

ORT Vertical Prosecution Grant Program

Local Evaluation Plan

**Sonoma County District Attorney's Office
Organized Retail Theft Program**

Submitted by:

Sonoma County District Attorney's Office

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Project Period:

October 1, 2023 – December 31, 2026

Project Background

Based on community interest in addressing retail theft, the District Attorney's (DAs) Office assessed the nature of need in Sonoma County. Sonoma is home to a large volume of theft cases. During the baseline period (from October 2022 through September 2023) of the Organized Retail Theft (ORT) Vertical Prosecution Grant the Sonoma DAs office filed 28 ORT cases as defined by Penal Code section 490.4. However, investigations of organized retail theft cases are extremely labor intensive, and the number of cases filed under this specific statute may not be a fair indicator of the pervasiveness of the crime in our community. Since California Prop 47 passed in 2014, many in the community felt that there were not enough consequences to most theft crimes, leading to under reporting from businesses and often strategic planning on the defendant side (stealing specific amounts to stay within the Misdemeanor range). Having a team dedicated to Organize Retail Theft allows our office to address the issues; giving us the ability to investigate leads, focus on patterns, expanding current cases, and working with local law enforcement and businesses. With the passing of California Prop 36, the scope has expanded. Originally only focusing on Sonoma County, the ability to aggregate across jurisdictions allows us to better address the problem as a whole. As one of the nine counties that make up the "Bay Area", focusing only on one county doesn't allow us to see the bigger picture. Working with law enforcement and surrounding counties encourages the sharing of information to better determine repeat offenders/patterns and hold them accountable.

Furthermore, law enforcement reports that many of the individuals in these cases committed the crime in Sonoma County but live outside of the County: of the 22 cases filed in Sonoma County during the baseline period, only six defendants reside in the County. These organized retail thefts were part of a broader Bay Area and California crime trend in which name-brand clothes or hygiene items are resold on online black markets. Organized retail theft puts employees and shoppers at risk and harms the overall Sonoma County community. Implementing a vertical prosecution model enables the DA's Office to address the issue of organized retail theft to ensure a safe and thriving community.

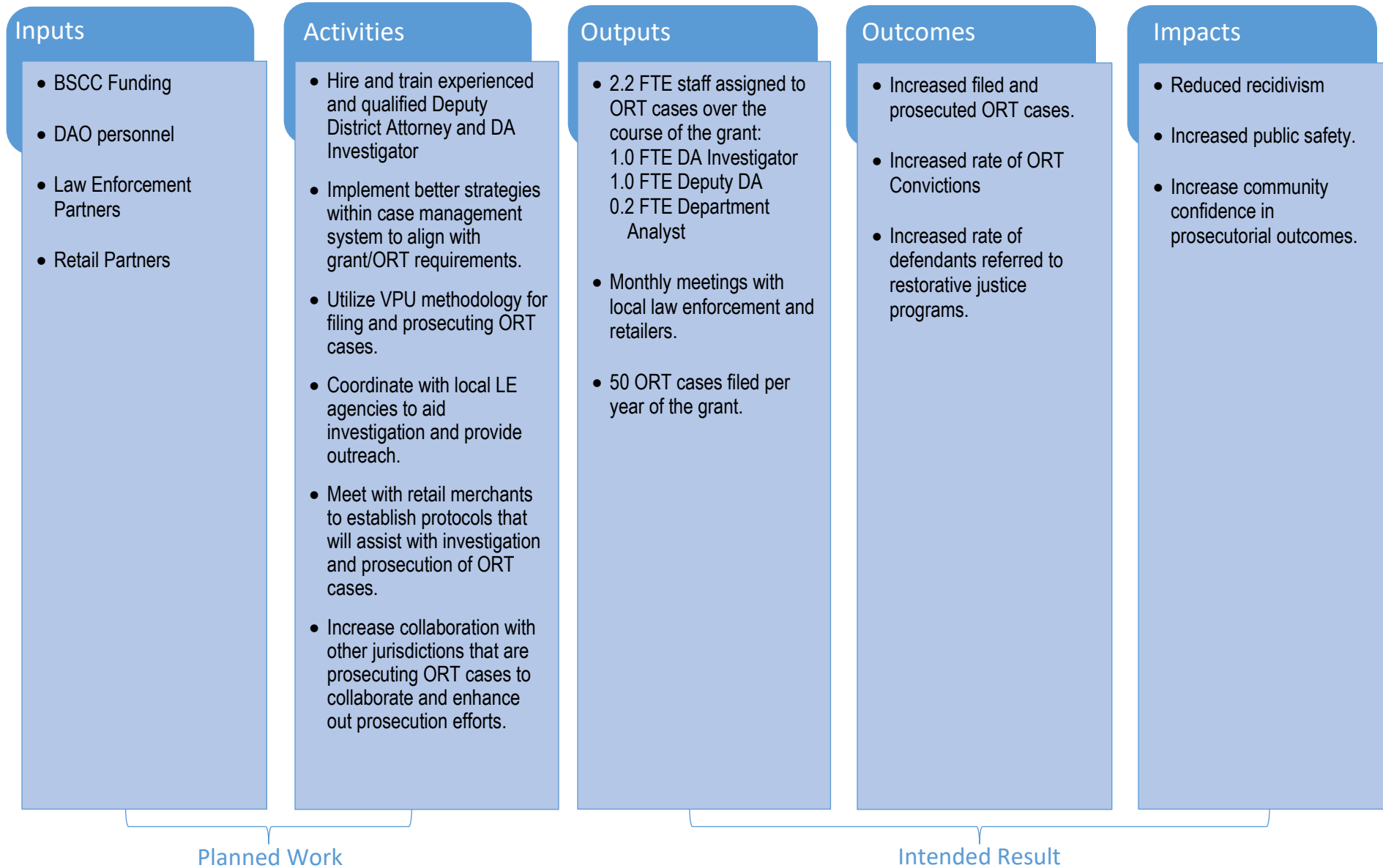
The DA's Office is working to establish the Organized Retail Theft Vertical Prosecution Unit (ORT VPU) to address organized retail theft cases. The ORT VP grant funding will allow the Sonoma DA's Office to hire one dedicated full-time Deputy DA and one dedicated full-time DA Investigator to investigate and prosecute all organized retail theft crimes that fall under Sonoma County's jurisdiction. Being dedicated to the ORT grant will allow the team to become subject matter experts to better investigate and prosecute

