



The Florida Senate

Interim Project Report 2001-007

November 2000

Committee on Budget

Senator Locke Burt, Chairman

COST ANALYSIS OF THE PROTECTIVE INVESTIGATIVE FUNCTIONS PERFORMED BY SHERIFFS

SUMMARY

In 1998 the Florida Legislature passed legislation mandating that the Department of Children and Families (DCF) transfer responsibility for child protective investigations in Pasco, Manatee and Pinellas Counties to their sheriffs by no later than the end of fiscal year 1999-2000. Since that time, the legislature has expanded its initial commitment to the sheriffs' involvement in child protection.

The 1999 legislature added Broward County to the list of local sheriffs authorized to provide child protection investigations, and expanded the state's financial support to the participating sheriffs' by appropriating an increase of \$10.8 million to supplement their pro-rata share of the total statewide appropriation for the child protection investigation program for fiscal year 1999-2000.

In 2000, the legislature authorized all sheriffs in the state to participate in the child protection program, and mandated a performance evaluation of all the sheriffs' programs that have been implemented since Chapter 98-180, Laws of Florida, went into effect. The 2000 legislature also appropriated a \$14.8 million increase for the sheriffs' projects, including funding for a new program in Seminole county. The \$14.8 million is made up of \$7.7 million for continuation and annualization of the funds appropriated in 1999 plus a new, additional appropriation of \$7.1 million.

The methodology for this study included: 1) data collection and analysis; 2) telephone interviews; 3) cost analysis; and 4) recommendations.

The major findings of the study are as follows:

- **DCF and the sheriffs have not created a valid random moment sampling methodology that would allow the sheriffs'**

programs to meet the federal criteria for earning funds from Title IV-E. As a result, DCF estimates that the state is losing approximately \$2.3 million in federal funds per fiscal year.

- **For fiscal year 1999-2000, the total funding allocated to the sheriffs for protective investigations was 178% higher than their pro-rata share of the total statewide funding for the program. For fiscal year 2000-2001 that percentage was 143%.**
- **The average cost per investigation projected for fiscal year 2000-2001 is \$654.29 for the sheriffs' programs as opposed to \$471.38 for the counties that are operated by DCF.**
- **Implementing the sheriffs' service delivery model in the 62 counties whose child protective investigation programs are operated by DCF would cost an estimated \$31.8 million in recurring funds over the current appropriation level for that function. In addition, DCF estimates that expanding the sheriffs' model statewide has the potential for costing \$40 to \$50 million in non-recurring funds.**
- **This study found no documentation to suggest that the legislature mandated the transfer of child protection investigations to the sheriffs in order to save costs or achieve operational efficiencies. The stimulus for this legislative action appears to have been to test a different program model that might do a better job of protecting children from abuse and neglect.**

The recommendations in the report are as follows:

1. The Senate Budget Subcommittee on Health and Human Services should hear testimony from DCF representatives and the sheriffs regarding the findings in the final performance review report that is due to the legislature and the Governor by January 31, 2001.
2. Senate staff should continue to review investigation data and update the subcommittee on potential trends that might lead to a future need for higher funding.
3. The Senate Budget Subcommittee on Health and Human Services should consider proviso language mandating DCF and the sheriffs to jointly develop standards for measuring the effectiveness of the sheriffs' programs relative to those of DCF. The criteria for measuring the programs should answer the question: "Are the sheriffs doing a better job of protecting children from abuse and neglect?"
4. The Senate Budget Subcommittee on Health and Human Services should hear a discussion of the pros and cons of replacing \$2.3 million of the state funds appropriated to the sheriffs with a corresponding amount of trust fund. This would provide a financial incentive for the sheriffs to implement whatever sampling methodology is necessary to earn federal funding from Title IV-E.

- Set forth that individuals who provide these services must complete the training required of DCF protective investigators.
- Mandated that, in fiscal year 1998-1999, funding for these services would be appropriated to DCF, and that DCF would transfer these funds to the sheriffs based on legislative intent and according to each individual contract.
- Specified that, beginning in fiscal year 1999-2000, funds intended for the sheriffs for child protective investigations must be identified in the annual appropriation to DCF who must pass on those funds to the sheriffs in the form of a grant.
- Mandated the sheriffs to implement accounting and record-keeping controls to ensure that state funding for child protective investigations is not commingled with county funds.

