

# ORT Vertical Prosecution Grant Program

## Local Evaluation Plan

Submitted by:

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## Project Background

The focus of the project is Stanislaus County in its entirety. This was chosen because this encompasses the entire jurisdiction that falls under the District Attorney.

Retailers in Stanislaus County experienced over \$5.6 million dollars in shortage in 2022 from Organized Retail Crime (ORC). For the larger retailers, this requires a huge diversion of time, money, and personnel that directly impacts their profitability and the County's tax receipts from stolen items. Smaller retailers are in a worse position as they don't have the resources to fight against ORC and may have no option but to close their doors due to ORC. Even larger retailers may choose to leave our County if they don't have sufficient resources to remain profitable. The people of Stanislaus County suffer with a diminished tax base to fund critical operations and fewer places to buy the things they need for their families. Finally, there is the safety aspect associated with ORC. Retailers often instruct their employees not to engage with individuals involved in ORC for fear of violence toward employees.

The District Attorney's Office has engaged a myriad of partners to determine the scope of the damage being done. We pulled reports from internal databases, partnered with law enforcement agencies from the Sheriff to local agencies for their statistics on how many cases they have sent to this Office that meet the standard for ORC. We have hosted or been a part of meetings with retailers large and small to quantify what the impact of ORC has been to them and to their businesses. We reached out to various chambers of commerce to understand the problem from their perspective.

Based on the data we received, organized retail theft is a countywide problem. As such, reducing organized retail theft in Stanislaus County is our ultimate goal.

**THE PROJECT WILL ASSIST STANISLAUS COUNTY DISTRICT ATTORNEY'S OFFICE GOAL TO REDUCE ORGANIZED RETAIL CRIME**

***Vertical Prosecution Model***

The project will address the project's need and the intent of the grant program through the use of Vertical Prosecution in organized retail theft cases. Grant funds will be used to staff a Vertical Prosecution Unit, including one full-time Deputy District Attorney, one full-time District Attorney Criminal Investigator, and one part-time Crime Analyst.

The Deputy District Attorney (DDA) will be assigned to prosecute cases using true vertical prosecution, where the principal prosecutor files the charges or makes the first appearance and attends all subsequent court appearances through the sentencing stage. The DDA will serve as the single point of contact for victims, witnesses, and impacted law enforcement officials. The District Attorney Criminal Investigator will be responsible for investigating organized retail theft cases. The Crime analyst will be embedded with the criminal investigator and DDA and will coordinate with retailers, extract, and analyze crime data in conjunction with law enforcement, coordinate with outside agencies to share data if required.

From inception, cases will be received and issued with ORC specific charges based on the facts of the case. Ideally, these cases will come in from law enforcement agencies dedicated to ORC or ad hoc ORC reduction teams. This will be an immediate indicator. These cases will also from time to time come from good investigative work from retailers or by patrol officers. They will be vetted and if consistent with the ORC mandate under the grant, they will receive an ORC designation. This will send the case directly to the assigned ORC DDA to prepare the case for arraignment through final resolution. Negotiations will depend on the severity of the theft, prior record(s) of the perpetrator(s), and sophistication of the crime. If the defendant is shown to be intractable by multiple crimes of an ORC nature or a violent past or present crime for which a prior can be plead and proven, this Office will take a harder line on resolution that will include incarceration.

## ORT VP Grant Program

The Vertical Prosecution Unit will collaborate with online marketplaces and retailers to address organized retail theft property crimes in partnership with our law enforcement partners. This includes reaching out and coordinating with retailers, communicating with them regularly, sharing data and intelligence with retailers.

