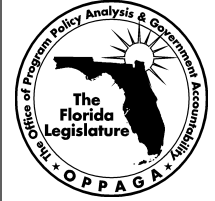




Office of Program Policy Analysis And Government Accountability



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Review of the Performance of the Florida Department of Law Enforcement's Professionalism Program

Abstract

- **The Professionalism Program has gained some efficiency in performing audits of criminal justice agencies and training schools and has improved the passing rate of its professional certification examination.**
- **Additional conclusions about Program performance cannot yet be made because the 1996-97 measures do not sufficiently address the impact of Program activities.**
- **Changes to the Program's measures and standards have enhanced their usefulness. However, some additional modifications are needed to provide the Legislature with more meaningful information.**

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). State agencies are then required to submit performance-based program budget requests, which include performance measures and standards to the Legislature for approval. The Legislature includes the approved performance measures and standards in the annual General Appropriations Act.

State agencies must report annually on performance against these standards to the Governor and the

Legislature in their legislative budget requests. The Legislature considers this information in making funding decisions. The Legislature can also award incentives and disincentives for program performance that exceeds or fails to meet the established standards.

Section 11.513, F.S., directs OPPAGA to complete a justification review of each state agency program that is operating under a performance-based program budget. OPPAGA is to review each program's performance-based program budgeting measures and standards and identify alternative means for providing program services. The Legislature authorized the Professionalism Program to operate under a performance-based program budget in Fiscal Year 1996-97.

This is the first of two reports presenting the results of our program evaluation and justification review of the Department of Law Enforcement's Professionalism Program. In this report, we discuss the Program's performance compared to the legislative measures and standards for Fiscal Year 1996-97 and options for improving the Program's Fiscal Year 1998-99 performance-based program budgeting measures and standards. Our second report addressing Program performance and policy alternatives for reducing costs and improving services will be published before July 1, 1998.

Background

The Florida Department of Law Enforcement's Professionalism Program regulates criminal justice professionals (law enforcement officers, correctional officers, and correctional probation officers) to ensure that citizens are served by qualified, well-trained,

competent, and ethical officers. These officers must meet and maintain a minimum standard of knowledge and skills related to their professional occupations. To be certified as a criminal justice officer in Florida, an individual must meet minimum standards established in s. 943.13, F.S., including attending a training school and passing a certification examination. As of June 30, 1997, there were 74,310 criminal justice officers actively employed in Florida.

In accordance with s. 943.12, F.S., the Florida Criminal Justice Standards and Training Commission is responsible for certifying and disciplining criminal justice officers. The Commission is composed of 19 members, including 3 state agency heads or their designees, the Director of the Division of Florida Highway Patrol, and 15 members appointed by the Governor. The positions assigned to the Department's Professionalism Program serve as staff for the Commission.

The Professionalism Program comprises two functions:

- **Training and Certification.** The Program develops course curricula and oversees training provided to criminal justice officers. Certified training schools provide basic recruit training for individuals seeking employment as officers in Florida, and post-basic training for officers to meet minimum requirements established by the Commission and the Legislature. The Program administers the Drug Abuse Resistance Education (DARE) Training Center where law enforcement officers learn how to teach school children about illegal drugs. The Program also administers the Florida Criminal Justice Executive Institute where experienced criminal justice officials receive training on complex issues such as interpersonal skills related to race and ethnicity. In addition, the Program designs and administers the certification examination given to qualifying criminal justice officer applicants. The Program ensures that training schools and instructors meet minimum requirements to be certified. Further, the Program maintains certification and employment information for all active certified criminal justice officers in Florida.
- **Compliance.** The Criminal Justice Standards and Training Commission reviews and takes disciplinary actions against criminal justice officers who fail to maintain minimum standards of conduct. The Commission has the authority to

revoke an officer's certificate, which would prohibit that officer from being employed as a criminal justice officer in Florida, or suspend the certification for a definite period. The Program also monitors criminal justice agencies and training schools for compliance with minimum requirements. For example, Program staff audit agency records of newly hired officers to determine whether they meet minimum statutory and Commission requirements. Program staff also audit training school records to determine compliance with requirements such as hiring certified instructors and maintaining classroom attendance rosters.

The Professionalism Program, one of FDLE's three performance-based budgeting programs, represents 8.5% of FDLE's total appropriated budget. In 1996-97, the Professionalism Program was authorized 98 full-time positions and appropriated \$10.3 million.

Findings

Using the 1996-97 performance-based budgeting measures and standards, what can be concluded about Program performance?

