

2015 SENATE APPROPRIATIONS

SCR 4007

2015 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Harvest Room, State Capitol

Senate Concurrent Resolution # 4007


1/23/2015

Job # 22426

☐ Subcommittee

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of implementing a Results First initiative program evaluation process in ND

Minutes:

Testimony Attached #1

Chairman Holmberg called the committee to order on Friday, January 23, 2015 at 8:30 am in regards to Senate Concurrent Resolution No. 4007. Roll Call was taken. All committee members were present except Senator Heckaman and Senator O'Connell are ill today. Chris Kadmas, Legislative Council and Lori Laschkewitsch, OMB, were also present.

V.Chairman Bowman took over the gavel as Chairman Holmberg was testifying on this Resolution.

Senator Holmberg: As sponsor of the Resolution he testified in favor of Senate Concurrent Resolution No. 4007 and stated that 4007 really comes out of at least two different conferences that Representative Delzer and I attended. What this would ask that the Legislative Council during the interim consider one of the studies working with the Pew-trust see if their results first program would be a good thing to for North Dakota to follows. This is in a number of states and what it tries to do is look at evidence based decision making rather than anecdotal based decision making. They have done a lot of work in the area of corrections, for example, Drug Court, that it is a very good investment. That nationally it reduces the rate of recidivism by 20% and that's not bad. They also found programs that a few years ago were very popular but counter-productive. The one that was at the bottom of their list of one of the worst programs that states went into was the Scared Straight Program, lock these kids up, so that they would be scared of prison, have them deal with prisoners, they found #1 - was expensive; and #2- all you did was encourage them to do bad things. They have done a lot of work in corrections. Also in behavioral health as Senator Mathern knows. I am asking you today is to consider putting a do pass on 4007. It's not only about using evidence in corrections, but about using evidence in other areas. Testimony Attached # 1 - The Pew-MacArthur Results First Initiative.

Senator Mathern: I think this is an excellent resolution. One of the factors in evidence based factors, is actually the measurement of what we do and the outcomes of what we do,

when I was in graduate school I learned that cost of measurement is about 3% so if you spend \$1M you should have \$30,000, to measure how you spent the million so you have the proper data, I'm wondering if your connection with the pew folks have they talked about costs involved in measurement of programs and how we would address that issue?

Senator Holmberg: I do not have that data. I know that your are right from the stand-point If you want to look at how it pays back, you need some evaluation. When you go into a number of states, the corrections people will tell you over an amount of time, but when you look at actual evidence rather than just gathering data to support what they're doing, it is different. And I think I might be right, there's a lot more between now and when this would happen, that perhaps there should be a committee that looks cross-cultural, rather than just part of the corrections study and have a committee that can look at one or two different areas and working with the pew folks, one of the things they want you to do if you go down the path with them is talk is cheap and are you going to follow through and do these things. And sometimes they would say, I can't remember the state but it was a program that was really backed by legislature leadership where they said it was an absolute waste of money and wasn't accomplishing what people were thinking and hoping it would accomplish. But, I think it should be done.

Senator Carlisle: There's a lot of similar items floating around this session, so this is probably a good thing. I am doing a bill for the Supreme Court regarding problem solving. This may be the session to set the stage for the interim. We have the issues out there, it's a good idea.

V.Chairman Bowman: Any other testimony.

Senator Robinson moved a do pass. 2nd by V. Chairman Krebsbach.

A Roll Call vote was taken. Yea: 11; Nay: 0; Absent: 2. Senator Mathern will carry the Resolution.

V.Chairman Bowman closed the hearing on Senate Resolution No. 4007.

Date: 1-23-14
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 4007

Senate Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Robinson Seconded By Krebsbach

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Heckaman	✓	
Senator Bowman	✓		Senator Mathern	✓	
Senator Krebsbach	✓		Senator O'Connell	✓	
Senator Carlisle	✓		Senator Robinson	✓	
Senator Sorvaag	✓				
Senator G. Lee	✓				
Senator Kilzer	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 11 No _____

Absent 2

Floor Assignment Mathern

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SCR 4007: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4007 was placed on the Eleventh order on the calendar.

2015 HOUSE APPROPRIATIONS

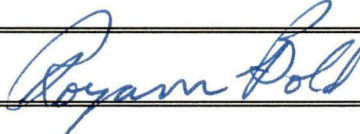
SCR 4007

2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SCR 4007
3/16/2015
24929

☐ Subcommittee
☐ Conference Committee



Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of implementing a Results First Initiative program evaluation process in North Dakota.

