



OFFICE OF THE  
**DISTRICT ATTORNEY**  
ORANGE COUNTY, CALIFORNIA  
TODD SPITZER

# **ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE BSCC ORT VERTICAL PROSECUTION GRANT**

## **Local Evaluation Plan**

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## Project Background

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### Project Need

Organized retail theft (ORT) has been on the rise in Orange County in recent years. The Orange County District Attorney's Office (OCDA) filed over 1,200 cases of commercial burglary each year between 2018 and 2022 and, in the past year, charged more than 140 defendants with home invasion robberies and burglaries, commercial burglaries, and smash-and-grab robberies in the past year. Many of these crimes have involved defendants with multiple strikes under California's Three Strikes law, including those with five, six, or nine prior strikes, and other felony convictions such as home invasion robberies, assault, and attempted murder. Furthermore, the number of ORT cases increased by more than 7% between 2021 and 2022.

These ORT crimes have led to substantial losses among local retailers. Target, Walmart, Home Depot, and Ulta Beauty stores in the City of Anaheim alone have reported a collective loss of nearly \$15 million in 2022. South Coast Plaza, the largest shopping mall on the West Coast, reported 187 incidents of organized crime in a period of 12 months. Costco Regional Loss Prevention Manager has also noted a marked increase in weapon usage and violence among ORT suspects.

### Project Overview

OCDA has established a vertical prosecution team to investigate and prosecute these cases more efficiently while also deterring future offenders. The ORT Vertical Prosecution Team (1) provides a higher level of vertical investigation and prosecution, (2) coordinates with law enforcement partners on how to identify criminal entities and collect evidence necessary for prosecution, and (3) conducts outreach to local online retailers to coordinate investigations.

#### 1. Investigation and Prosecution

Vertical prosecution has been an effective strategy in OCDA's specialized units (e.g., Residential Burglary Unit) for many years. An advantage of the vertical prosecution model is that all interested parties (e.g., police officers, victims, witnesses) work with the same OCDA representatives from the inception of an indictable charge to its conclusion. Research conducted by the Manhattan Institute has demonstrated that vertical prosecution results in better-quality investigations and prosecutions because the process ensures full and coordinated investment of prosecutors and law enforcement (LE), particularly in challenging or complex cases.

#### *Staffing*

The ORT Vertical Prosecution Team is planned to comprise one grant-funded deputy district attorney (DDA) and one grant-funded district attorney investigator (DAI). The grant-funded ORT DDA handles all cases that qualify as ORT and are deemed appropriate for vertical prosecution, including some or all the following characteristics: violent, numerous thefts by the same crews, highly sophisticated, and multiple locations. Because of the volume of cases, an additional DDA not funded by this grant award may be assigned to ORT cases exclusively. This DDA primarily prosecutes ORT cases with repeat offenders. The Residential Burglary Unit may provide additional support and resources to the ORT Vertical Prosecution Team, as needed.

The grant-funded ORT DAI liaises with law enforcement agencies, loss prevention officers, and other retail partners. Additional investigators, not funded by this award, may support the ORT prosecutions by finding, securing, and subpoenaing witnesses, requesting and receiving discovery evidence, contacting witnesses or victims, etc.

### *Technology*

The ORT Vertical Prosecution Team is also supported by specialized hardware and software to collect, review, analyze, and manage digital evidence related to ORT investigations. Technology helps the team work more efficiently and effectively to improve the discovery of criminal patterns and recidivist behavior. For example, technology may be used to integrate data from various sources or organize digital evidence.

### 2. Law Enforcement Coordination

The ORT Vertical Prosecution Team regularly meets with local law enforcement partners to provide training on digital forensics, camera systems, and identifying necessary evidence to file a case. This education will continue throughout the project period and may also incorporate misdemeanor DAs.

### 3. Retailer Outreach

To support and develop partnerships with retailers, the ORT Vertical Prosecution Team meets with loss prevention officers throughout the county and tours willing stores to learn how crime is committed and how OCDA can help within the confines of their role. The team also collaborates with online marketplaces to learn the vulnerabilities of the online sector, establish relationships with and identify points of contact with online retailers, and sometimes serve as a liaison between police and retailers. Other outreach initiatives include informal meetings with retailers, attending California Organized Retail Crime Association (Cal ORCA) meetings, and hosting meetings at the OCDA office for partners such as local retailers, the FBI, Homeland Security.

