

# **ORT Vertical Prosecution Grant Program**

## **Local Evaluation Plan**

Santa Clara County Organized Retail Theft Intelligence  
Center

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## Project Background

Using data gathered from the case management system (CIBER) for the Santa Clara County District Attorney's Office (SCCDAO), Santa Clara County has seen a dramatic increase in Organized Retail Theft (ORT) in the past three calendar years, using filings for Penal Code section 490.4 (ORT) as a proxy. In 2020, the SCCDAO filed 11 cases with an ORT charge. In 2021, the office filed 31 cases. In 2022, the office filed 60 cases, an all-time high, a nearly 450% increase from 2020. These filings, however, dramatically undercount the actual level of ORT.

Three significant hurdles that Santa Clara County face when implementing a vertical prosecution model are (1) resource allocation, (2) coordination of investigations, and (3) consistent data collection and analysis of ORT cases.

At the time of the application of the grant, the SCCDAO only vertically prosecuted approximately 60% of its ORT cases due the resource-intensive nature of the cases. The Major Crime and Drug Trafficking Team (MCDT) is the unit assigned to vertically prosecute ORT. However, it is part of the general caseload for the team; there is no dedicated prosecutor to these offenses. While ORT is one of its priorities, the team also prosecutes other complex cases such as string robberies and fentanyl trafficking. With average caseloads of nearly 80 cases, the team of six trial prosecutors cannot dedicate the necessary attention to every single ORT case that occurs within the county. However, utilizing the grant funds, MCDT now has a dedicated ORT vertical prosecutor in addition to the original six prosecutors.

Most of law enforcement agencies (LEA) in Santa Clara County are smaller sized agencies with one agency, the San Jose Police Department, significantly larger than all the others. When the agencies have one or two cases as part of a larger ORT investigation, a significant amount of time is spent discussing which agency, if any, will take the lead, particularly when the property crime investigators in each individual agency already have a high caseload and the investigations reach beyond the county's borders. The lack of a lead investigator in these situations can create delays in moving these investigations forward; create piece-meal evidence are limited to a specific jurisdiction as opposed to actually covering the breadth of a specific investigation, which may span multiple locations both inside and outside of Santa Clara County; and, most importantly, prevent investigations from moving towards a major driver of ORT, fences (i.e. the individual or individuals knowingly receiving or ordering stolen property for later resale).

To fully understand the ORT issue in Santa Clara County, accurate and precise information is necessary. The SCCDAO's case management system cannot readily separate ORT cases from other types of cases with these charges. There are many instances where grand thefts (Penal Code section 487(a)) and robberies (Penal Code section 212.5(c)) are charged instead of Penal Code section 490.4, when any of those charges of applicable. Furthermore, the SCCDAO currently lacks a platform to analyze

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the data from all these cases to find trends and links to both strengthen and broaden the investigations and prosecutions.