Minutes:

Attachment: 1

Chairman Jeff Delzer: Opened the meeting.

Senator Ray Holmberg, District 17, Grand Forks, spoke on SCR 4007 resolution.

Referred to handout #1, prepared by Legislative Council; The Pew-MacArthur Results First Initiative

Representative Nelson

In our section we forwarded an amendment to the Dept of Corrections budget to do exactly what you are doing to study here. I am surprised not to see South Dakota on the list; because they did this in the last biennium and they showed good outcomes; curious as to why they were not included.

Holmberg: not sure why; Legislative Council prepared it. You are right; Chairman Delzer mentioned you were going to be looking at some of the aspects of Results First in the DOCR budget.

Chairman Jeff Delzer

This is all inclusive; not just Corrections. South Dakota did the simple one with Corrections. This is just with the Pew Trust guidelines.

Chairman Jeff Delzer

This is a pretty good resolution that we should ask management; we did it at a fiscal leaders meeting.

Do pass motion made by **Representative Streyle**
Second **Representative Nelson**

Representative Skarphol: I wouldn't look at all these states as shining examples of good government.

Chairman Jeff Delzer

Wouldn't argue, we can look at what it is and decide whether we want to go down this route, or simply look at things on our own.

Representative Holman: There is a website if anyone wants to look it up; just put in the name; you'll get it.

Representative Bellew: there's two words in here that concern me; "behaviorial health", if we start down that path, just be prepared for what it's going to cost in the future.

Chairman Jeff Delzer

You are right; this is looking at results of programs already there. It's going in and making sure they're still working the way they were designed. This isn't about new programs; I don't know how you do that before.

Motion carries: 22-1-0

Representative Guggisberg will carry the resolution.

Chairman Jeff Delzer

You can have a contested DO PASS on the consent calendar; you can't have a contested DO NOT PASS on the consent calendar.

Hearing closed.

Date: 3/16/15
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. SCR4007

House: Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation:	<input type="checkbox"/> Adopt Amendment	<input type="checkbox"/> Without Committee Recommendation
	<input checked="" type="checkbox"/> Do Pass <input type="checkbox"/> Do Not Pass	<input type="checkbox"/> Rerefer to Appropriations
	<input type="checkbox"/> As Amended	
	<input checked="" type="checkbox"/> Place on Consent Calendar	
Other Actions:	<input type="checkbox"/> Reconsider	<input type="checkbox"/> _____

Motion Made By: Streyle Seconded By: Nelson

Representatives	Yes	No	Absent
Chairman Jeff Delzer	✓		
Vice Chairman Keith Kempenich	✓		
Representative Bellew		✓	
Representative Brandenburg	✓		
Representative Boehning	✓		
Representative Dosch	✓		
Representative Kreidt	✓		
Representative Martinson	✓		
Representative Monson	✓		
Representative Nelson	✓		
Representative Pollert	✓		
Representative Sanford	✓		
Representative Schmidt	✓		
Representative Silbernagel	✓		
Representative Skarphol	✓		
Representative Streyle	✓		
Representative Thoreson	✓		
Representative Vigasaa	✓		
Representative Boe	✓		
Representative Glassheim	✓		
Representative Guggisberg	✓		
Representative Hogan	✓		
Representative Holman	✓		
TOTALS	22	1	0

Floor Assignment: Guggisberg

If the vote is on an amendment, briefly indicate intent: _____

REPORT OF STANDING COMMITTEE

SCR 4007: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (22 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SCR 4007 was placed on the Tenth order on the calendar.

2015 TESTIMONY

SCR 4007

THE PEW-MACARTHUR RESULTS FIRST INITIATIVE

This memorandum provides information on the Pew-MacArthur Results First Initiative (Results First Initiative).

1-23-15

OVERVIEW

The Results First Initiative works with states to implement a cost-benefit analysis approach to identify criminal justice policies and programs that are most effective. The Results First Initiative assists policymakers determine which programs and policies are the most cost-effective.

Pew-MacArthur Results First Initiative Process

The Results First Initiative assists states to identify the costs and benefits of public programs and allows policymakers to consider options that may yield a greater return on investment.

The Results First Initiative provides information on and analysis of available research to help state leaders:

- Systematically identify which programs work and which do not;
- Calculate potential returns on investment of alternative programs;
- Rank programs based on their projected benefits, costs, and investment risks;
- Identify ineffective programs; and
- Predict the impact of policy options.

