

ORT Vertical Prosecution Grant Program

Local Evaluation Plan

Humboldt County District Attorney ORT Vertical
Prosecution Team (HCDA ORT-VPT)

Submitted by:
Humboldt County District Attorney's Office

Prepared by:
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Project Period:
October 1, 2023 – December 31, 2026

Project Background

Project Need

Humboldt is a relatively sparsely populated (136,132 residents), rural county located on the northern coast of California, constituting less than one percent of California's total population. The entire county is isolated from major metropolises, the nearest being San Francisco, approximately 270 miles to the south, and Portland, Oregon, just over 400 miles to the north. The secluded area boasts diverse, natural landscape, from scenic coastlines and beaches, to lush, dense redwood forests, making it a beloved place for residents and visitors alike. Humboldt County has a *micropolitan*¹ area (i.e., Eureka-Arcata-Fortuna), where a large portion of the county's population resides. Outside of the greater micropolitan area, Humboldt residents are scattered across the county in remote, unincorporated communities. The secluded, unique lifestyle Humboldt County residents cherish is not without common social problems, however.

One major challenge Humboldt County residents face is a recent increase in reported occurrences of organized retail theft (ORT). Between January, 2018 and December, 2022, the office of the Humboldt County District Attorney (HCDA) received 1,570 referrals for charges of petty theft from Humboldt County law enforcement agencies. In the past five years, the DA's office has received 1,795 referrals for charges of burglary. ORT is a widespread problem in Humboldt County, even occurring in relatively rural areas. For example, a grocery store located in a small Humboldt County town (approximately 1,360 residents) filed theft reports on 110 individuals within the past two years of writing the grant proposal for this project. ORT may be particularly problematic within Humboldt County's micropolitan area.

From January 1, 2018, through June 1, 2023, the Eureka Police Department (EPD), serving approximately 26,519 residents, made 1,130 arrests related to retail theft offenses. In 2017, EPD investigated a 13-month ORT crime spree that resulted in 29 solved ORT crimes (i.e., armed robberies) and 10 suspects arrested. Between 2015 and 2019, Eureka had the 6th highest property crime rate per capita among California cities with at least 20,000 residents. More recently, EPD arrested approximately 200 individuals suspected of retail theft related crimes in 2023. While the data indicate a growing problem with ORT in Humboldt County, these crime-related statistics likely only represent a limited number of actual cases, due to underreporting from retail businesses. Moreover, the limitation in funding and resources results in law enforcement's inability to identify which theft-related crimes are ORT cases.

No current HCDA prosecutors or investigators primarily focus on organized retail theft cases, which results in limited investigations and victim services. Insufficient resources are available for the HCDA to devote to investigations or community outreach related to

¹ The U.S. Census defines a micropolitan statistical area as any area within a county—or counties—with an urban cluster of at least 10,000 but less than 50,000 population.

ORT crimes. When theft crimes occur, the burden is often placed on the victims of said crimes, leaving loss prevention departments, store managers, and community members feeling overwhelmed and defeated. This is especially true when thefts consistently occur in specific retail stores. One small-scale grocery store in Eureka, for example, reports experiencing four-to-five thefts daily, with many of these thefts being blatant, often perpetrated by the same offenders on a weekly basis. The majority of loss prevention departments within retail businesses in Humboldt County do not have sufficient resources or capacity to address these crimes, nor do they have the ability to collect or maintain relevant statistics on ORT. Thus, these incidents often go unreported to law enforcement officials.

Project Scope

The purpose of this project is to establish the Humboldt County District Attorney Organized Retail Theft Vertical Prosecution Team (HCDCA ORT-VPT), in collaboration with the California Center for Rural Policy (CCRP) as project evaluator. The ORT-VPT will specifically focus on identifying, addressing, and reducing instances of ORT crimes in Humboldt County over a period of three years by utilizing a vertical prosecution model, which ensures a single prosecutor handles each case from filing to sentencing, thereby increasing accountability and consistency in prosecutorial decisions. The team will also conduct community outreach to educate retailers and the public on preventive measures and reporting mechanisms. Collaborative investigatory strategies will be employed to strengthen partnerships with law enforcement, improving the identification and apprehension of offenders.

