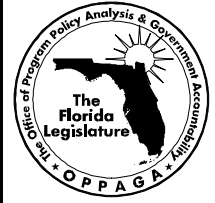




Office of Program Policy Analysis And Government Accountability



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Status Report on the Florida Department of Law Enforcement's Initial Efforts in Performance-Based Program Budgeting

Report Abstract

- The Florida Department of Law Enforcement (FDLE) has taken advantage of the performance-based program budgeting process to reorganize operations and restructure its delivery of services to improve accountability.
- Given the nature of FDLE's work, developing good measures to assess FDLE's performance is complicated. Identifying better measures may not be possible until FDLE, the Legislature, and OPPAGA apply the measures and learn through experience how they can be improved to assist policy and budget decisions.
- FDLE's proposed fiscal year 1997-98 measures represent an improvement over the interim measures used for fiscal year 1996-97. FDLE plans to continue to revise and improve its measures to provide the Legislature more useful information for making policy and budget decisions.

Purpose

Chapter 94-249, Laws of Florida, directs state agencies to prepare performance-based program budgeting measures in consultation with the Governor's Office of Planning and Budgeting, staff from the appropriate legislative committees, and the Office of Program Policy Analysis and Government Accountability (OPPAGA). This review identifies the organizational changes that FDLE has made in implementing performance-based program budgeting and discusses FDLE's efforts to develop performance measures. We also identify issues for the Legislature to consider as it reviews FDLE's proposed measures.

Background

FDLE performs various state law enforcement functions, as authorized by s. 943.03, F.S. FDLE's primary function is to provide support services, such as investigations, lab services, and criminal justice information and training, to state and local law enforcement agencies. FDLE provides services to almost 400 agencies throughout Florida. FDLE is funded by general revenue and trust funds. The Legislature appropriated FDLE \$117 million in fiscal year 1996-97. For fiscal year 1997-98, FDLE has requested \$119 million and 1,519 positions. Both fiscal year 1996-97 and fiscal year 1997-98 budgets were prepared in accordance with performance-based program budgeting requirements.

The 1994 Government Performance and Accountability Act directs state agencies to provide the Legislature performance-based program budget requests that include performance measures and standards. Performance measures should include output measures that can be used to assess the amount of products or services a program provides, and outcome measures that can be used to assess the program results or benefits. Standards are expected levels of performance against which actual performance can be compared.

The Legislature defines programs, provides performance measures, and sets performance standards in the General Appropriations Act. State agencies must then annually report their performance against these standards in subsequent legislative budget requests. The Legislature considers this information in evaluating program performance and may award incentives and disincentives for performance that exceeds or fails to meet the established standards.

FDLE submitted its first performance-based budget request for fiscal year 1996-97. This budget request included a number of "interim measures" that FDLE indicated would be replaced in fiscal year 1997-98 as new data and data sources were

developed for better measures. FDLE has submitted several new and revised measures in its budget request for fiscal year 1997-98. FDLE proposed a total of 65 performance measures, including 36 output measures and 29 outcome measures.

Findings

The Florida Department of Law Enforcement has taken advantage of the performance-based program budgeting process to reorganize operations and restructure its delivery of services to improve accountability.

The performance-based program budgeting process is an opportunity for agencies to reexamine their mission and their services or products and how they are delivered. As a part of the process of implementing performance-based program budgeting, FDLE: (1) reorganized its Divisions to correspond to the three major programs it identified; (2) restructured its chain of command to improve the delivery of services; and (3) established a special performance-based program budgeting unit to oversee the development and revision of performance measures.

Reorganizing Around Programs. To identify its programs for performance-based program budgeting, FDLE involved its members (FDLE's term for its staff) in assessing its mission and activities in relation to factors that contribute to crime in Florida. As a result, FDLE grouped its activities into three programs: Criminal Justice Investigations and Protection; Criminal Justice Information; and Criminal Justice Professionalism (see Exhibit 1).¹ FDLE consolidated its seven organizational units to form three new divisions

corresponding to these three programs. For example, the Division of Criminal Investigations and the Division of Local Law Enforcement Assistance (laboratory services) were merged into a single division to combine FDLE services related to the investigation and prosecution of cases.

Restructuring the Chain of Command. To improve the delivery of services and be more responsive to local needs, the Commissioner restructured FDLE's chain of command, providing a somewhat flatter organizational structure. To oversee the agency, he established an Executive Council.² The Commissioner also increased the number of regions from five to seven. The Commissioner gave more autonomy to the regional directors; staff in each region now report directly to the regional directors rather than to division directors in Tallahassee.

Creation of a Performance-Based Program Budgeting Unit. The Commissioner also created a performance-based program budgeting unit to oversee the development and revision of performance measures.

These changes create a linkage between organizational structure and service delivery. As a result, FDLE should be able to use performance-based program budgeting information to improve internal management and accountability as well as provide information the Legislature needs for policy and budgeting decisions.