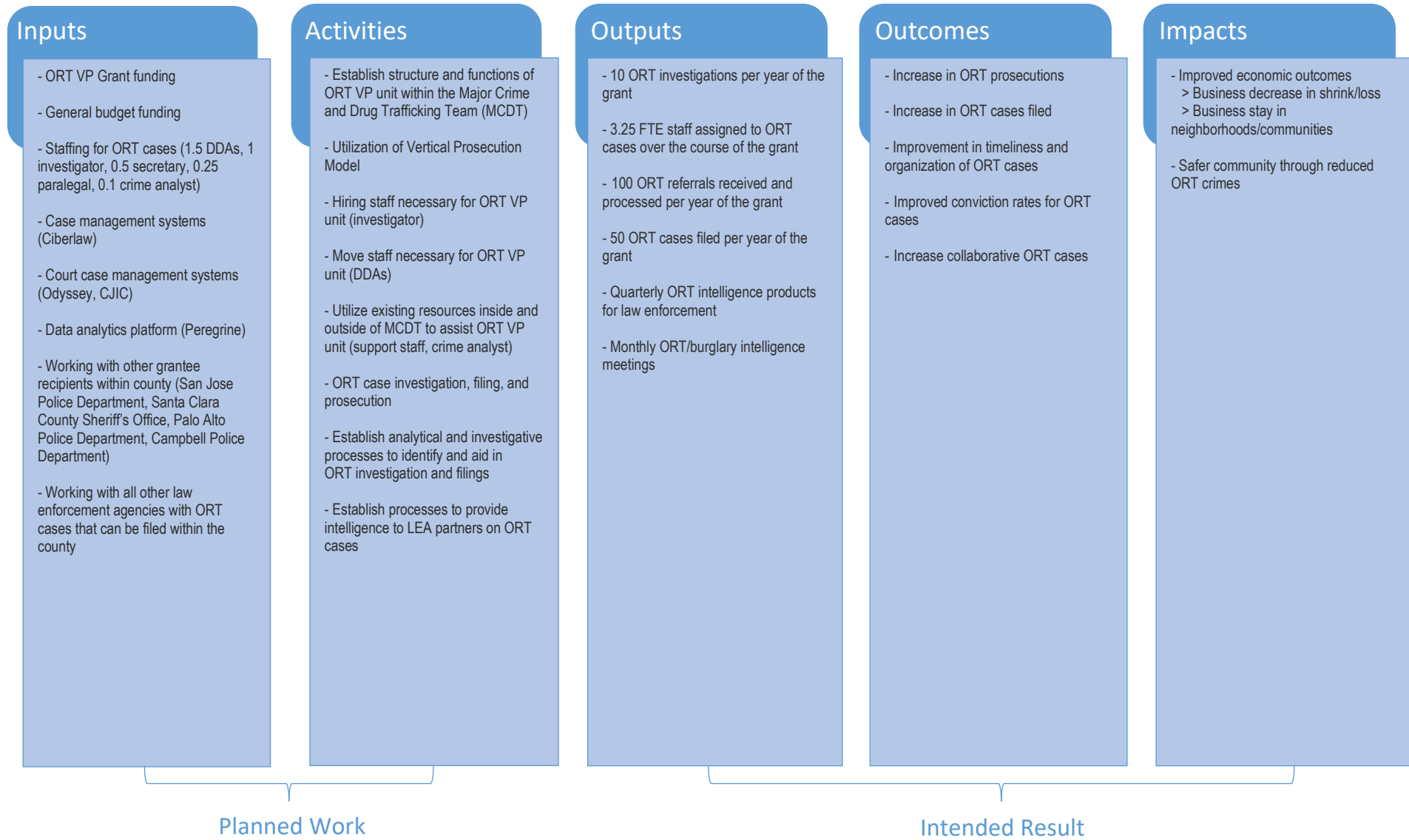
To properly investigate and prosecute ORT cases, the SCCDAO would need a prosecutor dedicated solely prosecuting ORT cases to ensure that these cases received the attention and commitment they deserve; a dedicated district attorney investigator to oversee or assist ORT cases that span inside and outside of Santa Clara County, and a data investigations, analysis, and collaboration platform to collect and analyze data related to ORT to thoroughly investigate and prosecute those cases

The SCCDAO has two goals for this project: (1) becoming the intelligence center for the county on all ORT cases and investigations and (2) successfully prosecuting ORT cases to hold these perpetrators accountable.

For the first goal, the SCCDAO has three objectives: (1) implement data collection and analytic platform, (2) distribute ORT intelligence regularly to partner LEAs, and (3) connect related ORT investigations. For the second goal, the SCCDAO has four objectives: (1) assign all ORT cases in the ORT DDA, (2) prioritize the ORT DAI to focus on ORT investigations that lead to the identification and prosecution of fences, (3) streamline the filing of ORT cases, and (4) obtain convictions in filed cases if appropriate.

This Local Evaluation Plan (LEP) seeks to determine the effectiveness of this project through the use of descriptive research methods, utilizing data obtained through the currently accessible databases and qualitative analysis of the work done by individuals associated with the project.