**Project Logic Model**

INPUTS RESOURCES	ACTIVITIES	OUTPUTS	OUTCOMES EXPECTED IN 1-3 YEARS	IMPACT
<ul style="list-style-type: none"> <li>• Financial Support                             <ul style="list-style-type: none"> <li>▪ ORC VP grant funds</li> <li>▪ general budget</li> </ul> </li> <li>• Hiring And Training ORC Staff For Vertical Prosecution                             <ul style="list-style-type: none"> <li>▪ DDA- (1.0 FTE)</li> <li>▪ criminal investigator - (1.0 FTE)</li> <li>▪ analyst-(FTE.50)</li> </ul> </li> <li>• Equipment</li> <li>• Organizational tools                             <ul style="list-style-type: none"> <li>▪ data collection for analytical research</li> <li>▪ ICJIS- internal reports</li> <li>▪ ICJIS for intake of ORC referrals</li> </ul> </li> <li>• Law Enforcement Partnerships                             <ul style="list-style-type: none"> <li>▪ Modesto Police Dept.</li> <li>▪ Stancatt/CHP</li> <li>▪ Turlock Police Dept.</li> <li>▪ Stan County Sheriff's Dept.</li> <li>▪ Stan County Probation Dept.</li> </ul> </li> <li>• Community Partnerships                             <ul style="list-style-type: none"> <li>▪ retailers</li> <li>▪ businesses</li> <li>▪ residents of Stanislaus County</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Hire ORC Staff</li> <li>• Establish Structure And Function Of ORC Unit</li> <li>• Establish Procedures For ORC Data Collection                             <ul style="list-style-type: none"> <li>▪ identify and aid in ORC</li> <li>▪ identify and aid in ORC resolutions</li> </ul> </li> <li>• Establish Scope And Perimeters For Internal ICJIS Reports</li> <li>• Establish Procedures For ORC Analytical Research                             <ul style="list-style-type: none"> <li>▪ qualitative methods for assessment</li> <li>▪ quantitative methods for assessment</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Establish ORC Unit</li> <li>• 2.5 FTE Staff Assigned To The ORC Unit For Duration Of The Grant</li> <li>• Utilize Vertical Prosecution In ORC Cases                             <ul style="list-style-type: none"> <li>▪ 60 ORC cases filed per year of the grant</li> <li>▪ 50 ORC prosecutions per year of the grant</li> <li>▪ 30 ORC investigations per year of the grant</li> </ul> </li> <li>• Collaboration and partnerships                             <ul style="list-style-type: none"> <li>▪ effectiveness of collaboration and partnerships with law enforcement, retailers, and community members to achieve project goals</li> <li>▪ monthly meetings with law enforcement &amp; local retailers</li> <li>▪ collaborate with law enforcement regarding investigating and prosecuting ORC</li> </ul> </li> <li>• Community Outreach                             <ul style="list-style-type: none"> <li>▪ public education regarding ORC</li> <li>▪ host community forums</li> <li>▪ create opportunities for community member to voice concerns</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Increase ORC Case Conviction Rate                             <ul style="list-style-type: none"> <li>▪ increased probability of successful prosecution due to vertical prosecution model</li> </ul> </li> <li>• Reduce ORC Case Closure Time                             <ul style="list-style-type: none"> <li>▪ streamlined procedures</li> <li>▪ reduce the time taken to investigate and prosecute cases from filing to resolution</li> </ul> </li> <li>• Collaboration And Partnerships                             <ul style="list-style-type: none"> <li>▪ increased number of partnerships with law enforcement, retailers, and community members</li> <li>▪ improve quality of information sharing between district attorney's office, law enforcement, retailers, and local businesses</li> </ul> </li> <li>• Improve Community Trust &amp; Confidence In ORC Prosecution</li> </ul>	<ul style="list-style-type: none"> <li>• Improved Public Safety Community                             <ul style="list-style-type: none"> <li>▪ reduction in orc within the community</li> <li>▪ reduction in orc violence</li> <li>▪ decline in orc repeat offenders</li> </ul> </li> <li>• Economic Improvements                             <ul style="list-style-type: none"> <li>▪ decrease in retailer shortage</li> <li>▪ retailers increase in profitability</li> <li>▪ retailers remain in the community</li> </ul> </li> </ul>

## Process Evaluation Method and Design

To implement the project effectively and accomplish project activities, various resources are required to support planning, execution, monitoring, and evaluation. These includes financial resources, to cover project costs, salaries, materials, equipment, and overhead expenses; resources involving partnerships with law enforcement and the community; and organizational tools to collect data for the project. Funding resources will allow the project to accomplish activities, including hiring ORC staff, establishing structure for an ORC unit, and establishing procedures for ORC data collection and analytical research.

As a result, the project will be able to establish an ORC unit, staffed with a Deputy District Attorney (DDA), criminal investigator, and crime analyst. The ORC unit will utilize vertical prosecution in ORC cases. Initial goals of the ORC unit include filing sixty (60) ORC cases per year, fifty (50) ORC prosecutions per year, and thirty (30) investigations per year. Effective collaboration and partnership with law enforcement, retailers, and community members will assist the ORC unit in vertical prosecution and work toward achieving project goals.

The management structure for Stanislaus County ORC Unit will consist of the Deputy District Attorney (DDA), Criminal Investigator, and ORC Analyst. These staff will report directly to a Chief Deputy District Attorney. Monthly meetings with partner agencies to discuss trends will be held that will be inclusive of the DDA, Criminal Investigator, and Analyst. The core District Attorney team inclusive of the Chief Deputy will hold weekly meetings to discuss data trends, current prosecutions, and Investigations. Day-to-day decisions will be made by CDDA. More complex operational decisions, to include case priority, will be made by the CDAA.

