

Jacqueline Vizcarrondo

From: Gwyneth Andrews
Sent: Thursday, February 25, 2021 8:37 AM
To: Colleen Gleason; Andrea Tavenier
Subject: RE: your expert advice...

Morning!

For reference here is the original email I sent to the CA Users group:

Good Afternoon all,

Our office is trying to determine ways in which to use PbK in efforts to compile statistical data that may or may not be needed relating to motions or requests referencing AB-2542 (California Racial Justice Act). Due to the voluminous factors that could play a role in the resolution of a charge/case I was wondering if any other office was currently using PbK (or soon planning to use PbK) to compile any dispositional information/factors. The only built-in report that I am aware of that provides charge information and DOB, Race and Sex is the Charge Inquiry report? As I understand it, other specific factors would be desirable as part of reporting as well.

I am working through an idea relating to adding in a feature similar to Special Programs on the Sentencing tab to hard code resolution factors but thought I would check first if anyone else has already proposed any ideas to Karpel about the availability of reports relating to disposition data? Or are any of your offices looking into, or already using different software, to compile this data?

Thank you in advance!

I did get responses back from San Mateo, San Luis Obispo and Sonoma County DA offices who voiced interest in being included/involved in any steps taken.

Here is the response from Sonoma County (from their IT Systems Coordinator):

Good morning all,

In response to AB-2542 the Sonoma County DA's Office formed a multi-disciplinary committee to work in the preparation and standardization of responses to motions and requests. Our office would like to participate in all discussions related to the legal, technical and data analytics perspectives available through CDAA and/or PbK Users groups.

These are some of the data areas Sonoma DA is looking into as they pertain to AB-2542:

- *Source and point origin of a suspect's demographic information (Arrest, booking, citation, etc.)*
- *Integrity and consistency of demographic, charging, disposition, and sentencing data stored in our version of PBK.*
- *Referred charge(s) by charge category, severity and statute and then compared across races/ethnicities.*
- *Initial attorney case/charge(s) disposition of refused charge(s).*
- *Filed charge(s) by charge category, severity and statute and then compared across races/ethnicities.*
- *Case and charges dispositions and sentencing when compared across races/ethnicities.*

Other factors that may have to be considered:

- *A Suspect's priors, strikes, parole/probation status*

Please note that Sonoma County DA has now a new group of members involved in PbK related improvements and innovation initiatives at the CDAA and PbK User Groups level.

<updates regarding contact's for this office>

I am including LeeAnn Karpel and Matt Ziemianski, from Karpel Solutions, to update us on improvement/enhancements Karpel Solutions is adding to PbK for addressing AB-2542.

Please include Sonoma DA's Office in any further discussions.

As you can see they included two members from Karpel Solutions into their response, however there has been no word back from Karpel yet about any actions being considered/taken. My guess is that due to the scope of this task they may be waiting on suggestions/ideas from offices on how to compile before they start thinking on how to adjust their software.

Should we wait to see if there is any additional follow-up or should I go about and submit the enhancement idea and see what is possible?

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)
Contra Costa County District Attorney

From: Colleen Gleason <[REDACTED]>
Sent: Thursday, February 25, 2021 8:05 AM
To: Gwyneth Andrews <[REDACTED]>; Andrea Tavenier <[REDACTED]>
Subject: Re: your expert advice...

Hey Gwen - realized I never actually responded to this email. Yes, I think one of the things we will have to start gathering is who was involved in the final dispo.

Wondering if you've heard anything from Karpel about whether anyone else has made a similar request - I'm thinking we should probably move forward with your suggested enhancement request because it seems like our best option.

Let me know your thoughts.

Best,

Colleen Gleason, DDA

**CCC District Attorney
Supervisor of the Sexual Assault and Child Abuse Unit**

From: Gwyneth Andrews <[REDACTED]>

Sent: Tuesday, February 16, 2021 5:11 PM

To: Colleen Gleason <[REDACTED]> Andrea Tavenier <[REDACTED]>

Subject: RE: your expert advice...