Based on the 1996-97 measures, the Professionalism Program has gained some efficiency in its compliance function and has improved the passing rate of its professional certification examination.¹ However, limitations with the 1996-97 measures impeded our ability to further assess program performance because the measures do not sufficiently address the impact of the Professionalism Program.

Changes to the 1997-98 measures will provide more information to evaluate the Program. For example, the 1997-98 measures added nine outcome measures for the training and certification function. However, we could not use these measures to assess Program performance because in most cases not enough data have been collected to assess performance over time.

¹ Fiscal Year 1996-97 measures are the Program's first set of performance-based budgeting measures; and Fiscal Year 1996-97 is the only year for which there is complete data for these measures.

Limited Conclusions About Professionalism Program Performance. A comparison of data for the past two years indicates that the Program has gained some efficiency in its compliance function and improved the passing rate of its professional certification examination. (See Exhibit 1.) As discussed below, limitations with the measures impeded our ability to make further conclusions about Program performance.

Improved efficiency of compliance function. With the same number of full-time equivalent staff positions for both years, the Department conducted 57% more compliance visits in Fiscal Year 1996-97 than it did in the prior fiscal year. For example, the Program increased the number of criminal justice agency and training school records audited from 4,103 in Fiscal Year 1995-96 to 6,430 in Fiscal Year 1996-97.² These audits are important because identifying and rectifying instances of noncompliance with statutory and Commission requirements helps to reduce the state's and local governments' potential liability in lawsuits.

Improved passing rate for certification examination. The passing rate of the professional certification examination has improved. For example, the percent of individuals receiving a passing grade on the certification examination went from 70.3% in Fiscal Year 1995-96 to 75.2% in Fiscal Year 1996-97. Although factors outside the Program's control may influence whether an individual will pass the examination, the higher passing rate indicates to some extent that individuals were better prepared to take and pass the examination.

² Program staff audit agency records of newly hired officers to ensure compliance with statutory and Commission requirements and training school records to ensure compliance with requirements such as whether instructors are certified and classroom attendance rosters are kept.

**Exhibit 1
Program Has Gained Efficiency in
Its Compliance Function and Has Increased the
Passing Rate of Its Professional Certification Examination¹**

Fiscal Year 1996-97 Measures	Fiscal Year		GAA Standards	Comments
	1995-96	1996-97	1996-97	
OUTPUTS:				
Number of compliance visits	4,103	6,430	8,572	FDLE staff conducted 57% more compliance visits from the prior year. FDLE overestimated its projected standard for this measure.
Number of certifications processed	19,067	17,768	24,828	Demand for FDLE services declined somewhat from the prior year. FDLE overestimated its projected standard for this measure.
Number of course curricula and examinations developed, administered, or revised	10,420	8,992	12,500	Demand for FDLE services declined somewhat from the prior year. FDLE overestimated its projected standard for this measure.
Number of discipline cases processed	1,017	1,022	1,283	Demand for FDLE services declined somewhat from the prior year. FDLE overestimated its projected standard for this measure.
Number of individuals trained	31,859	34,476	35,535	Not a good measure of FDLE workload because basic recruit training is not conducted by FDLE staff but by training school personnel.
OUTCOMES:				
Number and percent of criminal justice applicants passing their professional examination	7,225 70.3%	6,735 75.2%	10,500 84%	Examination pass rate improved by 4.9% from the prior year. FDLE overestimated its projected standard for this measure.

¹Fiscal Year 1994-95 data for these measures were either not available or inaccurate.

Source: General Appropriations Acts and Office of Program Policy Analysis and Government Accountability

Problems With 1996-97 Performance Measures. Although the 1996-97 measures provided some information about Program performance, their usefulness for assessing program performance is limited because the measures do not allow the Legislature to determine the impact of several aspects

of the Professionalism Program. Five of the six measures provide information about the Department's workload relative to its training and certification and compliance activities, but do not provide information about the impact of these activities. The other measure, *number and percent of criminal justice applicants passing their professional examination*, provides information about the impact of only one of several training and certification activities. The 1996-97 measures do not include any outcome measures for the Program's compliance function. Therefore, the Legislature is limited in assessing performance in these areas because there is not enough data yet on Fiscal Year 1997-98 measures.

What improvements can be made to the Program's performance-based program budgeting measures and standards for Fiscal Year 1998-99?

Since the initial set of performance measures were adopted for the 1996-97 fiscal year, changes were proposed by the Department and made by the Legislature that have improved the measures and increased their usefulness. (See Exhibit 2.) However, further improvements could be made to the proposed 1998-99 measures to provide the Legislature with more meaningful information.