### **Target Area**

The target area, Orange County, has 34 cities within a 798 square-mile radius that extends north to the cities of La Habra and Brea, east to the city of Rancho Santa Margarita, west to the cities of Los Alamitos and Seal Beach, and south to the city of San Clemente. According to the California Department of Finance, Orange County is the third largest county in California, and fifth largest county in the nation, with an estimated population of 3.1 million. Orange County is served by 31 local law enforcement agencies, employing 5,470 sworn personnel. There are 29 Targets, 16 Home Depots, 14 Costcos, and 11 Walmarts in Orange County, as well as high-end shopping malls such as South Coast Plaza and Fashion Island, all of which have been targets of ORT.

## Goals and Objectives

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The primary goals and objectives of this project are as follows:

**Goal 1: Increased investigations and prosecutions of ORT committed in Orange County.**

- **Objective 1A:** Establish a 2-person dedicated ORT Vertical Prosecution Team for the purpose of addressing increased levels of ORT in Orange County during 2024-2026 (Years 1-3); the Vertical Prosecution Team will include a Deputy District Attorney and Investigator. The OCDA's Residential Burglary Vertical Prosecution Unit will provide backup and participate in the outreach to retailers and law enforcement.
- **Objective 1B:** Conduct a Retailer Outreach Initiative that includes quarterly contact with 4-5 local and online retailers during 2024-2026 (Years 1-3) to coordinate investigations, gather data, uncover patterns, and identify suspects consistent with violence and high loss ORT.
- **Objective 1C:** Conduct Quarterly Coordination Meetings with Local Law Enforcement, including police departments and the Orange County Sheriff-Coroner Department, during 2024-2026 (Years 1-3) to support investigations and prosecutions of ORT.
- **Objective 1D:** Utilize Digital Evidence Technology to more rapidly analyze key digital evidence throughout the grant period.

**Goal 2: Demonstrate project fidelity and impact.**

- **Objective 2A:** Conduct Project Performance Monitoring to include regularly scheduled meetings and progress/financial reporting during the 6-month Planning Phase, the 3-Yr Implementation Phase, and the 6-month Closeout Phase.
- **Objective 2B:** Conduct Independent Project Evaluation to cover Planning and implementation Phases during 2024-2026.

## Logic Model

### Inputs

#### Funding

**Grant Awards:** ORT Prevention financial resources allocated for the project

**Additional Funding:** County General Fund

#### People

##### **Staffing:**

**ORT Vertical Prosecution Team:** DDA, DAI

**Other Personnel:** Additional DDA, 9-member Burglary Vertical Prosecution Unit to support to the ORT VP team, Administrative Support

**External Partners:** Local law enforcement agencies, retailers, EVALCORP

#### Tools

**Digital Evidence Software:** Cellebrite Premium, GrayKey Premier, Forensic Cell Phone Charging Station, Magnet Axiom, NightHawk Leo-Vision, Monolith Forensics Case Management Platform

**ORT Vertical Prosecution Team training** on using digital evidence software

**LE Agency Coordination:** Meetings and other contacts with other law enforcement agencies

**Retailer Outreach:** Meetings and other contacts with local retailers and loss prevention officers

### Activities

**Hire the ORT Vertical Prosecution Team**

**Train ORT Vertical Prosecution Team**, for example, on using digital evidence software

**Conduct ORT investigations**

**Prosecute ORT cases**

**Collect retailer contact information**

**Conduct ORT meetings with retailers** to discuss planned operations, patterns, suspects, and other information; provide training to staff and loss prevention officers

**Respond to ad hoc retailer requests** for assistance with ORT instances

**Liaise with retailers** about ORT cases

**Coordinate and participate in meetings with local law enforcement agencies**

**Procure and implement Digital Evidence Technology**

**Conduct in Project Monitoring Meetings** to assess progress, identify barriers, and problem solve

**Participate in Project Monitoring meetings** with the evaluator

### Outputs

ORT cases are prosecuted by OCDA Vertical Prosecution Team

ORT DAI supports ORT cases and partnerships with retailers

New digital evidence tools put into operation, supporting investigations

Partnerships with retailer

Partnerships with law enforcement agencies supporting gathering evidence, identifying suspects, and successful prosecution of ORT cases

