Mr. Kukec offered to work with the programs in hammering out standardized measures based on the minimum performance guidelines.

C. Reentry Outcome Evaluation

Craig Spatara reported data from inception on the RESTORE program as of January 15, 2013. Sixty-nine percent of the clients have been active at some point since they left Sago Palm; 21% were rearrested; and rearrest rate was cut in half to 10% for clients who had at least minimal contact with the program. Mr. Rodriguez requested for non-RESTORE numbers also. At this point, Ms. Haughwout remarked that although measuring the minimum performance indicators is important, it is also important to include other information relevant to the program outside the standard measures. Brenda Oakes also commented not to focus only on measuring rearrest or reoffense, pointing out, for example the fact that almost 70% of RESTORE's released clients were active at some point was incredible.

8. Member and Guest Comments

Mr. Kukec reaffirmed with the committee his task of working with the program coordinators in finding a way to standardize measures based on minimal performance indicators. Mr. Waring added having to readjust timeframes for certain programs for which six months, for example, is too short to reflect effectiveness of the program, to make it valid.

9. Adjournment

Next Meeting: To be determined.



Draft Report:

Proposed Definition for Key Performance Indicators

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

Prepared by:

Damir Kukec
Research and Planning Manager
Research and Planning Unit
Criminal Justice Commission

For

Chair Lee Waring
Program Monitoring and
Evaluation Sub-Committee

May 15, 2013

Introduction:

On March 19, 2013, the Program Monitoring and Evaluation Sub-Committee, of the Criminal Justice Commission, reviewed the first performance indicators submitted by program managers from the Adult Pre-Trial Drug Court, Delinquency Drug Court (Juvenile Court), Riviera Beach Civil Drug Court, and the Reentry Program. Based on the questions raised during this review, the purpose of this report is to further define the performance indicators first adopted by the Program Monitoring and Evaluation Sub-Committee. It is important to note that this report does not change the performance levels established by the Sub-Committee; however, it does recommend and clarify how these indicators may be calculated.

Calculating Minimal Performance Indicators:

It is important to emphasize that performance indicators do not measure program effectiveness; they measure whether the program meets the minimal performance requirements identified by Program Monitoring and Evaluation Sub-Committee of the Criminal Justice Commission. The Sub-Committee identified three minimal performance indicators and specific desired levels¹: 1) caseload, 2) termination/exits², and 3) recidivism. The following proposes a method to calculate the above noted performance indicators for the Criminal Justice Commission.

- 1) **Caseload** measures the volume of clients served during a County contract period (i.e., October to September). This indicator will be calculated by counting all active clients that received program services (e.g., case management, treatment, case monitoring, etc.) while enrolled in the program, regardless of when clients entered or exited programming. This performance indicator may be reported on a bi-annual basis: a) October 1 to March 31 and b) April 1 to September 30.
- 2) **Program Terminations/Exits** measures the volume of clients that terminate/exit from all aspects of programming over three years. This indicator may be calculated by examining a cohort of client “terminations/exits” from programming going back at least three years³; or all “terminations/exits” from programming for available years – those programs that have been in existence for less than three years. In general, all client “terminations/exits” from programming may include: successful completion (or graduation), voluntary exit (if applicable), removed from programming due to lack of compliance, arrested during programming, or deceased.

¹ Kucec, Damir., Final Report: Propose Performance Indicators in Conjunction with Service Providers, Approved by the Criminal Justice Commission on October 22, 2012.

² This previously included “graduation” rates.

³ Most standard County Service Contract language requires service providers to maintain records for three years following contract termination and it reflects the time periods identified in the approved performance indicator levels in the above noted report. Three years would be based on the start date of the most current Service Contract (County Fiscal Year). For example, a contract start date of October 1, 2012 would require programs to provide data that covers terminations/exits between October 1, 2009 and September 30, 2012.

- 3) **Recidivism** measures the volume of clients that become involved with the criminal justice system after programming. This indicator may be calculated by examining a cohort of **all** client⁴ “terminations/exits” from programming going back at least three years; or all “terminations/exits” from programming for available years – those programs that have been in existence for less than three years. The definition of recidivism will include a conviction after termination/exit from programming for most programs; however, the terminology for Delinquency Drug Court (Juvenile Court) will be referred to as “found delinquent” rather than convicted.

Recommendations:

Recognizing that not all programs have access to resources and databases required to compile the above information, the Program Monitoring and Evaluation Sub-Committee recommends that the following be considered.

- 1) The Sub-Committee recommends that the Research and Planning Unit staff calculate the recidivism rate for each program by way of the Computerized Criminal History (CCH) database maintained by the Florida Department of Law Enforcement bi-annually. Cost associated (staff and FDLE fees) with this process will be covered by the Criminal Justice Commission.
- 2) The Sub-Committee recommends that programs:
 - a) determine their respective programs’ capacity (i.e., how many clients can the program accommodate at any given contract year);
 - b) provide written information to program participants that their program information will be shared with the Criminal Justice Commission’s, Research and Planning Unit for the purpose of program monitoring and evaluation. This information should specify that the release of this information will not benefit or jeopardize their case or participation in programming. Furthermore, clients will be informed that any information published about the program will not include personal identifiable information, to protect the privacy of clients;
 - c) with the exception of Delinquency Drug Court (Juvenile Court), provide the full names of program participants, date of birth, sex and race, program start and end date, and type of “termination/exit” for all clients during the above noted timeframes;

⁴ This definition further clarifies the client population that should be tracked after client termination/exit from programming; regardless of the termination/exit type. The inclusion of all clients that terminate/exit from programming conforms to standard outcome evaluation methods that tracks all those the program “intended to treat”; which is found in the academic literature and reports published by organizations such as the Center for Court Innovations, National Center for State Courts, and the Florida Office of State Courts.

- d) specifically, Court Administration and Delinquency Drug Court (Juvenile Court) develop a protocol and legal mechanism to share client information with the Research and Planning Unit staff for the specific purpose of evaluation and on-going program monitoring;
- e) provide the first set of data as noted above (item c) within the first week of April of a contract year. Criminal Justice Commission staff will review these data within five days of receipt checking for data integrity and resolving issues with program managers; and,
- f) provide the second set of data as noted above (item c) within the first week of October of a contract year. Criminal Justice Commission staff will review these data within five days of receipt checking for data integrity and resolving issues with program managers.



Final Report: Proposed Performance Indicators in Conjunction with Service Providers

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

Prepared by:

Damir Kukec
Research and Planning Manager
Research and Planning Unit
Criminal Justice Commission

For

Chair Lee Waring
Program Monitoring and
Evaluation Sub-Committee

October 19, 2012 (Updated)

*Approved by the Criminal Justice Commission on October 22, 2012.

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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**