## Project Logic Model



**Process Evaluation Method and Design**

<b>Input/Resource/Activity /Output</b>	<b>Data Element(s)</b>	<b>Data Source(s)</b>	<b>Frequency of Data Collection</b>
100 ORT cases reviewed	# of ORT cases reviewed	CIBER, Odyssey, CJIC, Peregrine	Each time a case is entered into system
75 ORT cases filed per year of the grant	# of ORT cases filed	CIBER, Odyssey, CJIC, Peregrine	Each time a case is filed
10 ORT investigations per year of the grant	# of ORT investigations	CIBER, Peregrine	Each time a case is opened for an investigation for the ORT investigator
3 FTE staff assigned to ORT cases over the course of the grant	# of staff assigned to ORT	Employment records, Case management system	Annually throughout duration of grant
Hiring of staff essential to ORT VP unit	When staff has been hired	Employment records	Annually throughout duration of grant
Improved conviction rates for ORT cases	# of ORT prosecutions and # of ORT cases filed	CIBER, Odyssey, CJIC, Peregrine	Each time a case pleads
Monthly ORT/burglary meeting	# of meetings	Manual log	Each time meeting occurs
Quarterly ORT intelligence reports for law enforcement	# of reports	Manual log	Each time report is sent out

The Local Evaluation Plan for the Santa Clara County will primarily use a descriptive research design to systematically document and analyze the characteristics, activities, and outcomes of the project. This approach aims to provide a comprehensive understanding of the project's implementation and its effects on addressing ORT within the county.

**Key Aspects of the Descriptive Research Design:**

1. **Observation and Description:** The research will focus on observing and describing various aspects of the project, including resource allocation, activities undertaken, and outcomes achieved. This will involve collecting data through multiple sources, such as case management systems, interviews, and documentation of project activities.

2. **Data Collection Methods:** Data for the descriptive research will be gathered through a combination of quantitative and qualitative methods. Quantitative data will include statistics on ORT cases reviewed, filed, and prosecuted. The data sources for our quantitative data will be Ciber (our internal case management system), Odyssey (the current court case management system), CJIC (the legacy court case management system), and Peregrine<sup>1</sup> (a data analytics platform). While qualitative data will involve interviews and observations to capture the experiences and perceptions of project stakeholders, namely our ORT DDA and ORT DAI as well as other associated partners.
3. **Summarization and Interpretation:** The descriptive research design will facilitate the summarization and interpretation of findings to identify patterns, trends, and areas of success or challenge within the project. This analysis will inform ongoing project implementation, decision-making processes, and, ultimately, the effectiveness of the project.

**Monitoring Responsibilities:** The monitoring of project activities will be overseen by the MCDT supervisor, who will ensure that the ORT DDA and ORT DAI are effectively implementing the project plan. The supervisor will conduct weekly meetings during the implementation stage to review progress, address challenges, and provide guidance as needed. Additionally, they will oversee ongoing cases and new investigations, ensuring that they align with the project objectives and timelines.

Furthermore, the supervisor will be responsible for reviewing and approving any informational products developed as part of the project, ensuring that they meet the required standards of quality and accuracy. Their active involvement in project meetings and oversight activities will help maintain accountability and drive progress towards achieving the project goals.

By leveraging the expertise of the data analytics team for data collection and analysis and assigning monitoring responsibilities to the MCDT supervisor, the project will benefit from a robust evaluation process that ensures the effective implementation of activities and the achievement of desired outcomes.

**Data Collection and Evaluation:** The SCCDAO's data analytics team will primarily oversee the collection and evaluation of project data. This team consists of an IT manager, business intelligence analyst, and crime analysts from various units. Their expertise in data analysis has been instrumental in informing policy decisions based on insights derived from various databases, including the CIBER system and the Santa Clara County Superior Court's case management systems (Odyssey and CJIC), as well as Microsoft Excel.

The team will play a key role in collecting relevant data points related to ORT cases, investigations, and prosecutions. They will utilize their intimate knowledge of these databases to extract accurate and comprehensive information for evaluation purposes.

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<sup>1</sup> As of the writing of this plan, the procurement process for Peregrine is ongoing.

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This will involve tracking the progress of ORT cases, identifying trends, and assessing the impact of project activities on outcomes such as case filings, convictions, and collaboration between agencies.