The ORT-VPT is working to research and develop a pre-filing diversion for eligible low-level or first-time offenders, along with the viability of potentially utilizing local community organizations as part of the program. When reviewing a file, the ORT-VPT DDA would be able to assign an applicable defendant to the pre-filing diversion program and hold on prosecuting charges. With a successful completion of the program, charges would be dropped against the offender, saving tax-payer money in court fees and potential sentencing of jail time or probation. However, failure to complete the pre-filing diversion program could result in the DDA pressing charges against the offender and proceeding with prosecution. These combined efforts will create a more efficient and focused response to ORT crimes, contributing to an overall reduction in such offenses.

A vertical prosecution methodology is relevant for organized retail theft cases, as it ensures victims, witnesses, and law enforcement involved have a single point of contact throughout investigative and judicial processes. A vertical prosecution methodology is *victim-focused*, making it particularly relevant when considering the negative experiences victims of ORT have reported throughout Humboldt County. A vertical prosecution methodology is also functionally relevant for organized retail theft cases, as

ORT VP Grant Program

it allows investigators extensive involvement across all aspects of any given case, leading to more successful convictions.

Incarceration is not necessarily the appropriate outcome for all offenders. Thus, it is imperative prosecution teams establish protocol for distinguishing low-level offenders from high-level offenders, or those engaged in serial, ORT crimes. The ORT-VPT will implement a successful diversion program for low-level ORT offenders as a means of ensuring accountability and deterring repeat ORT offenses. The HCDA is currently in the process of determining if a vendor-based diversion program (e.g., Pacific Educational Services, Inc.) will be suitable, or if a program created by the HCDA will be more appropriate for the project. Diversion programs already in place will also be identified and adapted to function in congruence with the ORT-VPT's program.

Law enforcement personnel will be recruited to the ORT-VPT, including one Deputy District Attorney (DDA), one District Attorney Investigator (DAI), and one Administrative Analyst (AA). The DDA assigned to the team will primarily address organized retail theft cases, ensuring sufficient time to conduct thorough prosecutions that lead to convictions. The DDA will also implement effective protocol for identifying and referring appropriate offenders to a diversion program.

The DAI will conduct rigorous investigations into organized retail theft cases occurring in Humboldt County, both brick and mortar and online marketplace venues. The DAI will utilize law enforcement databases, attend training on effective ORT related investigatory strategies, and work closely with the DDA to conduct effective investigations that will successfully identify all offenders and ensure successful prosecution. The AA will be responsible for tracking ORT cases in the HCDA case management system. The AA will provide HCDA management with official reports and status updates related to ORT cases and team activities. The AA will also assist the ORT-VPT with identifying and implementing a diversion program for ORT cases.

One important component to ensuring the success of the ORT-VPT is the implementation of community outreach and engagement. The ORT-VPT will conduct outreach strategies with local retail businesses to foster perceptions of support and value among retailers and community members alike. For example, the ORT-VPT is currently exploring the feasibility of implementing a 'community tip reporting system' where community members can report ORT crimes occurring physically within retail stores or virtually within online marketplaces. Effective community outreach and engagement will result in more thorough ORT investigations, which ultimately will lead to an increase in successful ORT prosecutions.

Humboldt County has experienced an increase in instances of organized retail theft, resulting in losses in property and profit. With limited resources, the HCDA has not had sufficient capacity to address the increase in ORT crimes in the past, leaving many ORT victims left without proper restitution. Many ORT crimes simply go unreported, as retail businesses feel powerless without effective intervention from law enforcement. This

project—with funding from the ORT VP grant—will provide the HCDA with an opportunity to serve the immediate needs of struggling Humboldt County businesses, ensuring the local economy can heal, thus, improving the quality of life for residents.

Project Beneficiaries

The target population for this grant includes individuals who perpetrate ORT crimes—brick and mortar or online marketplace venues—within Humboldt County. The current project also targets low-level or first-time ORT offenders who meet criteria for placement into a diversion program in lieu of prosecution and potential criminal sanctions. In addition, the project will benefit victims of organized retail theft across Humboldt County.

Project Goals and Objectives

As defined by the Board of State and Community Corrections (BSCC) Local Evaluation Plan guidelines, program goals are broad statements that elucidate intended program accomplishments and represent long-term desired outcomes of the program. Program objectives define specific, measurable intentions of program activities, detailing tasks that must be accomplished in order to reach program goals. Below is a listed summary of the goals and corresponding objectives for the ORT-VPT.

Goal 1: To address the increase in organized retail theft in Humboldt County

Objective A. To establish the Humboldt County DA's Office Organized Retail Theft Prosecution Team (HCDA ORTPT) by assigning a DDA, DAI, and administrative analyst and making the ORTPT their primary focus.