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offenders while also being able to offer assistance and training to businesses and law enforcement. The ORT VPU will target all of Sonoma County, with a particular focus on major retail centers in larger cities like Santa Rosa and Petaluma. Law enforcement reports that there are fewer instances of organized retail theft in rural areas of the county, as thieves target high-end brands that they can easily resell. The ORT VPU will begin mapping out theft-related property crimes to ascertain connections, leveraging on new legislation that allows prosecutors to charge a felony rather than a misdemeanor in certain circumstances, which will help hold offenders accountable for the aggregate value of the merchandise stolen at multiple locations on multiple dates.

Goal 1	Develop infrastructure necessary to successfully establish, implement, and track Sonoma County's new Organized Retail Theft Vertical Prosecution Unit (ORT VPU)
Objectives	<ul style="list-style-type: none"> A. The ORT VPU is fully staffed by qualified Deputy District Attorney (DA), DA Investigator, and technical staff B. Existing DA's Office data tracking platforms support the tracking and assessment of the ORT VPU C. The ORT VPU successfully investigates and prosecutes organized retail theft in Sonoma County
Goal 2	Increase public safety in retail spaces in Sonoma County
Objectives	<ul style="list-style-type: none"> A. Sonoma County residents understand the DA's Office approach to addressing organized retail theft, including the work of the ORT VPU B. Sonoma County residents are able to live, shop, and work in safe spaces
Goal 3	Strengthen prosecutions of organized retail theft in Sonoma County
Objectives	<ul style="list-style-type: none"> A. The ORT VPU leads to a greater number of organized retail theft incidents being brought by law enforcement to the DA's office and successfully prosecuted B. The Sonoma County DA ORT VPU will leverage new legislation to charge felonies and impose significant sentences, rather than misdemeanors, where perpetrators have previously been able to commit offenses with negligible consequences
Goal 4	Reduce recidivism among individuals charged with organized retail theft in Sonoma County
Objectives	<ul style="list-style-type: none"> A. Offenders convicted through the work of the ORT VPU will participate in Sonoma's County diversion programs, which include a restorative justice program aimed to address victims' needs and connect offenders with resources that reduce recidivism B. Increase number of offenders referred to Sonoma County Restorative Justice Program

Sonoma County DA Project Logic Model:



Process Evaluation Method and Design

A mixed methods approach will be utilized for this grant evaluation. Quantitative project data related to filings will be obtained and reviewed quarterly, utilizing report data pulled from Prosecutor By Karpel, our current case management software, and analyzed using Microsoft Excel. Quantitative data will be compiled by the Department Analyst, reviewed by the ORT Unit and presented in the Quarterly Progress Reports submit to BSCC. The data will include statistics on cases filed, convictions, and sentencing. Qualitative data such as observations from our law enforcement partners as well as within our office, will assist with understanding the connections between cases and suspects, identifying themes, hot spots, etc. Auror is a software that many retailers utilize to organize their suspects and intel before sending to law enforcement. It has an Investigative element that our office can utilize to help connect cases and assist.