**Outcome Evaluation Method and Design**

<b>Outcome</b>	<b>Definition</b>	<b>Data Source(s)</b>	<b>Frequency of Data Collection</b>
Increase in ORT prosecuted	Increases in the number of ORT cases that are prosecuted and convicted of ORT in accordance to the relative ORT penal codes	CIBER, Odyssey, CJIC, Peregrine	Each time a case is closed
Increase in ORT cases filed	Increase in the number of ORT cases filed	CIBER, Odyssey, CJIC, Peregrine	Each time a case is filed
Improved conviction rates for ORT cases	Increase in the number of ORT convictions in relation to the number of ORT cases filed.	CIBER, Odyssey, CJIC, Peregrine	Each time a case pleads
Increased information sharing among LEAs for ORT cases	Increase in the amount of information shared through informational products and meetings	Manual log, Interview with LEA and retail partners	Each time informational product sent and meeting held
Increase in investigations and prosecutions into fences	Increase in number of investigations opened and cases filed against fences	CIBER, Odyssey, CJIC, Peregrine	Each time investigation is open and case is filed



## *Methodology*

The outcome evaluation will employ a descriptive research design to systematically assess the impact and effectiveness of the project in achieving its intended outcomes. For this project, descriptive research will focus on documenting the changes in key outcome indicators related to ORT prosecution and intelligence gathering.

## *Data Collection*

1. **Case Outcome Data:** Collecting data on the outcomes of ORT cases prosecuted by the Santa Clara County District Attorney's Office (SCCDAO), including the number of convictions, sentences imposed, and recidivism rates among convicted offenders. This data will provide insights into the project's effectiveness in holding perpetrators of ORT accountable and deterring future offenses.
2. **Intelligence Sharing Metrics:** Assessing the frequency and quality of intelligence sharing between the SCCDAO and partner law enforcement agencies regarding ORT investigations and trends. The metrics include the number of information products such as investigation summaries and suspect summaries. This data will gauge the project's success in establishing the SCCDAO as the intelligence center for ORT cases in the county.
3. **Prosecutorial Efficiency Indicators:** Monitoring indicators of prosecutorial efficiency, such as case processing times, case dismissal rates, and resource utilization. This data will help evaluate the project's impact on streamlining ORT case filings and improving the efficiency of prosecution efforts.

## *Data Analysis*

1. **Descriptive Statistics:** Analyzing quantitative data using descriptive statistics, including frequencies, percentages, and measures of central tendency. This analysis will provide a comprehensive overview of the distribution and characteristics of key outcome variables.
2. **Trend Analysis:** Examining longitudinal trends in outcome indicators over time to identify patterns and changes associated with project implementation. Trend analysis will help assess the trajectory of project impact and detect any significant shifts in ORT prosecution and intelligence activities.

## *Qualitative Insights*

1. **Stakeholder Interviews:** Conducting qualitative interviews with key stakeholders, including prosecutors, law enforcement officers, and community members, to

gather insights into their perceptions of the project's outcomes and effectiveness. Qualitative data will complement quantitative findings by providing contextual understanding and identifying unanticipated outcomes.

### *Design*

The outcome evaluation will utilize a longitudinal design, spanning the duration of the project implementation period and beyond to capture both short-term and long-term outcomes. Data will be collected at multiple time points to track changes over time and assess the sustainability of project impacts. The evaluation will be iterative, allowing for ongoing feedback and adjustment based on emerging findings and stakeholder input.

There will be focus on the five key outcomes described above:

1. Increase in ORT prosecuted: Increases in the number of ORT cases that are prosecuted and convicted of ORT in accordance to the relative ORT penal codes
2. Increase in ORT cases filed: Increase in the number of ORT cases filed
3. Improved conviction rates for ORT cases: Increase in the number of ORT convictions in relation to the number of ORT cases filed.
4. Increased information sharing among LEAs for ORT cases: Increase in the amount of information shared through informational products and meetings
5. Increase in investigations and prosecutions into fences: Increase in number of investigations opened and cases filed against fences

Given the limitations of our statistical analytical abilities, the evaluation will be limited in its ability to account for confounding factors such as changes in policies. Additionally, since many of the activities will have only started during the period of the grant, there will not be a baseline comparison for much of the work. The only baseline comparison will be the filing and prosecution information for Penal Code section 490.4 cases.