Evaluation reports submitted to the funder

Progress reports completed by the evaluator

### Outcomes

- Improved investigations and prosecutions of ORT cases
- Improved quality of partnerships between the ORT Vertical Prosecution Team, local LE, and retailers
- Efficient use of digital evidence technologies to support prosecutions
- Implementation of the project as intended or an explanation of why the approach shifted

### Impacts

- Safer Community Environment:** Over time, a reduction in ORT contributes to safer environments for businesses and residents of Orange County
- Strengthened OCDA Capabilities:** ORT Vertical Prosecution Team's prosecution of ORT cases, partnerships with retailers and local law enforcement, and implementation of new systems and digital tools expand capacity and skills
- Increased Public Confidence:** ORT Vertical Prosecution Team's efforts and successful prosecution of cases raise the public's confidence in the OCDA's ability to protect the community and deter crime
- Sustainable Crime Prevention:** Partnerships, collaborations, tools, and systems implemented by the ORT Vertical Prosecution Team will continue to support crime prevention and can be adapted and applied in other contexts

## Evaluation Method and Design

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The OCDA has contracted with EVALCORP to conduct a comprehensive evaluation of the ORT Vertical Prosecution Project. This includes a **process** evaluation to document the activities implemented and an **outcome** evaluation to assess whether there were measurable impacts. Together, process and outcome evaluations support inferences regarding activities and their outcomes. The two evaluation components are described together here.

### Evaluation Framework

#### Goals

The evaluation of OCDA's Vertical Prosecution Project has two primary goals.

1. Conduct project performance monitoring (i.e., process evaluation).
2. Conduct an independent project evaluation to measure program effectiveness (i.e., outcome evaluation) and capture lessons learned.

#### Approach

The planned robust evaluation will employ a mixed-methods research design consisting of quantitative and qualitative approaches. Qualitative data will be used alongside quantitative data to enhance understanding of findings and the project's overall success. For example, key project staff will be interviewed at the end of Year 3 to identify the extent to which the activities were implemented as planned, along with challenges and unforeseen events that impacted implementation and related outcomes.

The evaluation will be participatory—EVALCORP will collaborate with OCDA to ensure appropriate data collection methodologies, tools, and protocols are developed and implemented. EVALCORP will also foster open communication throughout the project period to ensure project implementation and progress toward identified outcomes are shared regularly. This is key to formative evaluation and allows for strategy changes if needed.

#### Coordination and Oversight

Senior DDA Bradley Schoenleben will provide general oversight and guidance as the project supervisor. Lori Stevens, the Grants & ASR Administrator, will support the project's administrative and fiscal needs.

Senior DDA Schoenleben will coordinate project activities at OCDA and with various partners (e.g., retailers, LE). The ORT Vertical Prosecution Team, comprised of a DDA and a DAI, will make project-related decisions collaboratively and in consultation with EVALCORP when appropriate. Any changes requiring BSCC approval will be forwarded to the relevant party before implementation.

OCDA and EVALCORP will meet monthly or as needed to discuss successes or address challenges as they arise. The EVALCORP team and OCDA's specialists will maintain open communication about the data collection process and any related concerns.

### Evaluation Tools

Several data collection tools and standardized processes will be used to track and monitor the project's success. Primary data collection tools will be developed to collect information about grant-specific activities, and secondary data (i.e., data already collected for another use) will be used, when possible, to reduce staff burden.

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### Primary Data Collection Tools

- **ORT Quarterly Log:** The ORT Vertical Prosecution Team uses the ORT Quarterly Log to track their involvement in various grant-funded activities. This includes partnerships with retailers, loss prevention officers, and LE; the ORT DAI's involvement in ORT cases; and unit meetings.
- **Key Stakeholder Interviews:** At the end of the grant period, the evaluation team will conduct key stakeholder interviews with project staff to further assess implementation activities. These interviews will inform the extent to which the project was carried out as planned and identify successes, challenges, and lessons learned.

### Secondary Data Collection Tools

- **Law Enforcement Records:** OCDA's Case Management System (CMS) tracks data on every ORT case, including information on charges, defendants, case outcomes, and sentencing.
- **Payroll Records:** Payroll records will be used to determine the number of FTE staff assigned to various grant-funded activities.
- **OCDA Administrative Records:** Administrative records will document the number and type of digital evidence equipment procured and implemented.
- **EVALCORP Records:** The EVALCORP evaluation team's thorough meeting and report records will capture the activities related to project monitoring and evaluation goals.

