OUTCOMES-DRIVEN LEGISLATION

UPDATING THE POLICYMAKING PROCESS FOR THE 21ST CENTURY

POPVOX
FOUNDATION

A NEW APPROACH: OUTCOMES-DRIVEN POLICY (ODP)

Outcomes-Driven Legislation (ODL) or Outcomes-Driven Policy (ODP) is a new approach to policymaking that focuses on establishing clear goals or outcomes for policy interventions, rather than dictating specific solutions or implementation methods. This approach upends the traditional top-down policymaking process, in which policymakers work with experts and governing agencies to identify problems and solutions and write laws directing agencies to implement those solutions.

Under an ODL/ODP process, lawmakers are challenged to define the desired outcomes of a potential policy intervention, leaving wide latitude for innovative implementation to those charged with carrying out the policy. This approach gives preference to local or community entities, where appropriate, to implement the policy in a way that best meets the needs of the community.

To ensure the effectiveness of an ODL/ODP policy, standardized metrics of program effectiveness are established and constantly updated. These metrics allow for ongoing oversight, information-sharing, and program refinement, ensuring that the policy is meeting its intended outcomes.

One key advantage of the ODL/ODP approach is that it creates opportunities for innovative public engagement to inform program design and evaluation. This allows for greater collaboration and input from those most affected by the policy, which can lead to more effective and equitable outcomes.

Overall, the ODL/ODP approach represents a new way of thinking about policymaking, one that is focused on establishing clear goals and outcomes, rather than dictating specific solutions. By empowering local entities to implement policies in a way that meets the needs of their communities, and by establishing ongoing metrics to measure effectiveness, ODL/ODP can lead to more innovative and effective policy interventions.

HOW ODL/ODP DIFFERS FROM TRADITIONAL POLICYMAKING

The ODL/ODP approach differs from traditional policymaking methods in several ways:

1   POLICY CATALYST
Traditional policymaking begins with the question "What should be done?" and focuses on identifying problems and proposing solutions. ODP, on the other hand, begins with the question "What do we want to accomplish?" and focuses on establishing clear goals or outcomes for policy interventions.

2   PROBLEM IDENTIFICATION
In traditional policymaking, problem identification and solution shaping is often influenced by industry or interest groups. ODP, on the other hand, encourages local problem identification and solution shaping, giving preference to local or community entities to implement policies in a way that meets the needs of their communities.

3   POLICY DESIGN
Traditional policymaking follows a top-down approach, with policymakers dictating specific solutions and implementation methods. ODP, on the other hand, follows a bottom-up approach, allowing for local implementation discretion and empowering local entities to implement policies in a way that meets their specific needs.

4   MODELS & METRICS
Traditional policymaking often uses cost-benefit analysis at the pre-implementation stage and has limited post-hoc analysis. ODP, on the other hand, requires standardized reporting and establishes clear metrics to measure the effectiveness of the policy.

5   PUBLIC ENGAGEMENT
Traditional policymaking often relies on notice and comment rulemaking, which requires a high level of awareness and expertise to participate. ODP encourages localized public engagement and co-creation, allowing for greater collaboration and input from those most affected by the policy.

6   IMPLEMENTATION
Traditional policymaking follows a rules- or specification-based process focused on "how" to implement a policy. ODP follows an outcomes- or goals-based process that allows for implementation discretion, empowering local entities to implement policies in a way that meets their specific needs.

7

OVERSIGHT

Traditional policymaking often relies on oversight by report, political advocacy, or journalism, which occurs years after implementation. ODP establishes constant (ideally real-time) metrics to identify areas that need refinement or best practices and allows for ongoing oversight of the policy.

8

PUBLIC EVALUATION

Traditional policymaking often relies on public opinion polls or constituents contacting lawmakers if they are unhappy with a program or policy. ODP includes structured public input, especially from the impacted population, in policy metrics and encourages ongoing evaluation of the policy.

9

POLITICAL REVIEW

Traditional policymaking involves policymakers receiving input from interested parties, reading news coverage, inviting agencies or local authorities to testify, and deciding if a program met their own priorities. ODP uses standardized data to show which approaches were most successful in meeting the outcomes identified in legislation and whether the program overall ultimately moved toward the identified outcome.

	LEGACY LEGISLATIVE / IMPLEMENTATION PROCESS	OUTCOMES-DRIVEN LEGISLATION / IMPLEMENTATION
Policy Catalyst	"What should be done?"	"What do we want to accomplish?"
Problem Identification	Industry/interest group-informed problem identification and solution shaping	Localized problem identification and solutionshaping
Policy Design	Top-down policy design	Bottom-up policy design with local implementation discretion
Models & Metrics	Cost-benefit analysis at (pre-implementation) stage; sparse post-hoc analysis	Legislation sets overarching goals & requires/fund standardized reporting; agency identifies metrics
Public Engagement	Notice and comment rulemaking requiring high level of awareness and expertise	Localized public engagement/co-creation
Implementation	Rules/spec-based process focused on "how" to implement	Outcomes/goals-based process allowing implementation discretion
Oversight	Oversight by report, political advocacy or journalism (usually years after implementation)	Constant (ideally real-time) metrics available to identify +/- outliers, best practices, or areas that need refinement
Public Evaluation	Public opinion polls, constituents contact lawmakers if unhappy with program/policy	Structured public input (especially from impacted population) included in policy metrics
Political Review	Policymakers receive input from interested parties, read news coverage, invite agency or local authorities to testify, and decide if the program met their own priorities	Standardized data shows which approaches were most successful in meeting outcomes identified in legislation and if program overall ultimately moved toward identified outcome

BENEFITS OF ODL/ODP)

Outcomes-driven legislation (ODL/ODP) or outcomes-driven policy (ODP) has the potential to be better than more traditional methods in several ways:

1 EQUITY

ODL/ODP encourages localized implementation and public engagement, which can lead to more equitable outcomes. By allowing local entities to implement policies in a way that meets the specific needs of their communities and by incorporating structured public input, especially from the impacted population, ODL/ODP can help ensure that policies are more responsive to the needs of all members of a community.

2 EFFECTIVENESS

ODL/ODP focuses on establishing clear goals or outcomes for policy interventions and establishes ongoing metrics to measure effectiveness. This allows for ongoing oversight and the opportunity to refine policies based on data, which can lead to more effective policies that better achieve their intended outcomes.

3 FEDERALISM

ODL/ODP gives preference to local or community entities to implement policies, which can help respect the principles of federalism by allowing for local control and decision-making. This can lead to policies that are more responsive to the needs of local communities and can help ensure that policies are implemented in a way that is appropriate for the specific context of a community.

4 LOCAL CONTROL

ODL/ODP empowers local entities to implement policies in a way that meets the specific needs of their communities, which can help ensure that policies are more responsive to local needs and priorities. This approach can also help build local capacity and empower communities to take ownership of their policies and drive positive change.

5 COST-SAVINGS

ODL/ODP encourages the use of standardized metrics to measure the effectiveness of policies, which can help identify areas where policies may be more or less effective and where resources may be better allocated. This can lead to cost-savings by ensuring that resources are being used in the most effective way possible. In addition, by allowing local entities to implement policies in a way that meets their specific needs, ODL/ODP can help reduce the costs associated with implementing one-size-fits-all policies that may not be well-suited to the needs of a particular community.