



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: November 7, 2023
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Director(s): John T. Savrnoch, District Attorney (805)568-2308
Contact Info: Michael Soderman, Chief Financial & Administrative Officer
(805) 568-2303
SUBJECT: Bureau of Justice Assistance (BJA) Smart Prosecution Innovative Prosecution Solutions Program Cooperative Agreement

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management, CEO Budget

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve, ratify, and authorize the District Attorney, or designee, to execute a Cooperative Agreement with the United States Department of Justice (DOJ) Bureau of Justice Assistance (BJA) accepting \$385,000 in funding for the Smart Prosecution: Innovative Prosecution Solutions Program grant for the grant agreement term of October 1, 2023 through September 30, 2025;
- b) Approve and authorize the District Attorney, or designee, to execute any amendments or extensions thereof through September 30, 2026, not to exceed \$200,000, with the concurrence of County Counsel and Auditor-Controller;
- c) Approve Budget Revision Request No. 0009384 to increase appropriations of \$229,000 in the District Attorney's Office General Fund for Services and Supplies funded by unanticipated revenue from the BJA Smart Prosecution: Innovative Prosecution Solutions Program grant; and
- d) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists 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 above-referenced item is on the agenda to request approval of the recommended actions authorizing the Office of the District Attorney (SBDA) to accept the grant award from the Federal Department of Justice (DOJ) for the Office of Justice Programs (OJP) FFY BJA 2023 Smart Prosecution - Innovative Prosecution Solutions program grant. This grant will enable SBDA to digitally transform the discovery process by utilizing a Digital Evidence Management System (DEMS). DEMS is a software platform that automates and streamlines the digital evidence ingestion, management, and distribution of evidence across the criminal justice system. Implementing a more proficient digital evidence process will significantly improve the current workflow. The DEMS will provide SBDA investigators and prosecutors with real-time access to digital information and will allow SBDA to transfer discovery to the defense in a more complete, efficient, and expeditious manner.

The total grant award amount is \$385,000 for the period of October 1, 2023 through September 30, 2025. This funding will cover SBDA's implementation costs for the DEMS, and is anticipated to partially cover up to two years of DEMS licensing and support.

Background:

The Smart Prosecution - Innovative Prosecution Solutions (IPS) Program provides state, local, and tribal prosecutors with direct funding and training and technical assistance to develop effective strategies and programs to address and prosecute individuals who commit violent crime. Recognizing that many prosecutors' offices carry attorney caseloads well above the recommended level, lack critical support staff, and have had to rely on outdated technology, the IPS Program also supports the use of technology, intelligence, and data analytics in innovative ways that enable prosecutors to focus resources on the people and places associated with high concentrations of criminal activity.

For several years, the criminal justice partners have been citing and discussing the need for technology and procedure solutions to address the dramatic increases in electronic discovery. Electronic discovery is the electronic aspect of the discovery process (defined by Penal Code § 1054) wherein in a criminal case, the criminal defense attorney and the District Attorney's Office obtain copies of the evidence that has been gathered. Digital evidence exists in almost every case that moves through the criminal justice system, from the least complex misdemeanor to the most serious felony charges.

A Digital Evidence Management System (DEMS) is a software platform that automates and streamlines the digital evidence ingestion, management, and distribution of evidence across the criminal justice system. A DEMS will centralize the digital evidence process and improve the County of Santa Barbara's collective response to all ranges of crimes, including violent crime. In May 2023, the Board of Supervisors approved the release of an RFP for a DEMS and in October 2023, following a competitive RFP process, the County selected a vendor. The County is now in the negotiations phase of the process and hopes to have a contract in place by 2024.

Performance Measures:

SBDA will work with the BJA Grant Analyst to develop measurable goals and outcomes for this grant, including the following anticipated metrics:

1. Number of times that SBDA must submit a request to a local law enforcement agency (LEA) for additional evidence, also known as a supplemental discovery request.

2. Amount of time elapsed between when evidence is logged by SBDA and when it is transmitted to the defense.

Fiscal and Facilities Impacts:

Budgeted: No; recommend approval of BJE No. 0009384 to add unanticipated revenue and associated expenditures to the District Attorney’s Fiscal Year 2023-24 Adopted budget.

Fiscal Analysis:

Funding Sources	Federal FY 23-24	Federal FY 24-25	Total Program Costs
General Fund			
State			
Federal	\$ 229,020	\$ 155,980	\$ 385,000
Fees			
Other:			
Total Funding			\$ 385,000

The total grant award for the Innovative Prosecution Solutions program is \$385,000 for the multi-year grant period of October 1, 2023 through September 30, 2025. This grant will fund SBDA’s one-time implementation costs for the DEMS in the amount of approximately \$50,000, in addition to approximately \$60,000 in additional services above the initial subscription fees . Grant funds are also anticipated to partially cover up to two years of SBDA’s DEMS licensing and support.

Staffing Impacts:

There are no staffing impacts.

Key Contract Risks: There is minimal risk to the County. Funds are reimbursed after program expenses are incurred.

Special Instructions:

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

- a) One (1) Minute Order

Attachments:

- Attachment A: Budget Revision Request No. 0009384
- Attachment B: Grant Award Cooperative Agreement

Authored by:

John DeAlba, Department Business Specialist; (805) 568-2434