Since the provisions of Chapter 98-180, Laws of Florida, went into effect, the legislature has expanded its initial commitment to the sheriffs' involvement in child protection.

1999 Legislative Session

The 1999 legislature added Broward County to the list of local sheriffs authorized to provide child protection investigations, and expanded the state's financial support to the participating sheriffs' by appropriating an increase of \$10.8 million to supplement the Pasco, Pinellas, Manatee and Broward sheriffs' pro-rata share of the total statewide appropriation for the child protection investigation program for fiscal year 1999-2000.

2000 Legislative Session

In 2000, the legislature authorized all sheriffs in the state to participate in the child protection program, and mandated a performance evaluation of all the sheriffs' programs that have been implemented since Chapter 98-180, Laws of Florida, went into effect. The 2000 legislature also appropriated a \$14.8 million increase for the sheriffs' projects, including funding for a new program in Seminole county. The \$14.8 million is made up of \$7.7 million for continuation and annualization of the funds appropriated in 1999, plus a new, additional appropriation of \$7.1 million.

BACKGROUND

In 1998, the Florida Legislature passed legislation mandating that DCF transfer responsibility for child protective investigations in Pasco, Manatee and Pinellas Counties to their sheriffs by no later than the end of fiscal year 1999-2000. Chapter 98-180, Laws of Florida, amended s. 39.3065, Florida Statutes, to accomplish the following:

- Mandated that DCF and each of the sheriffs enter into a grant agreement in accordance with performance standards as set forth in the General Appropriation Act (GAA).
- Clarified that jurisdiction for child protective investigations will be determined according to the county in which the child abuse, neglect, or abandonment is alleged to have occurred.

The following table shows the two year growth in the state appropriation to the sheriffs for child protective investigations:

SUPPLEMENTAL FUNDING ALLOCATED TO SHERIFFS						
Amount Shown in Millions						
	Pasco	Pinellas	Manatee	Broward	Seminole	Total
00	\$1.49	\$5.10	\$0.89	\$3.36	\$0.00	\$10.84
01	\$1.00	\$3.41	\$0.90	\$6.89	\$2.60	\$14.80

This study will analyze the cost of the sheriffs’ child protection programs and examine outcome and output factors relative to those costs. The primary goal of this project is to determine the potential funding requirements of this service delivery option if it were to be implemented statewide.

METHODOLOGY

The methodology for this study included the following activities:

Data Collection and Analysis

Reviewed and analyzed the following:

- Florida Statutes to determine the scope of the child protection investigation program as defined in s. 39.3065, Florida Statutes, and the legislative mandate regarding the sheriffs’ involvement in child protection.
- DCF policies and procedures that prescribe the functions assigned to protective investigation workers.
- Grant agreements between DCF and each of the sheriffs for fiscal years 1999-2000 and 2000-2001 to determine what provisions, if any, might distort the outcome of the cost analysis.
- Line item budgets submitted by the sheriffs as part of their respective grant agreements with DCF, and the DCF district budgets for the areas that do not have grant agreements with sheriffs.
- Statistical reports for fiscal years 1999-2000 and 2000-2001 for the following data elements:

1. Number of child abuse and neglect investigations.

2. Number of alleged victims seen within 24 hours.
3. Number of investigations completed within 60 days.

Telephone Interviews

Interviewed officials from the sheriffs’ departments and their respective counterparts in the DCF districts in order to clarify whatever grant arrangements might have to be either noted or explained in the cost analysis.

Cost Analysis

Performed analysis of costs and outcomes to compare the sheriffs’ financial requirements with the resources allocated to DCF districts for counties that do not have grant agreements with sheriffs for the provision of child abuse and neglect investigations.

Recommendations

Drafted conclusions and recommendations to be considered by the Senate during the 2001 legislative session.

