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Executive Department  
**Criminal Justice Council**  
State Office Building-Tenth Floor  
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**Justice Reinvestment Initiative – Phase 3  
Professional Service –  
Pretrial Risk Assessment Instrument Validation Study  
Request for Proposals**

**Eligible Applicants**

**Eligibility:** Professional service entity/vendor that demonstrates history and expertise in validation studies, particularly those involving risk assessment instruments used with criminal justice-involved populations.

**Deadline**

Completed responses must be **received at the Criminal Justice Council Office no later than 2:00 p.m. on May 29, 2015—no exceptions will be made.** Requests received after the deadline will not be eligible for funding. Requests may be submitted via mail or emailed.

**Contact Information**

If you have questions in regard to this request for proposal, please contact Valarie Tickle at (302) 577-8713 or [valarie.tickle@state.de.us](mailto:valarie.tickle@state.de.us) . This request for proposal may also be found on the Criminal Justice Council website <http://cjc.delaware.gov>

**Released From:**The Criminal Justice Council  
**Release Date:** April 15, 2015

## **I. Overview**

The Delaware Criminal Justice Council ("CJC") is soliciting proposals for funding under the 2014 Justice Reinvestment Initiative ("JRI") Maximizing State Reforms, a challenge grant program for JRI states. This project was supported by Grant No. 2014-MU-BX-0004 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice. CJC has been awarded the federal grant and will administer this Program. JRI refers to a data-driven approach that: (1) analyzes criminal justice trends to understand what factors are driving the growth in jail and prison populations; (2) develops and implements policy options to manage the growth in correction expenditures and increase the effectiveness of current spending and investment to increase public safety and improve offender accountability; and (3) measures the impact of the policy changes and reinvestment resources and holds policymakers accountable for projected results.

By signing Executive Order Number Twenty-Seven on July 25th, 2011 Delaware Governor Jack Markell created the Delaware Justice Reinvestment Task Force. The Task Force was charged with conducting a comprehensive examination of Delaware's criminal justice system. The Task Force, which was chaired by the Lieutenant Governor, included a member of each party from each chamber. It also included judicial officers from four courts, the Attorney General, the Public Defender, the Commissioner of the Department of Correction, the Secretary of the Department of Safety and Homeland Security, the Colonel of the Delaware State Police, two representatives of county or municipal law enforcement, the Executive Director of the Victim's Compensation Assistance Program, and a representative of the Individual Assessment, Discharge, and Planning Teams (I-ADAPT). The Delaware Justice Reinvestment Task Force completed its work by submitting a report in 2012. The report recommended legislation to address issues included in the report submitted by the Task Force. Following a rigorous data analysis, the Justice Reinvestment Task Force grouped its Justice Reinvestment policies, enacted as Senate Bill 226, into four goals: 1. Concentrating detention resources on high-risk defendants; 2. Focusing supervision and prison resources on moderate- to high-risk people; 3. Holding offenders accountable; and 4. Protecting and supporting victims of crime.

On June 7, 2013 Governor Jack Markell issued Executive Order Number Forty which established the Delaware Justice Reinvestment Oversight Group to ensure effective implementation of SB 226. The Group, which is chaired by the President Judge of Superior Court, includes a member of each political party from each chamber of the General Assembly. It also includes the Chief Judge of the Court of Common Pleas, the Chief Magistrate, Secretary of the Department of Labor, Secretary of the Department of Health and Social Services, and the Commissioner of the Department of Correction (DOC).

The primary goal of the CJC project under the JRI Maximizing State Reforms program is to directly increase corrections costs saved or avoided by reducing unnecessary pretrial confinement through the following objectives:

1. improve pretrial supervision strategies that will reduce confinement;
2. improve pretrial release decision making through validating the Justice of the Peace

Court Risk Assessment Instrument (RAI);

3. demonstrate use and efficacy of evidence-based practices to improve pretrial release and supervision strategies.

Delaware Senate Bill 226 requires that a Pretrial Risk Assessment Instrument (RAI) used in bail determination hearings be an objective instrument. In 2013, the Justice of the Peace Courts convened a Risk Assessment Instrument Implementation Committee to develop an instrument. The committee included representatives from The JP Courts, the Court of Common Pleas, Family Court, DELJIS, the Department of Correction, the Delaware Center for Justice, the Vera Institute, and the Criminal Justice Council including its Statistical Analysis Center. It relied heavily on instruments developed in two other states and one municipal jurisdiction. The instrument was introduced to one Family Court and eleven Justice of the Peace Courts. The Justice of the Peace Courts are Delaware's entry-level courts through which pass the great majority of all criminal cases.