Objective B. To prosecute organized retail theft cases in a vertical fashion to provide a single point of contact to witnesses, victims, and law enforcement involved with cases.

Objective C. To place ORT offenders in diversion programs to ensure offender accountability.

Objective D. Develop a community outreach program with the intent of connecting law enforcement and retail victims in the community with resources.

Goal 2: Data Collection for California Center for Rural Policy (CCRP)

Objective A. Data collection

Objective B. Evaluation of services

Objective C. Quarterly progress reports

Objective D. Local evaluation plan and local evaluation report

Goal 3: Conduct thorough investigations into organized retail theft cases

Objective A. Effectively identify all offenders involved in an organized retail theft case

Objective B. Focus on online marketplaces as well as in-person retail stores

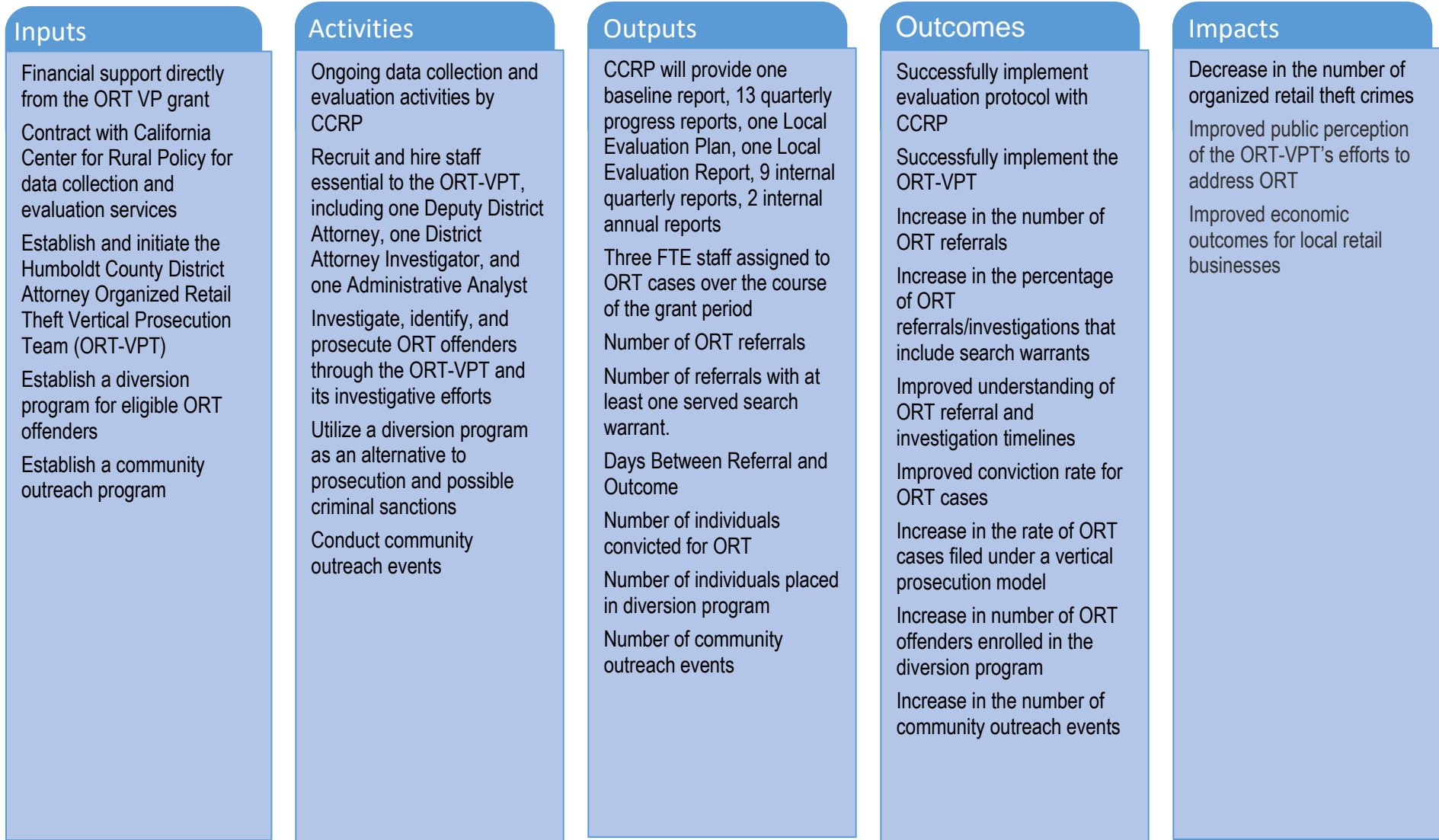
Objective C. Support the Deputy District Attorney with any investigatory requests