FINDINGS

Legislative Definition of “Protective Investigation”

S. 39.01, (57), Florida Statutes, defines “Protective Investigation” as:

The acceptance of a report alleging child abuse, abandonment, or neglect...by the child abuse hotline or the acceptance of a report of other dependency by the department; the investigation of each report; the determination of whether action by the court is warranted; the determination of the disposition of each report without court or public agency action when appropriate; and the referral of a child to another public or private agency when appropriate.

Performance Evaluation

S. 39.3065 (3)(e), Florida Statutes, reads as follows:

Notwithstanding the provisions of paragraph (d), and for the 2000-2001 fiscal year only, program performance evaluation shall be based on criteria mutually agreed upon by the respective sheriffs and the Department of Children and Families. The program performance evaluation shall be conducted by a team of peer reviewers from the

respective sheriffs' offices that perform child protective investigations and representatives from the department. The department shall submit a report regarding quality performance, outcome-measure attainment, and cost efficiency to the President of the Senate, the Speaker of the House of Representatives, and the Governor no later than January 31, 2001. This paragraph is repealed on July 1, 2001.

The program performance evaluation is in progress. Representatives from each sheriff and DCF have reached consensus on the criteria and methodology for the evaluation and they are scheduled to be finished by the statutory due date of January 31, 2001.

DCF is also in the process of pursuing a cost efficiency study. This study will address issues such as adequacy of accounting procedures, ratio of administrative cost to total, personnel turnover rate, and management of internal controls.

Telephone Interviews

Telephone interviews with child protection staff revealed the following information regarding the Pasco, Pinellas, Manatee, Broward and Seminole Sheriffs:

- All sheriffs who have grant agreements with DCF for the provision of child protective investigations are complying with all statutorily mandated activities.
- The Broward County sheriff does not provide certain services that are not specifically mandated in law, but are generally considered necessary to the provision of child protective services. The DCF district is retaining the budget and expenditures for these activities in Broward County.
- No sheriff has exercised his statutorily authorized option to subcontract with other law enforcement agencies for the provision of services.
- All sheriffs have agreements to involve other law enforcement agencies in child protection investigations.
- None of the sheriffs are obligated by grant agreement to follow policies and procedures issued by DCF. As a point of contention

during contract negotiations, all sheriffs asserted their right to follow their own internal policies and procedures in order for the investigation programs to achieve success.

- All sheriffs resisted having their investigators log their daily activities every fifteen minutes for the purpose of claiming federal funding from Title IV-E. All sheriffs have expressed their willingness to compromise to a less time-consuming method of meeting federal requirements for allocating costs. The sheriffs have no financial incentive to do the extra work since their programs are funded with state funds. DCF has the financial incentive but no enforcement power over the sheriffs.

Cost Efficiency

Until July 2000, protective investigations had to be completed within 45 days, but the 2000 legislature amended s. 39.3065, Florida Statutes, to change the time requirement from 45 to 60 days. Having collected actual data for the new timeframe for only three months (July, August and September), a cost efficiency analysis would not be reliable. For that reason, despite the growing number of investigation reports that are not being completed by the statutorily mandated period of 60 days, this report does not include a comparative analysis of protective investigations "backlog" data.

Loss of Federal Funding

DCF and the sheriffs have not created a valid random moment sampling methodology that would allow the sheriffs' programs to meet the federal criteria for earning funds from Title IV-E. As a result, DCF estimates that the state is losing approximately \$2.3 million in federal funds per fiscal year. For fiscal year 2001-2002, the activities performed by the sheriffs have the potential for earning \$2,331,248. All sheriffs have expressed a willingness to participate in a random moment sampling process to meet the cost allocation requirements for federal reimbursement in future years.