The ORC Unit will provide quarterly reports and documentation to the project evaluator. Reports will include the number of instances where vertical prosecution was used to obtain those convictions and the sentences imposed against any cases not prosecuted vertically; number of theft-related property crimes that were charged that did not use the vertical prosecution model and the resulting number of convictions, staffing, hours worked, number of meetings/trainings with

retailers, and cases accepted for prosecution. This documentation will aid in the evaluator's research of the project and provide a baseline for data collection.

The project will establish and maintain an ORC documentation system, including a protocol for documenting activities, including what information needs to be documented, who is responsible for documenting each activity, and how often documentation should be updated. The documentation system will include both physical and digital folders.

Throughout the duration of the grant, the ORC Chief Deputy District Attorney, evaluator, and grant evaluation team will oversee activity progress. Activity progress specifically related to hiring and maintaining ORC staff will be overseen by the ORC Chief Deputy District Attorney and Human Resources department.

Project activity and updates will be tracked utilizing a variety of internal documentation systems, including employment records, project management software, internal case management system (ICJIS), and an Excel database.

The frequency of tracking activities depends on the specific requirement of the grant, the nature of the activities, and the need for ongoing monitoring.

- i. Activity progress for case filings, resolutions, intake, and case referrals is tracked utilizing ICJIS. Activity data is collected, tracked, and stored in an internal case management system, each time an ORC case is issued, rejected, or closed.
- ii. Activity progress for hiring and maintaining ORC staff is tracked through employment records. This activity is tracked annually, throughout the duration of the grant.
- iii. ORC activity progress involving investigations is tracked through investigative records and ICJIS. Investigation activity data is tracked each time an investigative request is initiated, throughout the duration of the grant.
- iv. Activity progress involving monthly meetings with law enforcement and retailers is tracked through an internal case management system, and attendance logs. The activity is tracked each time there is a meeting, throughout the duration of the grant.

- v. Community outreach activity is tracked through an internal case management system, and community engagement logs. This activity is tracked each time a community event occurs, throughout the duration of the grant.

To ensure the project will be implemented to fidelity, the CDDA will provide project guidance to the ORC unit, ensure that staff have necessary skills and knowledge to implement the project, and participate in the monitoring and evaluation process. The project will continuously monitor and evaluate the project throughout its lifecycle to ensure ongoing success. Project software will track activities, assign tasks, and monitor progress. In addition, the CDDA will schedule regular check-ins with the ORC unit, to review and discuss activity, address challenges, and adjust as needed.

### ***Research Design for Process Evaluation***

Analyzing both quantitative and qualitative process data is essential for evaluating the effectiveness and impact of the project. Qualitative data is analyzed using techniques such as thematic analysis, content analysis, or grounded theory to identify patterns, themes, and relationships in the data. While quantitative data is analyzed using statistical methods to test hypotheses, identify trends, and draw conclusions based on numerical data. A mixed method design combines both quantitative and qualitative methods to evaluate the grant. Quantitative data can be used to measure outcomes and impact, while qualitative data can provide insights into the processes and mechanisms through which the grant has influenced outcomes.

Qualitative data collection methods such as interviews, focus groups, or observations are used to gather in-depth insights, experiences, and perspectives. While quantitative data collection methods such as surveys, experiments, or statistical analysis are used to gather numerical data and measure variables.

The project evaluator will use both theme development and data interpretation in a mixed-method approach for the grant evaluation. Theme development involves identifying key patterns, themes, and insights from qualitative data collected during the evaluation. This process



helps to organize and categorize qualitative information into meaningful themes. Themes can be developed through coding, categorization, and analysis of qualitative data sources, such as questionnaires and document reviews.

The project evaluator will use statistical analysis to analyze the association between grant-funded activities and key outcomes, such as changes in conviction rates, case closure times, victim satisfaction levels, and prosecution success rates. The evaluator will assess whether there is a significant relationship between the grant interventions and the desired program outcomes, indicating the effectiveness of the prosecution grant in achieving its objectives.

