



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: District Attorney
Department No.: 021
For Agenda Of: February 28, 2023
Placement: Departmental
Estimated Time: 30 minutes
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Director John Savrnach, District Attorney (805-568-2308)
Contact Info: Michael Soderman, Chief Financial & Administrative Officer
(805-568-2303)
SUBJECT: Approval of Agreement with Sicuro Data Analytics, LLC.

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Other Concurrence: CEO

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve, ratify, and authorize the Chair to execute an Agreement with Sicuro Data Analytics, LLC for data analytics (as outlined in Exhibit A), for the period of March 1, 2023 through February 28, 2025, subject to available funding and annual appropriations, for a total contract amount not to exceed \$510,000;
- b) Approve Budget Revision Request No. 0008637 (4/5 vote required); and
- c) Determine that the above recommended actions are not the approval of a project that is subject to environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15378(b)(4), finding that the project is a creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Summary Text:

The District Attorney's Office has an immediate need to make aggregate criminal justice data reasonably accessible in an effort to identify and address problems that may exist within the local criminal justice system. Access to a robust statistical database will assist in developing baseline indicators for ongoing management decisions and continuous process improvement in public safety services throughout the County of Santa Barbara. The District Attorney's Office is requesting that the Board of Supervisors approve and authorize the Chair to execute an Agreement with Sicuro Data Analytics, LLC., for data analytics and the architecture, design, and development of a statistical database that will be used for data reporting. The requested contract amount shall not exceed \$510,000.00 for the period March 1, 2023 through February 28, 2025. This agreement will be fully funded with federal American Rescue Plan Act (ARPA) funds and General Funds previously allocated.

Following Board approval, Sicuro Data Analytics will begin extracting and analyzing case data from the Santa Barbara County District Attorney's existing case management system (CMS). By the end of this project, Sicuro will have developed a data asset that can be leveraged to improve management decision-making within the District Attorney's Office via a robust data dashboard. The data dashboard will make detailed analytics accessible to the District Attorney's Office, the County of Santa Barbara, and the public. Sicuro Data Analytics will produce a robust database to aggregate, verify and publish various data regarding criminal cases to the County of Santa Barbara's Criminal Justice Data Committee (CJDC) and the public. Access to this type of data and analysis will also enable SBDA to produce data and statistical analyses to examine equitable and fair treatment in prosecutorial decision-making processes. In the past, District Attorney Offices have not had the infrastructure or staffing resources to effectively collect and report data about their cases, including but not limited to demographic information about defendants and victims, charging information, information about plea offers, and case disposition. This Agreement with Sicuro Data Analytics will enable the District Attorney's Office to address these data and reporting limitations in a way that provides and promotes accountability and transparency.

Background:

In recent years, the measure of fairness and equity within the California criminal justice system has changed from qualitative evaluations of individual cases to an assessment focused heavily on quantitative analysis and aggregate statistics. Criminal justice reform efforts frequently rely on targeted statistics to support certain conclusions about the administration of justice. However, raw statistics can be misleading. Even the most well-intentioned evaluations can be inaccurate if they are only based on a subset of available data.

Obtaining and analyzing appropriate data is remarkably difficult and time-consuming. For this reason, many District Attorney's offices have begun working with groups that have significant and specialized experience in conducting complicated empirical analyses of raw criminal justice data. These organizations have come to recognize that accurate criminal justice data mining requires specially trained data analysts to identify patterns that can lead to inferences or predictions from otherwise unstructured or large data sets.

To fairly, objectively, and comprehensively analyze our historical data, the Santa Barbara County District Attorney's Office believes that the best option is to contract with Sicuro Data Analytics. Sicuro Data Analytics is comprised of a team of criminal justice data experts that specialize in complex data retrieval and analysis in numerous professional capacities. Their clients include 12 other prosecutors' offices in California and throughout the nation. Since the passage of recent legislation, Sicuro Data Analytics began

working with several District Attorney's offices in California to assist in data mining from disparate systems and integrating to a central database format to generate ongoing reports and conduct inquiries and studies.

Sicuro Data Analytics is led by Dr. Greg DeAngelo. Dr. DeAngelo is President of Sicuro Data Analytics, an Associate Professor of Economic Sciences at Claremont Graduate University, and the Director of the Computational Justice Lab. His research focuses on legal institutions, and he works closely with public sector agencies to address pressing issues facing criminal justice agencies. His work aims to provide fair and unbiased analyses of policies and practices within criminal justice agencies and criminal justice actors by incorporating tools from computer and social sciences. Sicuro Data Analytics is uniquely qualified for this work, which is in response to a new/emerging need resulting from the passage of the Justice Data Accountability and Transparency Act and the Racial Justice Act, and therefore this work qualifies as a non-competitive purchase.

Extracting and analyzing case data from the Santa Barbara County District Attorney's Office will be an enormous and laborious task. Case data is currently comprised of information in multiple data tables with complex relationships in an aging case management system. It is anticipated that this process will be a massive undertaking. As such, it is beyond the current capabilities and capacity of District Attorney and County staff. Through its work with other offices including the Riverside, San Mateo, San Bernardino, Placer, and Stanislaus District Attorney's Offices, Sicuro Data Analytics has identified and addressed many of the complications that are involved in extracting and analyzing data from case management systems, learning different office processes and systems, and quantifying missing or corrupted data.

