

**COMMUNITY CORRECTIONS PROGRAMS
DIVISION 031**

Evidence-Based Programs in Community Corrections

291-031-0300

Authority, Purpose, Policy, and Applicability

(1) Authority: The authority for this rule is granted to the Director of the Department of Corrections in accordance with ORS 182.525, 179.040, 423.020, 423.030, and 423.075.

(2) Purpose: These rules establish a process by which the Department of Corrections determines if community based programs, on which the agency expends state funds; meet the principles of evidence-based practices.

(3) Policy: It is the policy of the Department of Corrections that state funds received for community based programs are expended on programs that incorporate significant and relevant practices based on scientifically based research and are cost effective.

(4) Applicability: These rules apply to community based treatment or intervention programs or services that receive state funds and are intended to reduce the likelihood that an individual will commit a crime.

Stat Auth: ORS 179.040, 182.515, 182.525, 423.020, 423.030 & 423.075

Stat Impl: ORS 179.040, 182.515, 182.525, 423.020, 423.030 & 423.075

291-031-XXXX

Definitions

(1) Cost Effective: Cost savings realized over a reasonable period of time are greater than costs.

(2) Evidence-Based Program: A program that incorporates significant and relevant practices based on scientifically based research and is cost effective.

(3) Program: For purposes of this rule a program means a community based treatment or intervention program or service that is intended to reduce the likelihood that an individual will commit a crime.

Stat Auth: ORS 179.040, 182.515, 182.525, 423.020, 423.030 & 423.075

Stat Impl: ORS 179.040, 182.515, 182.525, 423.020, 423.030 & 423.075

291-031-XXXX

Program Evaluation

(1) The Department of Corrections shall identify and implement the use of a recognized and validated tool to evaluate programs to measure their fidelity to the principles of evidence-based practices.

(2) Programs that receive less than \$5,000 in state funds in a biennium, pursuant to the Community Corrections Act (ORS 423.020), shall not be subject to program evaluation as described in this rule.

(3) After a program has been evaluated using the tool described in subsection (1) of this section and it has been determined that the program incorporates significant and relevant practices based on scientifically based research and is cost effective, the program shall be re-evaluated at a minimum of every five (5) years or as circumstances dictate.

(4) After a program has been evaluated using the tool described in subsection (1) of this section and it has been determined that the program does not incorporate significant and relevant practices based on scientifically based research and is not cost effective, the program shall be re-evaluated at a minimum of every 18-months until such time the program meets these criteria or state funds are no longer received by the program.

291-031-XXXX

Program Non-Compliance

(1) Following an initial evaluation of a program as described in OAR 291-031-XXXX (4) the Department of Corrections shall provide a detailed report of their findings to the local community corrections director and to the program's executive director.

(2) The report shall include a set of recommendations to assist the program in the process of successfully incorporating the principles of evidence-based practices into their service delivery.

(3) The Department of Corrections shall meet with the local community corrections director or designee and the program executive director or designee to review the recommendations and offer technical assistance in implementation of the recommendations.

(4) The Department of Corrections shall conduct a subsequent program evaluation within the next 18-months.

291-031-XXXX

Continued Program Non-Compliance

(1) Following a second evaluation of a program in which the program was evaluated with results as described in OAR 291-031-XXXX (4) the Department of Corrections shall provide a detailed report of their findings to the local community corrections director and to the program's executive director.

(2) The report shall include an assessment of progress or lack of progress in incorporating the principles of evidence-based practices as recommended in the initial evaluation report.

(3) The report shall also include a set of recommendations to assist the program in the process of successfully incorporating the principles of evidence-based practices into their service delivery.

(4) The Department of Corrections shall meet with the local community corrections director or designee and the program executive director or designee to discuss the level of progress or lack of progress in incorporating the principles of evidence-based practices as recommended in the initial evaluation report and identify any barriers that may exist.

(5) A formal written action plan shall be prepared by the local community corrections director or designee within 90-days of the receipt of the final report as described in subsection (1) of this section, which incorporates the report's recommendations; specific steps to incorporate the recommendations; and specific timeframes for implementation.

(6) The Department of Corrections shall conduct a subsequent program evaluation within the next 18-months.

291-031-XXXX

Termination of Funding

(1) Following a third evaluation of a program in which the program was evaluated with results as described in OAR 291-031-XXXX(4) the Department of Corrections shall provide a detailed report of their findings to the local community corrections director and to the program's executive director.

(2) State funds shall not be allocated to a program that has been evaluated as unsatisfactory as described in OAR 291-031-XXXX (4) in three consecutive evaluations.

(3) Upon receipt of the final report the local community corrections director shall advise the program's executive director that state funds will no longer be allocated to the program to provide services. The local community corrections director shall take the necessary steps to terminate the service contract, if any, with the program; or alternately, the local community corrections director may choose to fund the program with local resources.

291-031-XXXX

Appeal Process

(1) A county may appeal the termination of funding as described in OAR 291-031-XXX by submitting reasons for which they believe the termination of funding is not warranted, based upon one or more of the criteria listed in subsection (3) of this section. The appeal shall be submitted in writing to the Assistant Director of Transitional Services of the Department of Corrections.

(2) After state funds have been withdrawn from a program, the program may be reconsidered for state funding upon a finding that they have incorporated significant and relevant practices based on scientifically based research and is cost effective. In order to be reconsidered, the program shall submit in writing to the Assistant Director of Transitional Services of the Department of Corrections the steps they have taken to incorporate the principles of evidence based practices. The Assistant Director of Transitional Services shall determine whether significant changes have been made to merit a program evaluation as described in OAR 291-031-XXXX.

(3) Criteria which may be considered in the appeal process:

- (a) Scientific basis for the program design and evidence that the program is delivered consistent with research; or,
 - (b) Outcome study; or,
 - (c) Demonstrated cost-effectiveness; or,
 - (d) The program is a single source provider and there are no reasonable alternatives available to provide that service within the county.
- (4) Any decision of the Assistant Director of Transitional Services of the Department of Corrections shall be final.
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