<b>Input/Resource/Activity/Output</b>	<b>Data Element(s)</b>	<b>Data Source(s)</b>	<b>Frequency of Data Collection</b>
60 ORC cases filed a year	# of ORC cases filed	Case management system	Quarterly throughout duration of grant
50 ORC prosecutions a year	# of ORC prosecutions	Case management system	Quarterly throughout duration of grant
30 ORC investigations a year	# of ORC investigations	Case management system	Quarterly throughout duration of grant
Monthly meetings with partner agencies	# of monthly meetings	Calendar and agendas	Monthly throughout duration of grant
Measure effectiveness of collaborations	# of ORC prosecutions and agency comments	Case management system and questionnaires	Annually throughout duration of grant
2.5 FTE staff assigned to ORC cases over the course of the grant	# of staff assigned to ORC	Employment records, case management system, activity logs	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
Community outreach	# of outreach activities and what kind	Calendar and agendas	Quarterly throughout duration of grant

## Outcome Evaluation Method and Design

For the outcome evaluation of the project, a mixed method research design will be utilized to capture quantitative and qualitative data. The project evaluator will use tests to analyze the association between grant-funded activities and key outcomes, such as changes in conviction rates, case closure times, community satisfaction levels, and prosecution success rates. Collecting baseline data from both the intervention group and the comparison group before the project intervention begins will establish a baseline for comparison. Collecting post-intervention data from both groups after the project intervention will assist in measuring outcomes and assess changes over time.

Quantitative data is collected to measure the impact of the grant program, conviction rates, reduction in case closure time, and vertical prosecution succession rates. Survey and structured data tools will be used to gather quantitative data from prosecutors, law enforcement agencies, retailers, involved in the prosecution process. Statistical analysis will be used to assess changes in the prosecution outcomes before and after the grant program. Qualitative data collection methods, such as interviews, focus groups, and case studies, will be used to gather contextual information on the experiences, challenges, and successes of participants within the prosecution system.

The evaluation outcome will analyze the project's goals and objectives, from the original proposal. The project's goal and objective include the following:

1. Prosecute all organized retail theft using a vertical prosecution model.

Goal Objectives:

- a. Vertical prosecution of cases that meet organized retail crime (ORC) criteria.
- b. Targeted investigation of organized retail theft crimes to support prosecution.
- c. Data analysis of vertical prosecution activities and outcomes.

2. Reduce retail crime in Stanislaus County

Goal Objective:

- a. Coordinate with retailers, law enforcement partners, and stakeholders to reduce instances of ORC in the county.

The evaluator will assess a set of evaluation questions to aid in the determination of whether the project has achieved its objectives and contributed to the desired outcomes. The evaluation questions include the following:

1. Were all organized retail thefts prosecuted using vertical prosecution?
2. What are the criteria for ORC case designation?
3. How many cases were prosecuted each year using vertical prosecution?
4. How many ORC cases were filed each year?
5. Was there targeted investigation in ORC cases, did targeted investigation improve vertical prosecution activities and outcomes?
6. Did targeted investigation support ORC prosecution?
7. How many cases each year involve targeted investigation?
8. Was there a process for data analysis of vertical prosecution activities and outcomes. If so, how did data analysis improve vertical prosecution activities and outcomes?
9. Was organized retail crime reduced in Stanislaus County
10. Did the project include coordination with retailers, law enforcement partners, and stakeholders to reduce instances of ORC in the county?
11. How did coordination with law enforcement partners, and stakeholders help reduce instances of ORC in the county?
12. Did the project include community outreach?
13. How many community outreach events were conducted each year?
14. Was there a decline in ORC violence within the community?
15. What are the criteria for determining ORC violence?
16. Was there a decline in ORC repeat offenders?

17. Were there economic improvements for retailers, if so, is it attributed to vertical prosecution of ORC cases?

18. Did retailers increase in profitability, if so, is it attributed to vertical prosecution of ORC cases?

The evaluator will assess whether there is a significant relationship between the grant interventions and the desired program outcomes, indicating the effectiveness of the prosecution grant in achieving its objective.

Outcome	Definition	Data Source(s)	Frequency of Data Collection
Increase in ORC convictions	Increases in the number of ORC cases that are prosecuted and convicted of ORC in accordance to the relative ORC penal codes	Case management system	Quarterly throughout duration of grant
Reduce ORC case closure time	Reduce the time from intake to outcome by streamlining procedures	Case management system	Quarterly throughout duration of grant
Decline in ORC repeat offenders	Reduction in ORC within the community by increasing quality of convictions	Case management system	Annually throughout duration of grant
Improved quality and timeliness of information sharing between DA offices, law enforcement, and local and online retailer	Increase in collaboration between agencies in gathering information and evidence to file ORT cases	Case management system	Quarterly throughout duration of grant
Economic improvements	Decrease retailer shortage, in turn increasing profitability and keeping retailers in the community	Case management system, retailer questionnaires and retailer reports	Annually throughout duration of grant