

THE EVIDENCE-
BASED DECISION
MAKING INITIATIVE:
AN OVERVIEW FOR
VICTIM SERVICE
PROVIDERS

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EBDM



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EBDM

BACKGROUND: WHAT IS THE EVIDENCE-BASED DECISION MAKING INITIATIVE?

In 2008, the National Institute of Corrections (NIC) launched the Evidence-Based Decision Making (EBDM) initiative. NIC is a federal agency within the U.S. Department of Justice. It provides training, technical assistance, information services, and policy/program development assistance to federal, state, and local justice system agencies and public policymakers.

The goal of the EBDM initiative is to equip criminal justice stakeholders with the information, processes, and tools that will result in measurable reductions in pretrial misconduct, post-conviction reoffending, and other forms of community harm. The initiative is grounded in three decades of research on the factors that contribute to criminal reoffending and the methods that justice systems can employ to interrupt the cycle of reoffense. The work is guided by *A Framework for Evidence-Based Decision Making in State and Local Criminal Justice Systems* (“EBDM Framework”) and its four key principles.

In 2010, seven local jurisdictions in six states were selected to pilot-test the Framework and a “roadmap” of action steps designed to improve outcomes through collaborative, research-based principles and processes. In 2015, an additional 21 teams—including three state-level teams—joined the national initiative. Collectively, EBDM’s 28 state and local teams represent a range of large urban areas, mid-size communities, and small rural towns.

EBDM FRAMEWORK PRINCIPLES

EBDM Principle 1: The professional judgment of criminal justice system decision makers is enhanced when informed by evidence-based knowledge.

EBDM Principle 2: Every interaction within the criminal justice system offers an opportunity to contribute to harm reduction.

EBDM Principle 3: Systems achieve better outcomes when they operate collaboratively.

EBDM Principle 4: The criminal justice system will continually learn and improve when professionals make decisions based on the collection, analysis, and use of data and information.

Genuine collaboration is a cornerstone of the EBDM process. The collaborative approach of EBDM seeks to overcome the limitations of traditional and nonsystemic approaches to criminal justice problem solving and solution development. EBDM brings together a broad array of stakeholders to develop a common understanding of the justice system, identify common goals, jointly create policies and practices to support the achievement of those goals, and stand together to advocate for those goals, particularly in the event of criticism. Criminal justice system “stakeholders” are defined as those who have a vested interest in justice system processes and outcomes; together they are referred to as “policy teams.”

Policy teams are comprised of the justice system agencies and community organizations that impact, or are impacted by, decisions that will be made by the collaborative team. Their specific composition varies depending upon the structure of each community, but they commonly include those with the positional power to create change within their own organizations. The chief judge, court administrator, elected prosecutor, chief public defender, private defense bar, probation/ community corrections director, police chief, elected sheriff, pretrial executive, victim advocates, local elected officials (i.e., city manager, county commissioner), service providers, and community representatives are common policy team members of local teams.

“COLLABORATION” IS THE PROCESS OF WORKING TOGETHER TO ACHIEVE A COMMON GOAL THAT IS IMPOSSIBLE TO REACH WITHOUT THE EFFORTS OF OTHERS.

On state-level teams, the stakeholder composition is similar but includes those with positional influence across multiple communities (e.g., elected president of the state prosecutors' or sheriffs' association; executive director of the state's association of counties), including agencies and individuals with statewide authority or influence (e.g., state legislature, statewide behavioral/mental health agency, department of corrections, attorney general, governor's office, state courts). In addition, state-level teams include local team representatives in order to align state and local interests around justice system reforms. Together and separately, each team member brings valuable information, resources, and perspectives to the collaborative endeavor.