¹ Along with the three areas, FDLE continued its Division of Staff Services, which provides administrative support functions for FDLE, including finance and accounting, personnel, purchasing, and budgeting. In fiscal year 1996-97, the Division of Staff Services accounted for 8% of FDLE's total budget.

² The Executive Council consists of the Executive Policy Board (the Commissioner, Deputy Commissioner, Assistant Commissioner, Executive Staff, and Program Directors) and Regional Directors.

Exhibit 1
FDLE Reorganized Its Divisions to Correspond to Its Three Program Areas

Program/New Division (• Former Units)	Purpose of Program
Criminal Justice Investigations and Protection <ul style="list-style-type: none"> • Criminal Investigations • Local Law Enforcement Assistance (lab services) • Office of Executive Investigations 	Increase the solvability of cases investigated through the provision of forensic (lab services) and investigative services, thereby increasing the public's safety and security.
Criminal Justice Information <ul style="list-style-type: none"> • Criminal Justice Information Systems • Information Resource Management 	Provide the criminal justice information necessary to prevent crime, solve cases, recover property, and identify and apprehend criminals; provide screening to identify persons with criminal warrants, arrests, and convictions; and provide statistical and analytical information about crime to policymakers and the public.
Criminal Justice Professionalism <ul style="list-style-type: none"> • Criminal Justice Standards and Training • Criminal Justice Executive Institute 	Ensure that the citizens of the state are served by the most qualified, well-trained, competent, and ethical criminal justice community.

Source: OPPAGA review of FDLE's Legislative Budget Request for fiscal year 1997-98.

Given the nature of FDLE's work, developing good measures to assess FDLE's performance is complicated. Identifying better measures may not be possible until FDLE, the Legislature, and OPPAGA apply the measures and learn through experience how they can be improved to assist policy and budget decisions.

As required by law, FDLE has developed both measures that report the amount of products or services its programs provide (output measures), and measures that report the results or benefits provided by its programs (outcome measures). Developing measures to assess FDLE's performance has been complicated by three issues: the variability of certain FDLE activities, the interdependency between FDLE and other law enforcement agencies, and the lack of measures that assess FDLE's impact on the criminal justice system.

Variations in Activities. Many of the activities and services that FDLE provides in performing its statutory responsibilities vary widely in time and resources required. As a result, there may be year-to-year variations in FDLE's output and outcome measures that do not result from changes in FDLE's performance. In such cases increases in outputs or outcomes would not necessarily mean that a program has been more productive.

For example, criminal justice investigations vary from long-term investigations that can last longer than a year to short-term investigations in which FDLE's work may be completed in a day. Because the resources required and the resulting costs vary considerably from case to case, measures such as the "number of FDLE-assisted local law enforcement criminal investigations closed" do not provide a clear picture of the resources used in a year.

Because of this variation, annual comparisons of measures are problematic: measures could decrease in a given year even if FDLE staff worked harder and better during that time. Until FDLE, the Legislature, and OPPAGA can obtain evaluative information over multiple years, the Legislature should use caution in holding FDLE accountable for some specific performance standards on these variable measures.

Interdependency Between FDLE and Other Agencies. It is often impossible to determine the extent to which FDLE is responsible for case outcomes because it works many cases cooperatively. Performance-based program budgeting emphasizes measuring the outcomes that result from agency performance, and holding the agency responsible for those outcomes. However, about 60% of FDLE's cases are investigations initiated by other agencies in which FDLE plays a support role. While FDLE's assistance should help the agency obtain outcomes such as arrests and convictions, it would be difficult to measure FDLE's individual contribution. Furthermore, trying to determine responsibility for the outcome may actually discourage cooperation among agencies.

FDLE Only Indirectly Affects Higher Level Outcomes. Although FDLE programs are intended to increase public safety in Florida, FDLE has not included any higher level outcomes, such as crime rates, arrest rates, and conviction rates, in its agency performance measures. One reason for this is that these higher level outcomes are affected by many agencies in addition to FDLE and by other factors outside its control.

One type of higher level outcome over which FDLE may have more direct control would be the results of FDLE's short-term strategic initiatives. For example, FDLE has initiated efforts to coordinate local agencies in dealing with the problems of juvenile gangs. Measures of the results of strategic initiatives could provide the Legislature with better information to assess FDLE's performance.

One of the challenges of performance-based program budgeting will be for the Legislature to examine the combined efforts and effects of the state agencies on significant higher measures to determine if policy and budget decisions are having the desired effect. The Legislature may want FDLE and other criminal justice agencies to include such measures in order to put the outcomes at each agency into a broader context.

Measures proposed by FDLE for fiscal year 1997-98 will need to be improved to address these issues (variability, interdependency, and higher level outcomes). However, identifying better measures may not be possible until FDLE, the Legislature, and OPPAGA apply these measures and learn through experience how they can be improved to assist policy and budget decisions.