The evaluation team will collaborate with OCDA personnel to ensure all requisite data are obtained, maintained, and reviewed for accuracy/validity on a consistent and timely basis.

### Data Analysis Plan

Project-related data will be obtained and reviewed quarterly and annually, depending on the specific metric, to ensure completeness and accuracy. Data will be aggregated and validated before conducting all required quantitative and qualitative analyses.

#### Qualitative Analysis

Qualitative data will include data collected from observations and key stakeholder interviews. Data analysis will involve coding, categorizing, and interpreting data to identify key themes. Information may also be quantified as part of this process. These analyses aim to gain a deeper understanding of the impact of the grant activities and the extent to which the project was carried out as intended.

#### Quantitative Analysis

Quantitative data will be analyzed using analytic software programs such as Excel, R, or SPSS. Descriptive statistics will characterize investigations, cases, convictions, engagement with partner agencies, and other relevant indicators. Crosstabs and inferential statistics (e.g., chi-square, *t*-tests) will be conducted, when possible and appropriate, to support descriptive findings and ensure data are interpreted appropriately.

### Reporting

EVALCORP will be responsible for or aid in the development of the following reports and presentations:

- **Quarterly Progress Reports (QPRs):** EVALCORP will support OCDA in developing the QPRs for the BSCC.

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- **Final Evaluation Report:** EVALCORP will develop a Final Local Evaluation Report to summarize the 3-year grant activities and the extent to which the proposed goals and objectives were achieved. This report will be submitted to the BSCC by June 1, 2027.
- **Quarterly and Annual Briefs:** In addition to the two mandated reporting requirements described above (i.e., Quarterly Progress Reports and the Final Local Evaluation Report), EVALCORP will develop a summary brief that outlines OCDA's progress toward the grant's goals and objectives on a quarterly and annual basis.

These reporting events, along with ongoing grant meetings, provide OCDA with a formal process for monitoring project progress and adjusting activities as needed.

### Evaluation Metrics

A series of metrics have been identified to evaluate the implementation and success of the OCDA Vertical Prosecution Project activities. A Data Collection Matrix (Appendix A) was developed to support evaluation planning, coordination, and implementation. The matrix describes the metrics to be tracked, the source of that information, and how each metric relates to the identified project goals and objectives.

### Identifying ORT Cases

For this grant evaluation and tracking, ORT cases and the related metrics (e.g., defendants, charges) will be identified in the OCDA CMS by two means:

- Any case or defendant with a PC 490.4 charge.
- The OCDA Research Unit created a specialized case tag to identify ORT-specific cases. This includes ORT cases that do not involve a PC 490.4 charge (e.g., PC 484, 487, 211).

### Process Evaluation

Process evaluation will document and measure the degree to which grant activities were implemented as intended. The proposed process metrics include the following:

- Number and roles of ORT Vertical Prosecution Team
- Number of grant-funded trainings attended by ORT Vertical Prosecution Team members
- Number of ORT cases for which the ORT DAI was involved
- Number of retailers the ORT Vertical Prosecution Team coordinated with
- Frequency of retailer coordination related to grant activities
- Number of law enforcement agencies the ORT Vertical Prosecution Team coordinated with
- Frequency of coordination with law enforcement related to grant activities
- Number and type of grant-funded digital evidence technology put into operation
- Frequency of internal unit meetings in support of grant-funded activities
- Number of meetings with the evaluator

### Outcome Evaluation

Outcome evaluation will assess the extent to which the project successfully met each of its goals and objectives. The proposed outcome evaluation metrics for the project include:

- Number of ORT cases filed
- Number of ORT-related charges filed
- Number of ORT-related charges for which a conviction was obtained

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- Number of times grant-funded digital evidence technology was used<sup>1</sup>
- Number of funder reports submitted (i.e., LEP, QPRs, LER) and progress reports developed by the evaluator
- Goals and objectives achieved
- Successes, challenges, and lessons learned