Objective D. Further investigate organized retail theft cases by authoring and serving search warrants on cellular devices and online marketplace websites

Project Logic Model

The logic model below visually illustrates the structure and operation of the current project. It outlines the essential resources and inputs required to effectively run the program and the key activities provided to address organized retail theft. The logic model also maps out the connection between these activities and the program's goals, showing how they are expected to lead to desired outcomes. By clearly defining the relationships between inputs, activities, and outcomes, the logic model serves as a roadmap for understanding how the project drives progress toward its objectives.

Logic Model: Humboldt County District Attorney



Evaluation Overview

The evaluation plan described below serves as a foundational approach for assessing the ORT-VPT program, encompassing both process and outcome evaluation methodologies. This streamlined design allows flexibility for expansion, should insights from data collection reveal opportunities for further development in evaluation and data collection.

Process Evaluation Method and Design

The process evaluation documents the services and activities implemented, as well as how these services and activities are delivered. This evaluation helps partners determine whether the program is being implemented as intended. The process evaluation for this project will focus on key sections of the project logic model: inputs, activities, and outputs.

Process evaluation for the current project will utilize quantitative data collection methods to monitor program implementation over time and compare outcomes to baseline measures established at the beginning of the project. The goals of the process evaluation are to (1) document the activities carried out by the project, (2) assess the extent to which the program has been implemented as designed, and (3) provide recommendations to partners for improving operations and informing future projects.

CCRP designed two data tracking documents for the ORT-VPT to complete. The first document, the *ORT Data Report*, is based directly on the design of BSCC Quarterly Progress Reports (QPRs). The ORT Data Report collects all funder-required data metrics on a quarterly basis; it also collects the number of individuals assigned to a diversion program each quarter, which is specifically a metric included by CCRP. The second document, the *ORT Referral Data Tracker*, is a spreadsheet designed to track all data metrics related to ORT referrals (CCRP metrics). The ORT-VPT will complete both documents and provide them to CCRP on the first of every month following the end of each quarterly reporting period.

CCRP will review, store, and synthesize all BSCC-required data into QPRs, which will be submitted to BSCC by the specified due dates. CCRP will also provide the ORT-VPT with internal quarterly reports on aggregated and disaggregated metrics from QPRs and CCRP-specific data (i.e., referral data and diversion program enrollment). These reports will summarize key data points each quarter (see table below). CCRP will also track these metrics over time to identify trends and patterns in program implementation and outcomes. Where appropriate, data will be compared to baseline measures established in the year prior to the project's start.

ORT VP Grant Program

Data Collection Plan: Process Evaluation			
Input/Resource/Activity/Output	Data Element(s)	Data Source(s)	Frequency of Data Collection
CCRP will provide one baseline report, 13 quarterly progress reports, one local evaluation plan, one local evaluation report, 13 internal quarterly reports,	<ul style="list-style-type: none"> ● Number of reports ● Report type (baseline, QPR, LEP, LER, supplemental reports) 	<ul style="list-style-type: none"> ● Quarterly Progress Reports ● ORT Referral Data Tracker 	Quarterly
Three FTE staff assigned to ORT cases over the course of the grant	<ul style="list-style-type: none"> ● FTE staff assigned to ORT ● Timeframe of ORT staff assignment ● Total number of FTE staff assigned (per quarter) 	Quarterly Progress Reports	Quarterly
Number of ORT referrals	<ul style="list-style-type: none"> ● ORT referrals received ● ORT referral type ● ORT referral location (address & name) ● Date referral received ● Date of referral outcome 	ORT Referral Data Tracker	Quarterly
Number of referrals with at least one served search warrant.	<ul style="list-style-type: none"> ● For all ORT referrals, the total number that included at least one served search warrant 	ORT Referral Data Tracker	Quarterly
Days Between Referral and Outcome	<ul style="list-style-type: none"> ● Number of days between receiving a referral and a referral outcome (dismiss or file) for each referral ● Date of referral outcome subtracted by date referral was received 	ORT Referral Data Tracker	Quarterly
Number of individuals convicted for ORT	<ul style="list-style-type: none"> ● Number of individuals convicted under vertical prosecution model ● Number of individuals convicted under a non-vertical prosecution model 	Quarterly Progress Reports	Quarterly
Number of individuals placed in diversion program	<ul style="list-style-type: none"> ● Total number of individuals placed in a diversion program 	Quarterly Progress Reports	Quarterly
Number of community outreach events	<ul style="list-style-type: none"> ● Total number of ORT-VPT sponsored events ● Event type (select all that apply: victim support, law enforcement collaboration, public awareness, retail partner outreach, other) 	Quarterly Progress Reports	Quarterly

