

THE EVIDENCE-
BASED DECISION
MAKING INITIATIVE:
AN OVERVIEW FOR
STATE AND COUNTY
LEGISLATORS AND
ADMINISTRATORS

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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 and goals. Thereafter,

"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.

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 "scorecard"—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 STATE/COUNTY LEGISLATORS/ ADMINISTRATORS WHO HAVE ENGAGED IN THE EBDM PROCESS

Since the project's inception in 2008, 25 local jurisdictions and three states—many of which included state or local elected officials, county administrators/executives, and/or statewide county association representatives—have engaged in EBDM work. Through a series of focus groups, interviews, and surveys, they shared their views on this work.

The Benefits of EBDM

State and local legislators and their administrative counterparts indicate that there are a number of benefits to their participation in EBDM. These include opportunities to better understand the criminal justice system as a whole and its individual components; to understand,

identify, and support the implementation of evidence-based practices that will reduce crime; to decrease costs by streamlining practices, reducing duplication, and using less costly means of achieving justice system objectives; to facilitate collaboration among justice system stakeholders; to advocate for needed changes; and to be smart on crime. In the words of one participant, “EBDM represents potentially large and significant changes to the criminal justice system, including changes in how funds are allocated. Participating as a member of the EBDM committee allows me to have a better understanding of, and earlier and more direct input into, the development of programming options that will affect the county’s budget.” These team members expressed appreciation for the EBDM process as “a roadmap for jurisdictions to follow as they try to implement evidence-based practices. It reminds us the work is ever-evolving and there are few quick fixes. It also helps us understand how we may be able to see fiscal benefits over time.”

One of the important benefits of the participation of this group of individuals in the EBDM process is the positional power they bring to the table and, as a result, their ability to influence others around the table. To be sure, one cannot underestimate the significance of a legislator’s statement that they will draft a bill and garner support for its passage, a county supervisor’s request for outcome data, or a county administrator indicating, “I’m interested in knowing how to get it done, not why change is hard.” Administrator statements such as the following are especially powerful: “From an administrative perspective, collaboration is something I can encourage, promote, and support; it’s an easy way to provide leadership” and “As an administrator, I am constantly trying to improve communication and collaboration among many different groups. I think we are uniquely positioned to see the value of improved collaboration and the effect it can have on services, outcomes, and costs as we are constantly working toward these goals in the administration of our jurisdictions.”

For a county board supervisor, knowing that justice system leaders are collaborating and working well together to address system issues is critically important for having confidence in overall operations.

The Challenges of EBDM

As “generalists,” as one person described it, legislators, county administrators, and others in similar positions are not experts in criminal justice. The conversation—even the language—around the policy team table is often foreign. It takes time and patience to “get up to speed” on how the system operates, let alone on the research on “what works” in criminal justice and the implications of reforms that might be implemented. As one administrator explained, “Because [we] are not directly involved in the day-to-day operations of the criminal justice system, it is

IN THE WORDS OF STATE/COUNTY LEGISLATORS/ ADMINISTRATORS

“At the beginning of every county board meeting, we recite the Pledge of Allegiance, the final words of which are ‘justice for all.’ EBDM is an excellent approach for helping our community better achieve that aspirational goal.”

“Citizens will benefit by having tax dollars used more wisely to prevent and deter criminal behavior, to help those stuck in the judicial revolving door, and to grow a future generation that has more opportunity.”

challenging to be a significant contributing team member. However, when it comes to budget or other policy matters requiring county board support, [we] can and should be strong, effective advocates.”

Another challenge for these non-criminal justice experts—who indeed gain a great deal of justice system expertise through their participation in EBDM—is educating their colleagues. County commissioners/supervisors describe their own steep learning curve as well as the challenge of briefing their board member counterparts. As with other EBDM participants, time is an issue, particularly since legislators and administrators have to devote their efforts to a multitude of diverse areas, including roads, schools, waste management, employment rates, and bond ratings. They also describe, as one of the challenges of EBDM, that “those who work in the criminal justice system day to day worry about the appearance of being soft on crime” and can be resistant to change and to the science that suggests that change may be needed.

Significant Practice Changes

As these team members participated in EBDM, they developed an appreciation of the importance of research and data. As legislators and administrators explained: “Working as a ‘system,’ sharing data and other information, puts us in a more proactive position, rather than being reactive” and “County administrators need to understand the level of information their jurisdiction currently collects and analyzes on risk level, characteristics of individuals incarcerated, participation in diversion programs, etc. If this information is lacking, it is easy to understand why additional data is necessary before making decisions.” This appreciation for data and information led to the development of information collection and analysis systems and, in some cases, data dashboards. In still other cases, EBDM has put a spotlight on the dearth of data and information or the capacity to collect it, which resulted in designating staff to serve as justice system analysts.

In addition to these advancements, state and county legislators and administrators identified several other important practice changes as a result of their participation in EBDM. In their words:

Since EBDM, we are...

...more inclined to ask about available research that supports proposed changes

...using data analytics to persuade others about possible resolutions that could save money

...persuaded that there could be alternatives to jail that are more effective in addressing crime

...more keenly aware of the importance of keeping victims and community members informed about the justice system and its strategies to increase public safety.

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 User's Guides
- 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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