Access to this type of data and analysis will enable the Santa Barbara County District Attorney's Office to produce data and statistical analysis to ensure equitable and fair treatment within our prosecutorial decision-making process. It will also enable our office to respond to litigation accurately and in a timely manner. This data will provide measurable outcomes in the form of easy-to-digest data analyses that can be distributed to stakeholders, which will promote greater understanding of the criminal justice system in Santa Barbara County.

Ultimately, access to accurate data assists in ensuring equitable and fair treatment under the law regardless of race, ethnicity, or national origin. It may also provide trajectory analyses to identify which prosecutorial options are the most effective at reducing recidivism. For all prosecutors, assuring equal treatment to all persons under the law is of the utmost importance. Utilizing Sicuro Data Analytics will increase transparency and enable the District Attorney's Office to better evaluate its own performance and provide stakeholders and the community with verifiable information that will enhance trust in the criminal justice system.

The COVID-19 pandemic had a detrimental impact on the criminal justice system and public safety. The federal ARPA funding is an appropriate existing source for the proposed services, as a main goal of ARPA is to improve the design and execution of programs responding to the pandemic while addressing the needs of marginalized populations. The reduction in court operations created a backlog of cases which necessitated the need to change the approach to how cases were handled throughout the criminal justice system in Santa Barbara County. This has resulted in a need to better understand the impacts of those changes on the County's criminal justice system by analyzing criminal justice data both pre and post-pandemic. This data will enable the District Attorney's Office to make data-informed management decisions related to the post-pandemic criminal justice system. The goal is to eliminate the court backlog, improve public safety, and ensure that effective policy-making decisions are being made in regards to equitable, fair, and proportionate treatment in the County justice system.

In addition, in January 2022, the U.S. Treasury released additional guidance regarding the use of ARPA funds, stating that governments with high capacity to use data and evidence to administer programs are more likely to be responsive to the needs of their community, more transparent about their community impact, and more resilient to emergencies such as the pandemic and its economic impacts. The data analytics that will be performed under this contract will achieve these described goals.

Performance Measure:

Exhibit A: Statement of Work summarizes the services provided through the Agreement. This Agreement will allow the Santa Barbara County District Attorney’s Office to thoroughly and effectively collaborate with local criminal justice partners in analyzing and interpreting data, identifying findings and presenting them in visual and narrative formats that are understandable to practitioners and the general public.

Fiscal and Facilities Impacts:

The total cost of this contract is not-to-exceed \$510,000 over a two-year period. \$465,000 will be funded through ARPA and the remaining \$45,000 will be paid through existing District Attorney allocations. Fiscal Year 2022-23 costs include an initial office visit and data ingestion, cleaning, and audit for approximately \$95,000. Fiscal Year 2023-24 costs include assisting the District Attorney’s Office to meet the state-mandated data requirements including but not exclusively under the Justice Data Accountability and Transparency Act (\$100,000), the development and construction of a data dashboard (\$50,000), and ongoing analytics (\$100,000) for a total fiscal year cost of \$250,000. Fiscal Year 2024-25 costs include the ongoing maintenance of a data dashboard (\$25,000) and ongoing analytics (\$140,000) for a total fiscal year cost of \$165,000. A Budget Revision Request is included to increase appropriations of \$50,000 in the District Attorney's Office General Fund for Fiscal Year 2022-23 funded by an Operating Transfer from the County Executive Office.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Future FY Cost</u>	<u>Total One-Time Project Cost</u>
Existing Department Budget	\$ 45,000.00	\$ -	\$ 45,000.00
State			
Federal (ARPA SLFRF)	\$ 50,000.00	\$ 415,000.00	\$ 465,000.00
Fees			
Other:			
Total	\$ 95,000.00	\$ 415,000.00	\$ 510,000.00

Fiscal Narrative:

On April 14, 2022 and September 20, 2022, the Board of Supervisors approved a total of \$3.2M for criminal justice data and discovery positions to be funded through ARPA to support multiple departments over a 3-year period. Today’s Board action would repurpose only the portion of that ARPA funding allocation that was set aside for the District Attorney’s data analyst FTE supervised by the County’s Chief Data Officer, to a contract under the oversight of the District Attorney, for the duration of the ARPA funding.

ARPA funding for this contract will not exceed \$465,000. The remaining \$45,000 will be paid through existing District Attorney allocations in the current year budget.

Key Contract Risks:

Sicuro Data Analytics was selected because it is a unique company that is comprised of a team of experts that specialize in complex data retrieval and analysis in numerous professional capacities, including several prosecutors' offices in the State of California. Sicuro Data Analytics is uniquely qualified as this work is in response to a new/emerging need resulting from the passage of the Justice Data Accountability and Transparency Act, and the Racial Justice Act, and therefore this work qualifies as a non-competitive purchase. There is minimal risk to the County.

The District Attorney's Office, in coordination with the consultant, will be subject to quarterly and annual reporting per ARPA requirements. As with any contract funded by federal sources, there is a risk of future audit disallowances and repayments through the federal auditing process. This contract includes language allowing the County to seek any legal remedy for the repayment of any amounts disallowed in audit findings, minimizing risks to the County.

Staffing Impacts:

There are no staffing impacts.

Special Instructions:

Please return the following items to John DeAlba, DA Department Business Specialist:

- a) One (1) Minute Order.
- b) One (1) duplicate fully-executed original of the Agreement.

Attachments:

Attachment A: Service Agreement with Sicuro Data Analytics, LLC.

Attachment B: Board Presentation

Attachment C: Budget Revision Request No. 0008637

Authored by:

John DeAlba, Department Business Specialist (x82434)