The Results First Initiative includes five key components, each with multiple steps that allow more evidence-based decisionmaking. The five key components include the following:

1. **Program assessment** - Systematically review available evidence on the effectiveness of public programs by:
 - a. Developing an inventory of funded programs.
 - b. Categorizing programs by their evidence of effectiveness.
 - c. Identifying programs' potential return on investment.
2. **Budget development** - Incorporate evidence of program effectiveness into budget and policy decisions, giving funding priority to those that deliver a high return on investment of public funds by:
 - a. Integrating program performance information into the budget development process.
 - b. Presenting information in user-friendly formats.
 - c. Establishing incentives for implementing evidence-based programs and practices.
 - d. Building performance requirements into grants and contracts.
3. **Implementation oversight** - Ensure that programs are effectively delivered and are implemented as they were designed by:
 - a. Establishing quality standards to govern program implementation.
 - b. Building and maintain capacity for ongoing quality improvement and monitoring of fidelity to program design.
 - c. Conducting data-driven reviews to improve program performance.
4. **Outcome monitoring** - Routinely measure and report outcome data to determine whether programs are achieving desired results by:
 - a. Developing meaningful outcome measures for programs, agencies, and the community.
 - b. Conducting regular audits of systems for collecting and reporting performance data.
5. **Targeted evaluation** - Evaluate new and untested programs to ensure that they warrant continued funding by:
 - a. Targeting evaluations to high-priority programs.
 - b. Requiring evaluations as a condition for continued funding for new initiatives.

Results First Initiative Benefits

The Results First Initiative identifies the following potential benefits of the model:

- **Reduce wasteful spending** - By using evidence on program outcomes to inform budget choices, policymakers may identify and eliminate ineffective programs.
- **Expand innovative programs** - Requiring that new and untested programs undergo rigorous evaluation may help determine whether they work and identify opportunities to target funding to innovative initiatives that deliver better outcomes to residents or reduce costs.
- **Strengthen accountability** - Collecting and reporting data on program operations and outcomes may potentially make it easier to hold agencies, managers, and providers accountable for results.

PARTICIPATION BY STATES

The schedule below summarizes states participating in the Results First Initiative.

States	Level and Area of Participation	Use of Results First model	Implementation Date
California	California participates on a county level. Three counties within the state, including Santa Barbara, Santa Cruz, and Fresno, have implemented the Results First Initiative in the area of corrections.	<ul style="list-style-type: none"> • Santa Barbara County - Provides a jurisdiction-specific cost-benefit tool to help produce program recommendations for the board to use during budget deliberations. • Santa Cruz County - Assists county officials in selecting and evaluating programs to serve low-risk offenders and reduce future crime. • Fresno County - Helps target funds to programs that are proven to be highly effective and properly implemented. 	<ul style="list-style-type: none"> • Santa Barbara County - August 2013 • Santa Cruz County - October 2013 • Fresno County - January 2014
Connecticut	State level participation in the area of adult criminal and juvenile offenders.	Identifies and supports cost-effective interventions for adult criminal and juvenile offenders.	March 2011
Idaho	State level participation in the area of adult criminal justice programs.	Informs public policy decisionmakers in criminal justice.	February 2011
Illinois	State level participation in the area of adult criminal justice programs and policies.	Produces systemwide fiscal impact statements for relevant criminal justice legislation that utilize cost-benefit analysis of various corrections programs and strategies, including traditional sentencing schemes as well as diversion and probation programs.	Fall 2011
Iowa	State level participation in the area of adult criminal justice programs and policies.	Estimates the costs and benefits associated with implementing alternative sentencing strategies and reinvesting projected taxpayer savings in effective programming.	May 2011
Kansas	State level participation in the area of the criminal justice system.	Assesses the expected return on investment of an array of adult criminal justice programs, including cognitive behavioral therapy for high-risk inmates, offender workforce development services, and community-based programming for nonviolent drug-possession offenders.	November 2011
Massachusetts	State level participation in the area of corrections.	Develops legislation that would decrease corrections spending and redirect the savings to reduce crime, improve public safety, and address other budget priorities.	March 2012