**Exhibit 2
The Performance-Based Program Budgeting Measures Have Been Refined
to Provide More Information on Program Activities**

1996-97 Measures	1997-98 Measures	1998-99 Measures Proposed by FDLE
Number of individuals trained	Modified: Number of individuals trained in basic recruit	Continue
Number of certifications processed	Modified: Number of certifications issued (for successful completion of basic training and employment requirements)	Continue
Number of course curricula and examinations developed, administered, or revised	Continued	Modify: Number of course curricula developed or revised
Number/percent of criminal justice applicants passing their professionalism exam	Modified: Number/percentage of individuals who pass the initial administration of the basic professionalism certification examination	Modify: Number of individuals who pass the basic professional examination for law enforcement officers, correctional officers and correctional probation officers
	Modified: Number/percentage of individuals who pass the basic professionalism certification examination on the second attempt	Delete: FDLE prefers to report the total pass rate by discipline rather than breakdown of the overall pass rate by number of attempts.
	Modified: Number/percentage of individuals who pass the basic professionalism certification examination on the third attempt	Delete: FDLE prefers to report the total pass rate by discipline rather than breakdown of the overall pass rate by number of attempts.
	New: Number of Florida Criminal Justice Executive Institute (FCJEI) hours of instruction	Delete: FDLE prefers to keep this measure internally rather than report it in the LBR.
	New: Number of individuals trained by FCJEI	Continue
	New: Number of DARE hours of instruction	Delete: FDLE prefers to keep this measure internally rather than report it in the LBR.
	New: Number of law enforcement officers trained by DARE	Continue
	New: Number/percentage of target population (K-4,5,7) completing DARE programs	Continue
	New: Number/percentage of DARE graduates who were arrested for drug or alcohol offenses	Delete: FDLE cannot collect reliable data for this measure.
	New: Number/percentage of criminal justice officers obtaining initial employment who complete their probationary period	Delete: FDLE cannot collect reliable data for this measure.

(Continued on next page)

Exhibit 2 (Continued)

1996-97 Measures	1997-98 Measures	1998-99 Measures Proposed by FDLE
	<i>New:</i> Number/percentage of basic recruit graduates obtaining initial employment in same discipline in one year	<i>Continue</i>
	<i>New:</i> Percentage of officers competing Advanced or Specialized training course offered by a certified training facility who rate training effective in improving their ability to perform their duties	<i>Continue</i>
	<i>New:</i> Percentage of officers rated as demonstrating improved performance by their supervisors after completing an Advanced or Specialized training course offered by a certified training facility	<i>Continue</i>
	<i>New:</i> Number/percentage of customers satisfied with officer information provided through Automated Training Management System (ATMS)	<i>Continue</i>
Number of discipline cases processed	<i>Modified:</i> Number of discipline referrals processed (for state and local LEOs and COs and CPOs pursuant to Ch. 120, F.S.)	<i>Continue</i>
	<i>Modified:</i> Number of criminal justice officer disciplinary actions	<i>Continue</i>
Number of compliance visits	<i>Modified:</i> Number of compliance audits conducted for maintenance of training and employment standards for state and local LEOs and COs and CPOs pursuant to s. 943.13, F.S.	<i>Continue</i>
	<i>New:</i> Number of technical assists provided	<i>Continue</i>
	<i>New:</i> Number of CJ officer mandatory retraining completions	<i>Continue</i>
	<i>New:</i> Number/percentage of criminal justice officer disciplinary actions disposed of within time frames	<i>Delete:</i> FDLE must meet the statutory timeframes for disposing of cases, therefore this measure does not provide useful information

Source: 1996-97 and 1997-98 General Appropriations Acts, 1998-99 Legislative Budget Request and interviews with FDLE staff

As shown in Exhibit 3, the Department should modify or delete five of the proposed measures to provide more complete information for assessing Program performance. For example, the measure, *number of individuals who pass the basic professional examination for law enforcement officers, correctional officers, and correctional probation officers*, should be modified to provide a passing rate by including the percentage of all individuals who pass the examination. The percentage of individuals receiving a passing grade provides the Legislature with more complete information than the number of individuals passing the examination because there could be an increase in the number of individuals passing the examination but not in the percentage of individuals passing the examination. The Department should also delete the measure, *number of individuals trained in basic*

recruit, because basic recruit training is conducted by training school personnel, not Department staff.³

In addition, the Department should develop outcome measures for the compliance function. For example, the Department could address the results of compliance audits, such as the number and percentage of criminal justice agencies and training schools audited by Department staff where problems were identified. The Department could also address the results of officer discipline cases, such as the number and percentage of officers who had their certifications revoked. In this way, the Legislature would have more information on the effects or results of the Program's activities rather

³ Training schools are generally located at Vo-Tech Schools or Community Colleges.

than just having information on the Department's workload.