FDLE's proposed fiscal year 1997-98 measures represent an improvement over the interim measures used for fiscal year 1996-97. FDLE plans to continue to revise and improve its measures to provide the Legislature more useful information for making policy and budget decisions.

FDLE has made progress in developing meaningful output and outcome measures, and recognizes the need to continue to revise them. The measures FDLE proposes for fiscal year 1997-98 include numerous improvements over the interim measures submitted for fiscal year 1996-97. For example, for fiscal year 1996-97, FDLE included measures such as the number and percent of cases that resulted in an arrest. However, the fact that a case ends in an arrest does not necessarily indicate a positive outcome, as the arrest may not lead to conviction.

For fiscal year 1997-98, FDLE added measures of the number and percent of cases that were successfully concluded and the number and percent of cases in which FDLE investigative assistance was considered to be of value to the investigation. This latter outcome is an attempt to measure customer satisfaction on the part of local law enforcement agencies and prosecutors with FDLE's work.

One way FDLE plans to measure the outcomes of its support activities is through customer surveys of law enforcement agencies and prosecutors that use FDLE's services. Eleven of the 29 outcome measures FDLE identified for fiscal year 1997-98 are based on customer surveys. FDLE is in the process of developing the survey instruments and methodology.

Although customer surveys can be useful in evaluating whether an agency is achieving its mission, FDLE will need to address three potential problems in conducting customer surveys. First, using agent supervisors to survey local agencies risks a certain level of interviewer bias. Second, responses to questions such as "the number and percent of cases where FDLE investigative assistance was of value to the investigation" may not be useful because words such as "value" are subjective and difficult to quantify. Third, because of the large volume of ongoing work that FDLE performs in cooperation with local agencies, it will be difficult for FDLE to ensure that feedback provided relates strictly to its performance on the case for the time period being discussed.

Although the proposed measures for fiscal year 1997-98 are improved from those used in previous years, FDLE recognizes that significant revisions may again be necessary next year. Considerations that will require FDLE to revise measures in future years include:

- As FDLE reports data on its measures, it will find that some measures do not provide useful information for policy and budgeting decisions. For example, survey results may be subject to diverse interpretations so that policymakers are unable to draw conclusions from the results. Measures that are not useful should be phased out.
- In providing 65 measures for its three programs, FDLE has established some measures that provide more detail than the Legislature may need to make annual budget and policy decisions. For example, FDLE includes three separate outcome measures for the Criminal Justice Professionalism Program for the number and percent of individuals who pass the basic professional certification exam on their initial attempt, second attempt, and third attempt. FDLE should consider using some of these measures for internal purposes rather than in its Legislative Budget Request.
- Current measures do not include any unit-cost measures. FDLE reports that it is in the process of developing the ability to provide unit costs for some activities. Measuring the costs of FDLE's services is important to improving the

usefulness of these measures for policy and budget decisions.

Evolving measures make it difficult for the Legislature to compare agency performance from year to year. However, they may be an unavoidable part of the performance-based program budgeting process. Many measures will require significant revision during the initial years of performance-based program budgeting as agencies and the Legislature attempt to use measures to make policy and budget decisions, discover their shortcomings, and identify ways to refine them. In its Legislative Budget Request, FDLE has listed the data for measures it will phase out and data for its new measures, thereby helping the Legislature make comparisons even as the data changes.

Conclusions and Recommendations

FDLE has taken advantage of the performance-based program budgeting process to review its mission and reorganize to improve accountability and its delivery of services. FDLE appears to have identified more efficient ways to administer its programs and increased its emphasis on program results.

FDLE's efforts to develop good measures to assess performance have been complicated by wide variations in its activities; its support role in most of the work it performs; and the limited extent to which it can be held accountable for higher level outcomes, such as crime rate.

Despite these obstacles, FDLE has made progress in developing performance measures. The measures included in FDLE's 1997-98 budget request represent an improvement over the interim measures used for fiscal year 1996-97. FDLE plans to continue to revise and improve its measures as it collects data on these measures and as the Legislature identifies ways to improve the measures to make them more useful for policy and budget decisions.

We recommend that FDLE continue to revise its output and outcome measures. FDLE should develop unit-cost and man-hour measures for certain activities to improve the usefulness of its measures for budgeting purposes. We also recommend that FDLE identify some higher level measures that would provide an indication of Florida's progress on public safety issues.

This project was conducted in accordance with applicable evaluation standards. Copies of this report may be obtained by telephone (904/488-1023 or 800/531-2477), by FAX (904/487-3804), in person (Claude Pepper Building, Room 312, 111 W. Madison St.), or by mail (OPPAGA Report Production, P.O. Box 1735, Tallahassee, FL 32302). Web site: <http://www.state.fl.us/oppaga/>

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