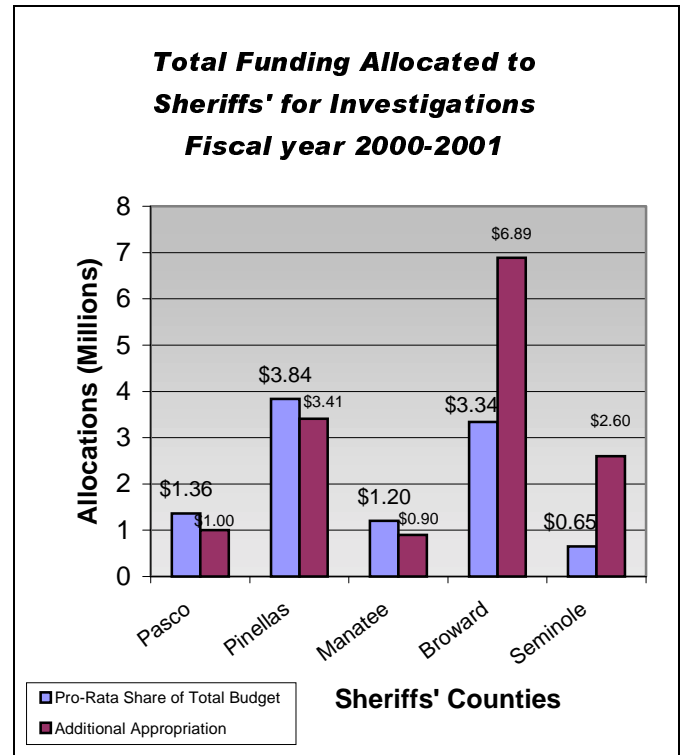
Cost Analysis

A financial and data analysis comparing the sheriffs' investigation programs with those operated by DCF revealed the following:

For fiscal year 1999-2000, the total funding allocated to the sheriffs for protective investigations was 178% higher than their pro-rata share of the total statewide funding for the program. For fiscal year 2000-2001 that percentage was 143%.

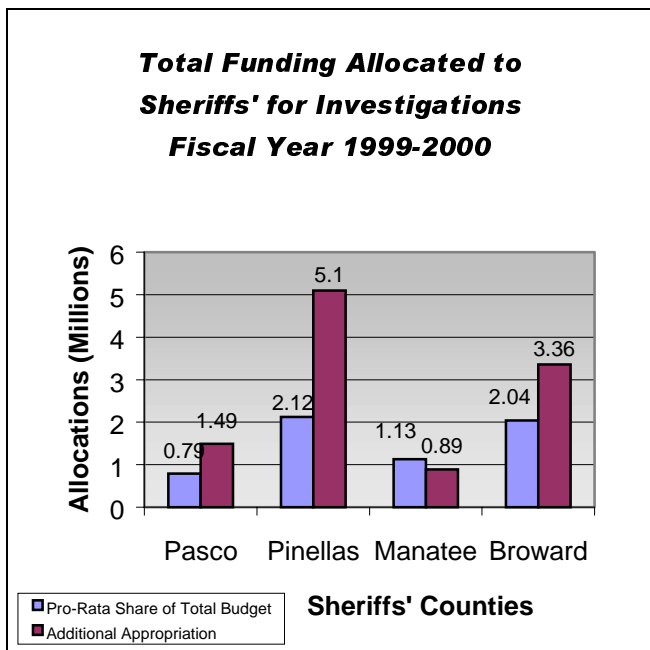
“Pro-rata share” as used in this analysis is the ratio of each sheriff’s share of the total statewide appropriation for child protective investigations. Because funding for protective investigations is appropriated statewide and not by district or county, each fiscal year DCF allocates funding increases based on caseload. The sheriffs’ pro-rata share of the statewide appropriation for protective investigation was \$6.08 million for fiscal year 1999-2000 and \$10.39 million for fiscal year 2000-2001. These funds were transferred to the sheriffs for the two respective fiscal years.

“Supplemental funding” refers to the funding specifically appropriated to the sheriffs in addition to their pro-rata share of the statewide appropriation for protective investigations. The following table and charts illustrate this point and offer a breakdown by county.