EBDM policy teams devote their first team meetings to building their collaborative team; understanding current practice within each agency and across the system; learning about research-based policies and practices ("evidence-based practices") and their application to decision points spanning the entire justice system, from point of initial contact (arrest) to final discharge; and agreeing upon a set of systemwide values

"HARM REDUCTION," AS USED HERE, REFERS TO DECREASES IN THE ILL EFFECTS OF CRIME EXPERIENCED BROADLY BY COMMUNITIES, VICTIMS, CITIZENS, JUSTICE-INVOLVED INDIVIDUALS, AND THEIR FAMILIES.

and goals. Thereafter, EBDM teams collaboratively develop strategic plans, focusing on key "change targets" for improving the alignment of research with policy and practice, and improving systemwide outcomes. Examples of change targets include expanding pretrial release and diversion options for those who do not pose a danger to the community; instituting or expanding intervention options for specific populations (e.g., justice-involved women, those charged with domestic violence, chronic substance abusers, the seriously mentally ill); expanding evidence-based interventions throughout the justice system; ensuring the appropriate use of risk assessment information; reducing case processing delays; establishing methods to streamline case information flow; and instituting formal processes for professional development and continuous quality improvement. Policy team strategic plans include logic models that describe theories of change, specific methods to measure performance, and a systemwide "score-card"—a method to gauge the overall performance of the justice system in achieving its harm reduction goals, including improved public safety. Policy teams also identify strategies for engaging a broader set of professional and community stakeholders in their justice system reform efforts. Subsequent activities focus on the implementation of these strategic plans, identification of additional areas of improvement, expansion of the stakeholders involved, and increased capacity for the collection of data to monitor and improve performance.

THE PERSPECTIVE OF VICTIM SERVICE PROVIDERS WHO HAVE ENGAGED IN THE EBDM PROCESS

Since the project's inception in 2008, 25 local jurisdictions and three states have engaged in EBDM work, many of which included victim service providers, victim advocates, or other

professionals working on behalf of victims within criminal justice agencies as core members of their policy teams. Some included victim service providers as team members from the beginning of the initiative; others, understandably, needed to establish system relationships before opening up the team to other stakeholders. Through a series of focus groups, interviews, and surveys, victim service providers shared their views on the EBDM work.

The Benefits of EBDM

Victim service providers identify a number of benefits that can accrue to crime victims and that can improve the efficacy of the criminal justice process when they are part of an evidence-based decision making approach. It provides opportunities for victim service providers to engage with a variety of stakeholders in the criminal justice system with whom they may not regularly interact, allowing for formal and informal opportunities to improve relationships and work together to identify and achieve common goals.

IN THE WORDS OF VICTIM SERVICE PROVIDERS

“I believe that interacting with other individuals, agencies, and systems in the EBDM meetings and through the process has increased relationships and the ability to work together across those systems.”

“Victim service providers should not ignore the chance to engage in the EBDM process. Although time-consuming, it can be a fantastic opportunity to improve the justice system for all of its participants: crime victims, offenders, and the community.”

By participating in an EBDM effort, victim service providers better understand the research behind justice system decisions and the rationale for system changes that might be implemented (e.g., the establishment of diversion programs, modification to pretrial release practices). Through the EBDM process, victim service providers are able to contribute the victim’s unique perspective to discussions about both the benefits of and concerns about these changes, resulting in a system that is better informed and more responsive to victims’ issues. One victim service provider offered an example of how the EBDM team’s discussions resulted in a change that benefited victims: “Our courthouse had a dress code that created a barrier to victims, especially those in our domestic violence emergency shelter. As a result of our communications, the dress code was revised to ensure that victims could access the courthouse. While this may seem like a small matter, this barrier often resulted in victims not being able to testify.” With victim service providers involved in the EBDM process, victims can be more

confident that their concerns are being heard and that their voices are being represented during deliberations about systemwide change efforts. As a result, their satisfaction with their criminal justice system experiences may be improved.

The Challenges of EBDM

Perhaps the most challenging aspect for victim service providers is the investment of time and energy necessary to participate fully in an EBDM effort. Many victim service provider agencies—particularly those that are non-governmental—are understaffed and underfunded. Finding the time and resources to participate may be difficult with already stretched workloads and budgets and, sometimes, with strict requirements that funding be allocated to direct services to individual victims. This creates a uniquely challenging situation for victim service providers, particularly if they are unfamiliar with the EBDM process and/or the stakeholders involved, and if their effective participation requires additional investment in reviewing materials, becoming educated on the issues and agencies involved, and seeking input from their colleagues and those

they represent.