Hi,

Part of my enhancement request is that the Resolution Factors “table” be open for each using office to customize and build their own codes as needed. I figured this would help in the argument that it could be implemented by multiple users and also allow for additional factors to be added in as laws (inevitably) change.

I have just sent an email to the CA PBK user group to see if anyone has already made contact with Karpel regarding any thoughts for compiling this data or if their offices are considering use of PbK (or other software) in a project like this. Not sure what kind of response I will get – its been a while since we all reached to each other and I am getting a lot of “email not delivered” responses back.

Another thought – would it be useful (for patterns/statistics) to have the Sentencing Party’s information on the report as well – i.e. Sentencing Judge, Prosecutor, Defense Attorney?

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)
Contra Costa County District Attorney

From: Colleen Gleason <[REDACTED]>

Sent: Tuesday, February 16, 2021 4:58 PM

To: Gwyneth Andrews <[REDACTED]>; Andrea Tavenier <[REDACTED]>

Subject: Re: your expert advice...

Okay -

so final (ish) question: can we ask for this proposal to be sent BEFORE we figure out the codes? Or do we need to do that first and hope that they can do what we are asking them to do?

It will take us a while to agree on the codes - especially if we are limiting it to 10-11. I'd love to get them started on this before then if at all possible.

best,

Colleen Gleason, DDA

CCC District Attorney
Supervisor of the Sexual Assault and Child Abuse Unit
[REDACTED]

From: Gwyneth Andrews [REDACTED]
Sent: Tuesday, February 16, 2021 4:43 PM
To: Colleen Gleason [REDACTED]; Andrea Tavenier <[REDACTED]>
Subject: RE: your expert advice...

Hi Colleen,

The enhancement requests to add in an "Add Charge" capability or adding in "Resolution Factors" will likely not be any cost – will operate strictly on an Approved/Rejected basis.

The only factor that could come at a cost would be the custom creation of the report to coincide with Resolution Factors. If Karpel feels that too much customization is being asked of the report they may opt to charge for its creation. I checked and our contract/agreement with Karpel states that a quote for any costs regarding system updates/extensions must be provided before any work would be done.

Additionally I don't know how long the process of creating this would take. Karpel now comes out with two site updates per year – one in March and one in October. This will likely not be approved until after March and due to the work potentially involved may not be available by the October release.

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)
Contra Costa County District Attorney
[REDACTED]

From: Colleen Gleason [REDACTED]
Sent: Tuesday, February 16, 2021 4:04 PM
To: Gwyneth Andrews [REDACTED]; Andrea Tavenier [REDACTED]
Subject: Re: your expert advice...

Gwen, I'm assuming that us requesting this will come with a cost - can we get a couple of options and have Karpel give us an estimate for both options?

I can then reach out to Venus to seek approval.

Colleen Gleason, DDA

**CCC District Attorney
Supervisor of the Sexual Assault and Child Abuse Unit**

From: Gwyneth Andrews >
Sent: Tuesday, February 16, 2021 3:50 PM
To: Colleen Gleason ; Andrea Tavenier >
Subject: RE: your expert advice...

Hi Colleen and Andrea,

Just an update regarding the Plea Module I showed you all earlier. I reached out to Karpel about the capability of adding additional charges onto that plea screen.

This capability has not been built in. The only options available as is would be to:

1. Add notations regarding additional plea offer charges in the Notes fields

The screenshot displays a software interface for managing legal charges. On the left, there are four charge entries, each with a number, a charge code, a description, and a language selection. Each entry has a 'Disposition' field and 'Save Sentence' and 'Retrieve Sentence' buttons. Below these is a 'Copied to Recommended' checkbox. On the right, a 'Plea Offer' table is visible with columns for 'Type', 'Years', 'Mths', 'Days', and 'Date'. The table contains rows for 'Confinement', 'Probation', 'Other', and 'Special Program' for each charge. To the right of the table is a 'Generate Offer' section with an 'Offer Date' field (set to 02-16-20) and a 'Generate Offer' button. At the bottom, a navigation bar includes 'Exit', 'Offer History', 'Notes' (highlighted with a red box and a red arrow), 'Event', and 'Add Event' buttons.