ORT VP Grant Program

The HCDA's Office management team will have oversight of all project operations. Project progress and possible improvement strategies will be discussed at regular meetings with the management team and the ORT-VPT. The management team will have final decision-making authority on project direction and operations. Internal quarterly reports from CCRP will be provided to the HCDA and the ORT-VPT. Results from these reports will enable the HCDA and CCRP to evaluate the program's success and make necessary adjustments.

CCRP will coordinate and conduct process evaluation activities, including ensuring data quality, completing and submitting BSCC QPRs, and providing the HCDA with comprehensive quarterly progress reports on the metrics outlined above. CCRP will also be available to assist the HCDA as needed. Additionally, CCRP will monitor the completion of project components, assess their effectiveness in achieving project goals, and offer recommendations for adjustments when necessary.

CCRP will utilize SPSS and R studio to collect, clean, manage, and analyze quantitative data, providing descriptive statistics to assess goal and objective progress.

Outcome Evaluation Method and Design

The outcome evaluation examines the current project's results, which can be found in the 'outcomes' and 'impacts' sections of the project logic model. It is important to note the impacts noted in the logic model are beyond the scope of this project.

Evaluation Questions

The outcome evaluation will address the following questions:

1. Did the HCDA successfully implement the ORT-VPT?
2. Did the HCDA successfully implement data collection and evaluation?
3. Did the HCDA successfully implement the ORT-VPT diversion program?
4. Did the ORT-VPT successfully address the increase in ORT crimes within the county?

To address these questions quantifiably, the current evaluation includes nine key performance indicators as the primary methods of conducting outcome evaluation, each calculated by CCRP from data collected via process evaluation (noted in previous section). These nine performance indicators are:

1. Data Collection and Evaluation (by CCRP)
2. FTE ORT-VPT Staff
3. Case Referrals
4. Search Warrants
5. Referral and Investigation Timeline
6. Conviction Rate
7. Vertical Prosecution Model Rate
8. Diversion Enrollment
9. Community Outreach

These performance indicators will provide the groundwork for assessing the efficacy of the ORT-VPT and to decide whether the project is able to reach its goals and objectives at the end of the grant period.

The table below provides definitions for all performance indicators and how they connect with outcomes noted in the logic model.

ORT VP Grant Program

Data Collection Plan: Outcome Evaluation				
Outcome	Performance Indicator	Definition	Data Source(s)	Frequency of Data Collection
Successfully implement evaluation protocol with CCRP	Data Collection and Evaluation (CCRP)	CCRP will deliver 100% of requested deliverables, including: <ul style="list-style-type: none"> • 1 baseline QPR • 13 QPRs • 1 LEP • 1 LER • 9 internal quarterly reports² • 2 internal annual reports 	<ul style="list-style-type: none"> • Quarterly Progress Reports • ORT Referral Data Tracker 	Quarterly
Successfully implement the ORT-VPT	FTE ORT-VPT Staff	3 FTE assigned to the ORT-VPT through 100% of the grant period ³ <ul style="list-style-type: none"> • 1 FTE DDA • 1 FTE DAI • 1 FTE AA 	Quarterly Progress Reports	Quarterly
Increase in the number of ORT referrals*	Case Referrals	We expect to see an increase in the total number of ORT referrals across quarterly reporting periods.	ORT Referral Data Tracker	Quarterly
Increase in the rate of ORT referrals/investigations that include search warrants*	Search Warrants	We expect to see an increase in the percentage of search warrants issued for referrals across quarterly reporting periods. <ul style="list-style-type: none"> • Sum of referrals w/search warrant(s) divided by the total number of referrals. 	ORT Referral Data Tracker	Quarterly
Improved understanding of ORT referral and investigation timelines	Referral and Investigation Timeline	Average number of days between receiving an ORT referral and referral outcome (dismissal/file). <ul style="list-style-type: none"> • Sum of days between referral and outcome divided by the total number of referrals. 	ORT Referral Data Tracker	Quarterly

² Final evaluation planning is still in progress. Notably, no internal quarterly reports were completed during the first year of the project (i.e., the first four quarters). As a result, there will be a total of nine internal quarterly reports, with the first annual report serving as a replacement for the missing reports from the first year.