Mississippi	State level participation to build a performance-based budgeting system.	Provides performance evaluations, investigations, and expenditure reviews of state government agencies to support the legislature in its oversight role and in making state government more effective, efficient, and accountable.	December 2012
New Mexico	State level participation in the areas of early childhood and criminal justice.	Provides program evaluations and assists in the development of annual legislative budget recommendations.	September 2011
New York	State level participation centralized at the New York State Division of Criminal Justice Services.	Supports the objectives of reducing crime and lowering prison and jail populations.	December 2011
Oregon	State level participation in the area of adult criminal and juvenile justice programs.	Improves the efficiency and effectiveness of state and local criminal justice systems.	January 2010
Rhode Island	State level participation focusing on incorporating outcome evaluations and long-range planning into policy and budget decisions.	Develops performance measures for every state-funded program and reports regularly on progress toward established annual goals.	March 2013
Texas	State level participation in the area of criminal justice.	Informs policy and budget decisions in the area of criminal justice.	December 2011
Vermont	State level participation in the area of criminal justice.	Informs policy and budget decisions in the area of criminal justice.	November 2011
West Virginia	State level participation initially in the adult criminal justice system and will expand to include analysis of the child welfare and juvenile justice systems.	Identifies which state-funded programs are providing optimal returns on investment and promotes data-driven decisionmaking in budget and policy matters.	July 2014
Wisconsin	State level participation initially to develop a full criminal justice program inventory focused on reducing recidivism.	Incorporates cost-benefit analyses into policy and budget processes with the goal of producing higher returns on taxpayer investment.	August 2014

How States Are Selected

States are selected for participation in the Results First Initiative based on several factors. One is a commitment to making evidence-based policy decisions. Another is the ability to provide the data needed to operate the cost-benefit analysis model. A third is a willingness to dedicate resources to the effort, including staff with data, statistical analysis, and fiscal-analysis skills.

The staff of the Pew-MacArthur Results First Initiative holds several conference calls with state representatives to discuss the model and the implementation process. The Results First Initiative staff conducts an initial site visit to assess the state's preparedness to participate in the Results First Initiative, meets with stakeholders, explores analytical and data capabilities, identifies the level and nature of technical assistance to be provided, and discusses goals.

Idaho Experience with Results First Initiative

Idaho was one of the first states to participate in implementing the Results First Initiative. However, due to a number of factors, Idaho has put the Results First Initiative on hold.

Idaho did not have an initial financial obligation nor does the state have a continuing obligation to Pew-MacArthur. Idaho was not required to hire additional staff to implement the model; however, initially, the state hired a project manager from a local university to assist with program implementation. Idaho and Pew-MacArthur each contributed approximately \$25,000 to the project. After poor project management, Idaho hired an economist to enter the state's data into the Results First Initiative, which the economist did successfully. However, the economist felt it was inappropriate to make cost comparisons between programs using the Results First Initiative due to the fact that the initiative fails to take into account many programmatic areas.

While in the process of implementing the Results First Initiative, Idaho was also implementing Justice Reinvestment. Justice Reinvestment is a data-driven approach to improve public safety, reduce corrections and

related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism. Idaho remains on hold with the Results First Initiative and is still considering the potential benefits of it and the Justice Reinvestment approach.

Iowa Feedback on Results First Initiative

Iowa's Department of Corrections (DOC) implemented the Results First Initiative. Iowa did not have an initial financial obligation nor does the state have a continuing obligation to Pew-MacArthur. Iowa was also not required to hire additional staff to implement the Results First Initiative. However, current employees did need to devote time to the initiative. The state also involved an unpaid research assistant to help implement the initiative.

The research director of DOC received training and technical assistance from Pew-MacArthur. The department gathered data from the Department of Management, Department of Public Health, Department of Public Safety, Judicial Branch, Criminal and Juvenile Justice Planning Division, Community-Based Corrections District Departments, Legislative Services Agency, and substance abuse treatment providers for the initiative in 2011-12. The Department of Corrections has used the results of the initiative to guide funding decisions in an effort to maximize the cost-effectiveness of programs.

Once the Results First Initiative was implemented, DOC used it to analyze its programs and issued a report in May 2012. Since the report was issued, DOC has focused its treatment budget on cognitive programming. The Department of Corrections partnered with the University of Iowa to develop research-based pilot projects to improve outcomes for the Batterer's Education Program. The Iowa Code requires offenders convicted of domestic violence to attend treatment education. The Results First Initiative showed the Batterer's Education Program has proven to be ineffective. The Department of Corrections worked with the University of Iowa to create a new curriculum--Achieving Change Through Value-Based Behavior. The initiative has also been implemented in the Community-Based Corrections District Departments.

The model was also used to produce an analysis of the potential impact of amending a mandatory minimum drug sentencing law for the Public Safety Advisory Board.

In addition to correctional issues, potential future areas of analysis include child welfare, mental health, substance abuse, early education, K-12 education, public health, prevention, and long-term care (nursing home diversion).

House Approps
SC R 1004
3/16/15
#1

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