As we recommended in Report No. 96-47, the Department should also develop unit cost measures in its 1998-99 measures. At a minimum, the Department should report the costs associated with providing major activities, such as conducting compliance audits and administering the certification examination. Unit cost measures would enable the Legislature to determine the efficiency with which the Department performs its basic functions and to make funding decisions that would be based on return-on-investment information.

Standards for two of the proposed 1998-99 measures should be adjusted upward to better reflect baseline data. The standards for *number and percent of basic recruit graduates obtaining initial employment in same discipline in one year* and *number of criminal justice officer mandatory retraining completions* appear low compared to actual performance for Fiscal Year 1996-97. For example, the proposed 1998-99 standard for *number and percent of basic recruit graduates obtaining initial employment in same discipline in one year* is 2,520, or 34%, whereas actual performance for fiscal year 1996-97 was 4,740, or 60%. Adjusting the standard upward would provide the Legislature with a more reasonable benchmark for assessing performance.

The standard for one other measure, *number of individuals who pass the basic professional examination for law enforcement officers, correctional officers, and correctional probation officers*, should reflect the breakdown for each of the three disciplines rather than the aggregate number of individuals who receive a passing grade on the examination. Information on the passing rate for each of the disciplines would provide the Legislature with more information about the relative performance on the certification examination of each of the disciplines.

Conclusions and Recommendations

Based on the 1996-97 measures, the Professionalism Program has gained some efficiency in its compliance function and has improved the passing rate of its professional certification examination. Limitations with the 1996-97 measures impeded our ability to further assess Program performance because the measures do not sufficiently address the impact of the Program.

Changes to the measures have enhanced their usefulness. For example, the 1997-98 measures added nine outcome measures for the training and certification function. However, we could not use these measures to assess Program performance because in most cases not enough data have been collected to assess performance over time.

Further improvements could be made to the proposed 1998-99 measures and standards to provide the Legislature with more meaningful information. The Department should modify or delete 5 of the 17 proposed measures. (See Exhibit 3.) The Department should also include outcome measures for the compliance function. For example, the Department could address the results of compliance audits, such as the number and percentage of criminal justice agencies and training schools audited by Program staff where problems were identified.

In addition, the Department should include unit cost measures in its 1998-99 measures. The Department should report the cost associated with its major Program activities, such as conducting compliance audits and administering the certification examination. Unit cost measures would enable the Legislature to determine the efficiency with which the Department performs its basic functions.

Standards for two of the proposed measures (*number and percent of basic recruit graduates obtaining initial employment in same discipline in one year* and *number of criminal justice officer mandatory retraining completions*) should be adjusted upward to better reflect baseline data. The standard for one other measure, *number of individuals who pass the basic professional examination for law enforcement officers, correctional officers, and correctional probation officers*, should include a breakdown for each of the disciplines rather than the aggregate number for all disciplines.

Agency Response

The Executive Director of the Florida Department of Law Enforcement agreed with our recommendations and described actions the Department is taking to address our concerns. A copy of his full response is available upon request.

Exhibit 3
OPPAGA Recommendations to Improve the Proposed 1998-99 Performance-Based Program
Budgeting Measures for the Professionalism Program