³ Recruitment completed by the start of Quarter 3; prior quarters will not be considered for this indicator.

ORT VP Grant Program

Improved conviction rate for ORT cases	Conviction Rate	We expect to see an increase in the percentage of individuals convicted of ORT across quarterly reporting periods <ul style="list-style-type: none"> Total number of individuals convicted of ORT divided by the total number of individuals prosecuted for ORT. 	Quarterly Progress Reports	Quarterly
Increase in the rate of ORT cases filed under a vertical prosecution model*	Vertical Prosecution Model Rate	We expect to see a 100% rate of ORT cases filed under a vertical prosecution model. <ul style="list-style-type: none"> The total number of ORT cases filed under a vertical prosecution model divided by the total number of ORT cases prosecuted. 	Quarterly Progress Reports	Quarterly
Increase in number of ORT offenders enrolled in the diversion program*	Diversion Enrollment	We expect to see an increase in the number of individuals placed in a diversion program across quarterly reporting periods.	Quarterly Progress Reports	Quarterly
Increase in the number of community outreach events*	Community Outreach	We expect to see an increase in the number of community outreach events conducted by the ORT-VPT.	Quarterly Progress Reports	Quarterly

* It is important to acknowledge the use of the term 'increase' in outcomes and performance indicators in the context of this project. Since no ORT data were collected prior to the start of this initiative, the baseline data for comparison are effectively zero. Therefore, increases are anticipated when comparing baseline data to subsequent data.

However, we do not have a baseline level of metrics to implement as benchmarks, and the current evaluation is not focused on specific benchmarks as a means of operationalizing success. While the numbers and rates of referrals, search warrants, cases filed, convictions, convictions under a vertical model, and diversion program enrollment, and community outreach are expected to rise during the initial phase of the project, it is plausible these may stabilize or plateau as the program reaches its operational capacity. The evaluation will account for this potential shift by observing performance indicators across the entirety of the grant period. This approach ensures that even if raw numbers stop increasing, we can still evaluate the program's long-term sustainability and effectiveness.

CCRP will utilize SPSS and R Studio to collect, clean, manage, and analyze quantitative data. Quality assurance protocol will be conducted to identify and resolve any data issues prior to final analysis. Descriptive statistics—including measures of central tendency (e.g., means and medians), frequency counts, and percentages—will be used to assess progress toward project goals and objectives. Statistics will be reported in tables and/or figures (e.g., line graphs, bar graphs), accompanied by summary prose. Since the same data points will be collected over multiple quarterly reporting periods, longitudinal analysis will be a key focus for this evaluation. Trends over time will be analyzed to understand how metrics such as ORT referrals, conviction rates, and diversion enrollments evolve throughout the grant period. By examining these data points across a timeline, CCRP will provide insights into the program's performance and long-term impact.

As noted previously, data collected as part of the process evaluation protocol are used to calculate the eight impact objectives noted above. BSCC-required data points provided in QPRs (e.g., number of individuals convicted of ORT) as well as unique data points designed by CCRP (e.g., number of individuals enrolled in a diversion program) are used to calculate performance indicators.

Some performance indicators (e.g., conviction rate) may be more meaningful when reported annually due to the nature of ORT case processing timelines. The length of time required to resolve ORT cases can vary significantly, and certain cases may remain pending across multiple quarterly reporting periods. To ensure these metrics accurately reflect program outcomes, CCRP will calculate and report them on an annual basis, with additional quarterly updates provided where relevant progress is observed. This approach allows for more comprehensive analysis and minimizes the potential impact of unresolved ORT cases within shorter reporting intervals.⁴

For metrics that require more immediate attention, such as ORT case referrals and search warrants, CCRP will continue to report quarterly. However, any unresolved cases will be flagged, and their status will be updated in subsequent quarterly reports until resolution. This method will ensure continuity in tracking and allow for a final annual summary that captures the full outcomes of these cases.

⁴ CCRP will ask for the number of unresolved ORT cases from the ORT-VPT at the end of every 4th quarterly reporting period (i.e., annually). CCRP will ask for the number of cases still unresolved from the preceding four quarters (e.g., after Q4, the request will cover Q1–Q4; after Q8, the request will cover Q5–Q8). This approach minimizes the reporting burden while providing a clear annual snapshot of outstanding cases, ensuring performance indicators, such as the conviction rate, are not statistically deflated by the inclusion of unresolved cases.