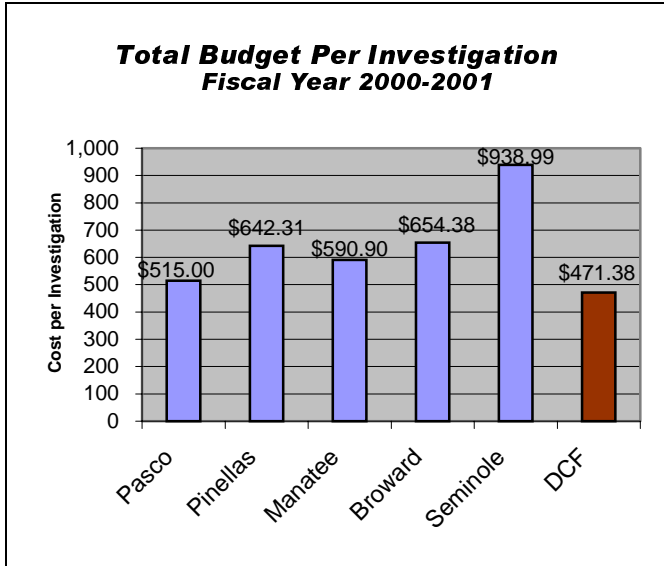


FY 99-00	Pasco	Pinellas	Manatee	Broward	Seminole	Total
Pro-Rata	\$0.79	\$2.12	\$1.13	\$2.04	N/A	\$6.08
Additional	\$1.49	\$5.10	\$0.89	\$3.36	N/A	\$10.84
% Increase	187%	241%	79%	165%	N/A	178%
FY 00-01	Pasco	Pinellas	Manatee	Broward	Seminole	Total
Pro-Rata	\$1.36	\$3.84	\$1.20	\$3.34	\$0.65	\$10.39
Additional	\$1.00	\$3.41	\$0.90	\$6.89	\$2.60	\$14.81
% Increase	74%	89%	75%	206%	400%	143%

The average cost per investigation projected for fiscal year 2000-2001 is \$654.29 for the sheriffs’ programs as opposed to \$471.38 for the counties that are operated by DCF. This calculation is based on the Approved Operating Budgets for fiscal year 2000-2001, and the latest projections for the number of protective investigations by county for that same fiscal year. The following table and chart show the details of this calculation and offer a breakout by sheriff. In evaluating the data, it is important to note that the Seminole sheriff’s program is in its transition, start up year. The budget for Seminole for fiscal year 2000-2001 includes approximately \$1 million for non-recurring costs and \$2.3 million for recurring costs. Conversely, for the same fiscal year, the costs reported for the other four sheriffs do not include any accrued costs for future replacement of capital equipment purchased in prior years. The net impact of these factors is that the average cost reported for Seminole may be somewhat overstated while the averages reported for the other sheriffs may be understated.



	Pasco	Pinellas	Manatee	Broward	Seminole	DCF
Annual Budget	\$2.4m	\$7.3m	\$2.1m	\$10.3m	\$3.3m	\$71.9m
Investigations	4,590	11,292	3,554	15,628	3,462	152,454
Per Unit Budget	\$515	\$642.31	\$590.90	\$654.38	\$938.99	\$471.38



Implementing the sheriffs’ service delivery model statewide would have a recurring cost of \$31.8 million in addition to the amount currently appropriated to DCF for protective investigations. This calculation is based on the projected number of investigations for fiscal year 2001-2002. In addition, DCF estimates that expanding the sheriffs’ model statewide has the potential for costing \$40 to \$50 million in non-recurring funds. The following table details this calculation:

Projected Sheriffs Grants Fiscal Year 2001-2002			
	Sheriffs	DCF	Differential
Avg Cost per Investigation	\$654.29	\$471.38	\$182.91
	Sheriffs	DCF	Investigations
Projected Investigations	43,834	173,446	217,280
	DCF	Differential	Add. Cost
Fiscal Note	173,446	\$182.91	\$31.8 million

This study found no documentation to suggest that the legislature mandated the transfer of child protection investigations to the sheriffs in order to save costs or achieve operational efficiencies. The

stimulus for this legislative action appears to have been to test a different program model that might do a better job of protecting children from abuse and neglect.

RECOMMENDATIONS

Based on the findings in this study, the recommendations in the report are as follows:

- The Senate Budget Subcommittee on Health and Human Services should hear testimony from DCF representatives and the sheriffs regarding the findings in the final performance review report that is due to the legislature and the Governor by January 31, 2001.
- Senate staff should continue to review investigation data and update the subcommittee on potential trends that might lead to a future need for higher funding.
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COMMITTEE(S) INVOLVED IN REPORT (*Contact first committee for more information.*)
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 Committee on Children and Families

MEMBER OVERSIGHT
 Senators John Laurent and Kendrick Meek