## BSCC Required Metrics

- Number of theft-related property crime cases filed
- Number of theft-related property crime charges filed (within the cases)
- Number of theft-related property crime charges for which a conviction was obtained
- Number of unique people charged within the theft-related property crime cases
- Number of unique people convicted of theft-related property crime charges
- Number of ORT cases filed
- Number of ORT-related charges filed (within the cases)
- Number of ORT-related charges for which a conviction was obtained
- Number of unique people charged within the ORT cases
- Number of unique people convicted of ORT-related charges
- Highest sentence imposed for people convicted of ORT-related charges (prison, jail, probation, probation with jail, fine, other)
- Highest offense level for people convicted of an ORT-related charge
- Number of FTE DDA positions assigned to ORT cases
- Number of FTE DAI positions assigned to ORT cases
- Number of FTE other staff positions assigned to ORT cases

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<sup>1</sup> This metric may change as the team learns more about the information accessible from the grant-funded tools. The evaluation team will, if possible, utilize data already collected as part of the tools' inherent processes to reduce the burden on OCDA personnel.

## Appendix A. Process Evaluation Data Matrix

Logic Model Activities	Evaluation Metric	Data Source	Collection Frequency
<b>Objective 1A</b>			
Hire the ORT Vertical Prosecution Team	Number and roles of ORT Vertical Prosecution team	CMS	Quarterly
Train ORT Vertical Prosecution Team	Number of grant-funded trainings attended by ORT Vertical Prosecution Team members	Payroll Records	Ongoing
Conduct ORT investigations	Number of ORT cases for which the ORT DAI was involved	CMS	Ongoing
<b>Objective 1B</b>			
Collect retailer contact information	Number of retailers the ORT Vertical Prosecution Team coordinated with	ORT Quarterly Log	Quarterly
Conduct ORT meetings with retailers; provide training to staff and loss prevention officers; Respond to ad hoc retailer requests for assistance with ORT instance; Liaise with retailers	Frequency of retailer coordination related to grant activities	ORT Quarterly Log	Quarterly
<b>Objective 1C</b>			
Coordinate with local law enforcement agencies	Number of law enforcement agencies the ORT Vertical Prosecution Team coordinated with	ORT Quarterly Log	Quarterly
Participate in meetings with local law enforcement agencies	Frequency of coordination with law enforcement related to grant activities	ORT Quarterly Log	Quarterly
<b>Objective 1D</b>			
Procure and implement Digital Evidence Technology	Number and type of grant-funded digital evidence technology put into operation	Administrative Records	Quarterly
<b>Objectives 2A and 2B</b>			
Conduct in Project Monitoring Meetings to assess progress, identify barriers, and problem solve	Frequency of internal unit meetings in support of grant-funded activities	ORT Quarterly Log	Quarterly
Participate in Project Monitoring Meetings with the evaluator	Number of meetings with the evaluator	EVALCORP Records	Ongoing

## Appendix B. Outcome Evaluation Data Matrix

Logic Model Outcomes	Evaluation Metric	Data Source	Collection Frequency
<b>Goal 1</b>			
Improved investigations and prosecutions of ORT cases	Number of ORT cases filed	CMS	Ongoing
Improved investigations and prosecutions of ORT cases	Number of ORT-related charges filed	CMS	Ongoing
Improved investigations and prosecutions of ORT cases	Number of ORT-related charges for which a conviction was obtained	CMS	Ongoing
Efficient use of digital evidence technologies to support prosecutions	Number of times grant-funded digital evidence technology was used <sup>2</sup>	ORT Quarterly Log	Quarterly
Improved quality of partnerships between the ORT Vertical Prosecution Team, local LE, and retailers	Quality of partnerships with law enforcement and retail partners	KSIs	Once – Year 3
<b>Goal 2</b>			
Implementation of the project as intended or an explanation of why the approach shifted	Number of funder reports submitted (i.e., LEP, QPRs, LER) and progress reports developed by the evaluator	EVALCORP Records	Quarterly
Implementation of the project as intended or an explanation of why the approach shifted	Goals and objectives achieved	Local Evaluation Report	Once – 2027
<b>Other</b>			
	Successes, challenges, and lessons learned	QPRs, KSIs	Once – Year 3

<sup>2</sup> This metric may change as the team learns more about the information accessible from the grant-funded tools. The evaluation team will, if possible, utilize data already collected as part of the tools’ inherent processes to reduce the burden on OCDA personnel.