Output Measures	Comments	OPPAGA Recommendations
Number of individuals trained in basic recruit	Total number of persons who complete basic recruit training requirements at certified Criminal Justice Training schools	Delete—Basic recruit training not conducted by FDLE staff but by training school personnel
Number of certifications issued (for successful completion of basic training and employment requirements)	Workload indicator for certificates issued to individuals upon completing training requirements at certified Criminal Justice training schools	Use generic title to include all appropriate training
Number of course curricula developed or revised	Workload indicator for the development or modification of training course curricula	None
Number of examinations developed, administered, or revised	Workload indicator for the development of examinations and the number administered to applicants	None
Number of discipline referrals processed (for state and local LEOs and COs and CPOs pursuant to Ch. 120, F.S.)	Workload indicator for complaints received by FDLE where officers may have violated professionalism standards	None
Number of criminal justice officer disciplinary actions	Workload indicator for cases involving officers who have violated professionalism standards that are brought before the Commission or a hearing panel for resolution	None
Number of individuals trained by FCJEI	Total number of persons who graduate from the Florida Criminal Justice Executive Institute	None
Number of compliance audits conducted for maintenance of training and employment standards for state and local LEOs and COs and CPOs pursuant to s. 943.13, F.S.	Workload indicator for compliance activities related to certified Criminal Justice training schools and hiring agencies	None
Number of technical assists provided	Workload indicator for technical assistance provided to certified Criminal Justice training schools and hiring agencies	None
Number of CJ officer mandatory retraining completions	The total number of officers who complete mandatory post-basic training requirements (40 hours every 4 years)	None
Number of law enforcement officers trained by DARE	Total number of local law enforcement officers who are trained to teach the DARE program to school children	None
Outcome Measures	Comments	OPPAGA Recommendations
Number of individuals who pass the basic professional examination for law enforcement officers, correctional officers and correctional probation officers	Indicates effectiveness of basic recruit training in preparing officers to take and pass the certification examination	Add "percentage of individuals that pass the exam" to provide a passing rate
Number/percentage of target population (K-4,5,7) completing DARE programs	Portion of eligible school children who complete the DARE program	None
Number/% of basic recruit graduates obtaining initial employment in same discipline in one year	Indicates effectiveness of basic recruit training in preparing individuals for careers in law enforcement	None
Percentage of officers completing Advanced or Specialized training course offered by a certified training facility who rate training effective in improving their ability to perform their duties	Indicates effectiveness of post-basic training from the perspective of the officer completing the course	After "Advanced or Specialized training course" add "for salary incentive credit" to better reflect data collected by FDLE
Percentage of officers rated as demonstrating improved performance by their supervisors after completing an Advanced or Specialized training course offered by a certified training facility	Indicates effectiveness of post-basic training from the perspective of the supervisor of officer completing a course	After "Advanced or Specialized training course" add "for salary incentive credit" to better reflect data collected by FDLE
Number/percentage of customers satisfied with officer information provided through Automated Training Management System (ATMS)	Indicates effectiveness indicator of Automated Training Management System in meeting user needs	None

Source: 1998-99 Legislative Budget Request, Office of Program Policy Analysis and Government Accountability, and interviews with FDLE staff

Exhibit 4
The Legislature Should Consider Adjusting Some of the 1998-99 Standards

Output Measures	1998-99 Standard	OPPAGA Comments and Recommendations
Number of individuals trained in basic recruit	7,500	Measure and standard should be deleted since basic recruit training is not conducted by FDLE staff but by training school personnel.
Number of certificates issued (for successful completion of basic training and employment requirements)	20,000	None
Number of course curricula developed or revised	49	None
Number of examinations developed, administered, or revised	10,426	None
Number of discipline referrals processed (for state and local LEOs and COs and CPOs pursuant to Ch. 120, F.S.)	2,181	None
Number of criminal justice officer disciplinary actions	452	None
Number of individuals trained by FCJEI	309	None
Number of compliance audits conducted for maintenance of training and employment standards for state and local LEOs and COs and CPOs pursuant to s. 943.13, F.S.	6,059	None
Number of technical assists provided	89,320	None
Number of criminal justice officer mandatory retraining completions	6,500	Standard should be adjusted upward to better reflect baseline data.
Number of law enforcement officers trained by DARE	155	None
Outcome Measures	1998-99 Standard	OPPAGA Comments and Recommendations
Number of individuals who pass the basic professional examination for law enforcement officers, correctional officers, and correctional probation officers	10,230	Standard should reflect the breakdown for each of the three disciplines rather than the aggregate number of individuals who receive a passing grade on the examination.
Number/percentage of target population (K-4,5,7) completing DARE programs	470,000 / 37%	None
Number/percentage of basic recruit graduates obtaining initial employment in same discipline within one year	2,520 / 34%	Standard should be adjusted upward to better reflect baseline data.
Percentage of officers completing Advanced or Specialized training course offered by a certified training facility who rate training effective in improving their ability to perform their duties	91%	None
Percentage of officers rated as demonstrating improved performance by their supervisors after completing an Advanced or Specialized training course offered by a certified training facility	70%	None
Number/percentage of customers satisfied with officer information provided through Automated Training Management System (ATMS)	422 / 90%	None

Source: 1998-99 Legislative Budget Request, Office of Program Policy Analysis and Government Accountability, and interviews with FDLE staff

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