Victim service providers may also find it challenging to join stakeholder groups that have not benefited from victims' voices in the past; they may find these groups have a defendant/offender-only lens. It may be difficult to move the group to broaden their focus so that it includes both victims and justice-involved individuals. Nonetheless, victim service providers indicate that this shift can and does occur when justice system decision makers are exposed to emerging research about, and gain a greater understanding of, the impact of trauma, the unintended ways in which the justice system can be re-victimizing, and the real contributions victims' voices can make to improved system- and case-level decisions. One victim service provider summarized her experience with EBDM as follows: "I took the invitation to join the EBDM process as an important responsibility; I felt it was imperative that I participate to make sure that EBDM did not become yet another arena in which victims' voices were underrepresented. What started as responsibility became opportunity. Through the EBDM process I have been able to educate other system professionals about the crime victim experience, and I have achieved improved levels of collaboration with law enforcement, the courts, probation and parole, and several other justice system partners. We established a victims' rights workgroup, and we are creating positive change for crime victims in our community. Many of the change targets we selected to work on are goals I have hoped to accomplish on behalf of crime victims for years."

Significant Practice Changes

Since the inclusion of victim service providers in EBDM efforts is not yet a widely practiced approach, there may be more to report on potential practice changes than actualized changes. However, there are significant, specific changes that have been realized. These include, as noted previously, modifying rules associated with courtroom attire requirements for victims (i.e., some victims leave home abruptly at the recommendation of police to increase their safety and may not have time to gather the clothing they might prefer for a court appearance); allowing victims to bring into the courthouse cellphones that contain photos or videos pertinent to a defendant release decision; educating police and prosecutorial investigators on the impact of trauma on memory, in much the same way that this same information has modified police practices around the investigation of officer-involved shootings; and prioritizing victim restitution payment over the payment of court fees, fines, and/or supervision fees. In addition to these, victim service providers report other core changes in practice, as described below.

BEFORE EBDM, WE...	SINCE EBDM, WE...
...engaged victims immediately following the incident to gather information from them that was considered pertinent to determining a pretrial release decision	...are knowledgeable about the pretrial risk assessment process and equipped to explain to the victim what information the justice system decision makers may consider relevant to determining an individual's pretrial risk, and can focus more effectively on preparing the victim and gathering information that will have the most impact on a release decision favored by the victim
...may or may not have had in place a formal, accepted protocol for sharing victim input with those responsible for pretrial, jail, or parole release decisions	...have established relationships and protocols with pretrial, jail, and parole representatives that facilitate the sharing of important victim input regarding risk in a timely way
...operated in relative isolation (i.e., victim service providers worked with victims, probation worked with offenders, but victim service providers and probation did not work with one another to address the needs of their clients), in spite of attempts to collaborate with justice system partners	...work collaboratively with probation officers to develop safety plans for victims and to share information regarding supervision conditions, adherence to those conditions, and additional information about the offenders' activities in the community
...evaluated our programmatic success based upon the number of victims served (e.g., the number of shelter beds provided, the number of safety plans created)	...measure success based on data gathered from victims about their satisfaction with their criminal justice experience
...operated on best practices in victim services as we knew them to be	...operate on the basis of best practices in victim services <i>and</i> based on the four EBDM principles

ADDITIONAL EBDM RESOURCES:

- A Framework for Evidence-Based Decision Making in State and Local Criminal Justice Systems
- Evidence-Based Decision Making (EBDM) Primer
- EBDM Case Studies: Highlights from the Original Seven Pilot Sites
- Evidence-Based Decision Making: A Guide for Victim Service Providers
- Evidence-Based Decision Making Starter Kit

For more information or to view other resources on EBDM, visit <http://www.nicic.gov/ebdm> or <http://ebdmoneless.org/>.

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