The purpose of this request for proposals is to conduct a rigorous validation process to measure the validity of and, if relevant, suggest improvements to the Risk Assessment Instrument implemented in the Justice of the Peace Courts as a result of JRI. The proposed pretrial program is based on appropriately assessing individuals to ensure the better informed release decisions. Key to a system of evidence-based practice is evaluation of implementation and impact using results for learning and quality improvement. The selected research team will serve as the evaluator for the project, will collect and analyze data, and meet with key staff regularly to provide feedback.

### **Award Amount and Length**

**One award up to the amount of \$150,000 will be made to implement the services with an expected completion date of June 30, 2016. No additional funds will be awarded and a one year no cost end date extension may be granted if approved by BJA.**

### **I. Scope of Services**

#### **A. Project Services**

CJC seeks a professional service entity/vendor that demonstrates a history of and experience in conducting high-level assessment tool validation.

### **Study Methodology and Design**

Contractor shall work collaboratively with CJC and JRI Oversight Group to design a study methodology that assesses and makes recommendations to improve the predictive validity of the RAI assessment for the pretrial population, including inclusion of additional factors or exclusion of existing factors, the weights assigned to the factors, and the number of categories and potential cut-points for grouping defendants into risk categories. Study design shall include at minimum the following:

Methodology description

Timeline

Budget

Required data

Other sections deemed important and necessary by Proposer

### Validation Study

The Contractor shall conduct a validation study that includes:

- Analysis that measures the accuracy of the predicted risk resulting from the RAI assessment by comparing it to the actual outcomes of pretrial population, i.e., whether those released appeared in court and did not engage in new criminal activity. (*through statistical analysis of the existing pilot or historical outcome data.*)
- Analysis that distinguishes the predictive validity of the RAI assessment for different sub-groups of the pretrial population, including sub-groups by gender, race/ethnicity, age, commitment offense, etc.

The Contractor shall provide CJC with a report that includes:

- Summary of validation study approaches used in other validation analyses and justification for approach and methodology employed in this study.
- Description of the validation study findings across subgroups of pretrial population.
- Recommendations for refining the RAI assessment to improve its validity for pretrial population and sub-populations, as appropriate.

## **II. Proposal Submission Requirements**

Please do not attach letters of support, brochures or other documents. You should attach to your response any letters of agreement verifying that a collaborating agency will cooperate with project implementation and/or will provide resources directly related to obtaining project deliverables.

### **Minimum Requirements**

#### Applicants must:

1. It is the responsibility of the applicant to ensure that the proposal is complete.  
Proposal narratives must be:
  - A maximum of 20 pages double spaced
  - 8 ½ x 11 inch paper
  - One inch margins
  - Type no smaller than 12 point, Times New Roman font
  - Number each page
2. Provide evidence of expertise and/or experience in validation studies.
3. Have an understanding of the judiciary and pretrial systems, including unified systems such as the structure in Delaware.
4. Demonstrate an understanding of the Justice Reinvestment Initiative.
5. Be willing to immediately build the relationship with key criminal justice and judiciary stakeholders in Delaware.
6. Comply with all Federal, State and CJC reporting requirements and grant administration guidelines.

Proposer Information:

Please submit a cover sheet containing the following information:

Proposer Name:

Proposer Address:

Proposer Contact Name:

Proposer Contact Phone Number:

Proposer E-mail Address:

Proposer Signature: Each Proposer must sign its Proposal including the printed name and title of the signatory. The signature must be made by a representative(s) authorized by the Proposer to make representations for the Proposer and to obligate the Proposer to perform the commitments contained in its Proposal.

Proposal Content:

For Section I. Scope of Services and all services described therein, provide a detailed description of your firm's:

**Qualifications.** Address all Qualifications:

- Experience with Scope of Services described in this Solicitation: Experience conducting a validation study, preferably a study that analyzes the predictive accuracy of a risk assessment instrument used with a criminal justice-involved population. If the Prior Project Experience does not involve a risk assessment validity study and/or does not involve a criminal justice-involved population, describe the validation study conducted and how it relates to the proposed Project.
- Experience is current: Both Prior Project experiences occurred within five (5) years of the date of this Informal Solicitation. Describe any past or current involvement with projects in Delaware.
- Experience of Key Personnel: Experience conducting a validation study, preferably a study that analyzes the predictive accuracy of a risk assessment instrument used with a criminal justice-involved population.

**Work plan.** Specify your proposed project approach and methodology for successfully completing the RAI validation study, and all other services required in Section I.A. Describe in detail the study methodology and data required, including a justification for the methodology approach.