The VPU team will consist of one Deputy District Attorney and one DA Investigator, with oversight by a Chief Deputy District Attorney. They will work collaboratively to ensure that the project is hitting the goals set forth, with the assistance of the office IT team and a Department Analyst. Effectiveness will be determined by the growth of ORT cases that our office handles as well as conviction rates. The VPU unit will meet regularly to review the goals, evaluate, and updates processes. Regular monitoring and feedback of all data, including reviews of Quarterly Progress Reports, will assist the Unit with ensuring the project is being implemented to fidelity.

Input/Resource/Activity/Output	Data Element(s)	Data Source(s)	Frequency of Data Collection
Hiring of 1.0 FTE DDA and 1.0 FTE DAI for VPU Team	Number of ORT VP staff hired	Onboarding paperwork	Once – at hiring
Increased ORT cases filed per year of the grant	Number of ORT cases filed	Case management system	Annually
Improved conviction rates for ORT cases	Number of convictions on ORT cases	Case management system	Quarterly
Coordinate with local LE agencies to aid investigation and provide outreach.	Attendance at meetings	Sign in Sheets (virtual and in person)	Monthly
Meet with retail merchants to establish protocols that will assist with investigation and prosecution of ORT cases.	Attendance at meetings	Sign in Sheets (virtual and in person)	Monthly
Increase collaboration with other jurisdictions that are prosecuting ORT cases to collaborate and enhance our prosecution efforts.	Attendance at property crimes meetings, such as ORCA	Meeting notes, agendas, travel logs	Quarterly

Outcome Evaluation Method and Design

Our office will use a mixed methods for the outcome evaluation. The quantitative data that we pull from Prosecutor by Karpel will assist with assessing the outcomes of our goals. Quantitative data will include cases filed, convictions, offense and sentencing types, for office wide theft related property crimes, as well as ORT and Vertical Prosecution specific metrics. The qualitative data used in this evaluation will include observations from our law enforcement partners, businesses and loss prevention personnel, as well as people within our office. It will be compiled quarterly and analyzed using statistical and descriptive methods to ensure consistent and accurate data. The tools that will be used for analysis include Microsoft Word and Excel as well as possibly a specific analytic software in the future if needed. We anticipate completing all the listed activities noted.

ORT cases were not specifically tracked prior to receiving the grant, so the data will mostly be comparing year over year. We will not be comparing our statistics to other counties as we are geographically and demographically very different. None of the counties connected to us received grant funding for either Prosecution or Prevention. As we are the only office in the vicinity with personnel 100% dedicated to the grant and are only comparing our statistics to our own office, we can be assured that any increases in our goals are due to the ORT project. The six established “Activities” will be used as a matrix to compare our data against pre, post and during the grant cycle. We will supplement statistical data with qualitative insights from our law enforcement and retail partners to understand how and why outcomes occurred. This helps add context to the numbers by getting a better feel from our partners on any changes in awareness and morale.

The goals of the grant are: 1) Develop infrastructure necessary to successfully establish, implement, and track the grant program; 2) Increase public safety in retail spaces; 3) Strengthen prosecutions of organized retail theft; and 4) Reduce recidivism among individuals charged with organized retail theft in Sonoma County. We will track the effectiveness using the quantitative data previously mentioned and compare numbers before and during the grant period for each year. Establishing the VPU team, increasing and tracking of new ORT cases, and the increased cooperation of local law enforcement and retailers via monthly meetings will be parameters to measure activity success. All listed activities on the Logic Model are expected to be completed.

Outcome Evaluation Questions

1. During the grant period was there an increase in filed and prosecuted ORT cases?
2. During the grant period was there an increase in rate of ORT convictions?
3. During the grant period was there an increase in the rate of defendants referred to restorative justice programs?
4. During the grant period was there a reduction in recidivism, an increase in both public safety and community confidence in prosecutorial outcomes?

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We will compare our stats quarterly against of pre grant numbers to evaluate the goals. Our goal of increasing ORT cases being filed and prosecuted will rely on increases in business reporting, law enforcement investigating, and our ORT Unit being able to focus solely on these cases. As we don't have the capabilities to track long term recidivism, we will be utilizing statistics related to formal probation/supervision referrals, as that is a proven tactic to reduce recidivism.

The hiring process for the County is extensive and recruitment has been difficult. Term limited positions can be difficult to recruit for, which has left us trying to implement improvements beforehand, so that the new employees can step into the team with everything in place.

Outcome	Definition	Data Source(s)	Frequency of Data Collection
Increase in ORT cases filed and prosecuted	Increase in the number of ORT cases filed	Case management system	Quarterly and annually
Increase in conviction rates for ORT cases	Increase in the number of ORT convictions in relation to the number of ORT cases filed.	Case management system	Quarterly and annually
Reduced Recidivism	Decrease in the number of repeat offenders	Case Management System	Quarterly and annually
Increased rate of defendants referred to restorative justice programs	Increase the number of defendants referred to restorative justice programs	Case Management System	Quarterly and annually