**Capacity and timeline.** Include your firm's capacity and proposed timeline for completing the Project.

**Expectations and/or assumptions of CJC involvement or level of effort,** including review, approval and other communication protocols necessary to successfully complete the services. Provide a list of questions you would need answered and the data or other resources you would need access to or to be provided by the CJC and/or Courts to begin and complete the services.

**Staffing.** Include a description of roles and responsibilities of the staff proposed for the services. Include descriptions of team members' experience and qualifications, including brief resumes.

**Cost and work effort estimate.** Include a spreadsheet or table format with a total price quote that includes sufficient detail for the review committee to determine the justification for what is being proposed. Estimate should include the price quote per milestone including the following

milestones, as well as any additional milestones deemed appropriate by Proposer, towards project completion:

- a. **Study design**
- b. **Data collection**
- c. **Data analysis**
- d. **Report drafting**
- e. **Report review**
- f. **Final Report**

## **Review Process**

An evaluation team composed of representatives of the State of Delaware will evaluate proposals on a variety of quantitative criteria. Neither the lowest price nor highest scoring proposal will necessarily be selected. **Decisions will be made by June 15, 2015 and the anticipated award date is July 1, 2015.**

The State of Delaware reserves full discretion to determine the competence and responsibility, professionally and/or financially, of vendors. Vendors must provide in timely manner any and all information that the State of Delaware may deem necessary to make a decision.

### **1. Proposal Evaluation Team**

The Proposal Evaluation Team shall be comprised of representatives of the State of Delaware. The Team shall determine which vendors meet the minimum requirements of the selection criteria of the RFP. The Team may negotiate with one or more vendors during the same period and may, at its discretion, terminate negotiations with any or all vendors. The Team shall make a recommendation regarding the award to the CJC and JRI Oversight Group, who shall have final authority to award a contract to the successful vendor as may be in the best interests of the State of Delaware.

### **2. Proposal Selection Criteria**

The information required to be submitted in response to this RFP has been determined by the State of Delaware to be essential for use by the Proposal Evaluation Team in the bid evaluation and award process. Therefore, all instructions contained in this RFP shall be met in order to qualify as a responsive and responsible contractor and participate in the Proposal Evaluation Team's consideration for award. Proposals which do not meet or comply with the instructions of this RFP may be considered non-conforming and deemed non-responsive and subject to disqualification at the sole discretion of the Team.

The Proposal Evaluation Team reserves the right to:

- Select for contract or for negotiations a proposal other than that with lowest costs.
- Reject any and all proposals or portions of proposals received in response to this RFP or to make no award or issue a new RFP.

- Waive or modify any information, irregularity, or inconsistency in proposals received.
- Request modification to proposals from any or all vendors during the contract review and negotiation.
- Negotiate any aspect of the proposal with any vendor and negotiate with more than one vendor at the same time.
- Select more than one vendor pursuant to 29 Del. C. §6986.

Selection will be based on the following criteria:

**1. Criteria Weight**

All proposals shall be evaluated using the same criteria and scoring process. The following criteria shall be used by the Proposal Evaluation Team to evaluate proposals:

| <b>Criteria</b>  | <b>Weight</b> |
|--|---------------|
| Background, staff and financial resources, industry reputation and references                                  | <b>25</b>     |
| Experience in providing services of comparable specifications/scope and value                                  | <b>20</b>     |
| Approach to performing the tasks set forth in Scope of Services; thoroughness and completeness of the proposal | <b>25</b>     |
| Timing and structure   | <b>10</b>     |
| Management reports and reporting requirements  | <b>10</b>     |
| Budget   | <b>10</b>     |
| <b>Total</b>   | <b>100%</b>   |

**3. Proposal Clarification**

The Proposal Evaluation Team may contact any vendor in order to clarify uncertainties or eliminate confusion concerning the contents of a proposal. Proposals may not be modified as a result of any such clarification request.

**4. References**

The Proposal Evaluation Team may contact any customer of the vendor, whether or not included in the vendor’s reference list, and use such information in the evaluation process.

## **REPORTING REQUIREMENTS**

Awarded projects are required to submit quarterly fiscal and programmatic progress reports within twenty days following the close of each quarter:

Quarter ending March 31 – Reports are due April 20

Quarter ending June 30 – Reports are due July 20

Quarter ending September 30 – Reports are due October 20

Quarter ending December 31- Reports are due January 20

Completed responses must be **received at the CJC Office no later than 2:00 p.m. on May 29, 2015—no exceptions will be made.** Please send your proposals to Valarie Tickle via email at [valarie.tickle@state.de.us](mailto:valarie.tickle@state.de.us) or mail:

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