2. Add in the proposed Plea related charges onto the Charge tab and then access the Plea Module tab and make the Offer notations
 - a. User would then have to return to the Charge tab and delete the “non-filed” charges so that the Charge tab only reflected the true charges as showing on the most recent Charging document.

If adding “non-filed” charges is a common practice during Plea Offers (i.e. we agree to dismiss Counts 1 and 2 in turn for Defendant to plea to uncharged Count 3) than I can make another enhancement request to Karpel to see if “Add Charge” capability is possible in this screen. Please keep in mind that the charges showing on this Plea Offer screen only reflect those that related to Plea offers conveyed be part of the offer made (and do not affect the Charge tab display). For example if the intent was to reduce or change a charge at the time of Plea – as examples

- Count 2 was alleged as a 211 but plea agreement was to change the charge to a 487; then the field for Count 2 can be changed to a PC 487 to reflect that offer and it will not change the charges as listed on the Charge tab, or
- Count 3 was a Felony 487 but plea agreement is to change it to a Misdemeanor than the severity could be changed on the Plea screen and not affect the Charge tab

From what I have seen from dispositioning cases it seems about 50/50 (cases in which new counts are added vs cases where existing counts are modified) so I will defer to you all about whether or not the ability to add additional lines for plea offers is necessary.

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)

From: Colleen Gleason [REDACTED]
Sent: Tuesday, February 16, 2021 11:58 AM
To: Gwyneth Andrews [REDACTED] >
Cc: Andrea Tavenier [REDACTED]
Subject: Re: your expert advice...

Gwen would you by any chance be able to zoom around 1:00 or so today? 1:30? otherwise i could do after 3.

Colleen Gleason, DDA

CCC District Attorney
Supervisor of the Sexual Assault and Child Abuse Unit

From: Gwyneth Andrews [REDACTED] >
Sent: Tuesday, February 16, 2021 9:30 AM
To: Colleen Gleason [REDACTED]
Cc: Andrea Tavenier [REDACTED]
Subject: RE: your expert advice...

Hi,

I am currently available any time this week to discuss.

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)
Contra Costa County District Attorney

From: Colleen Gleason [REDACTED]
Sent: Wednesday, February 10, 2021 10:02 PM
To: Gwyneth Andrews [REDACTED]
Cc: Andrea Tavenier [REDACTED]
Subject: Re: your expert advice...

Gwen I'd like to make sure I understand your proposal and how it would function. Do you have any time in the next week or so to chat? Maybe via zoom so we could share screens etc?

Sent from my iPhone

On Feb 4, 2021, at 4:09 PM, Gwyneth Andrews [REDACTED] > wrote:

There are two different times of the case that you listed in your email - one when the plea occurs (findings entered and sentencing completed) and one when a Plea offer is made (supervisor extending offer).

I understand that there are times when those can occur concurrently but isn't it also possible (and more common) that an offer is made and the Defendant may not accept/enter the plea until the next hearing or there soon after (or the offer may be adjusted again). Would there be a need to create the ability to differentiate actions taken at two different occurrences?

Attached is a draft of an enhancement request draft I am thinking through for submission to Karpel – it's the only way I have come up so far that would prevent having Karpel need to build an entire new screen (and give a User office so autonomy over the process).

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)
Contra Costa County District Attorney

From: Colleen Gleason [REDACTED]
Sent: Thursday, February 4, 2021 9:19 AM
To: Gwyneth Andrews [REDACTED] Andrea Tavenier
Subject: Re: your expert advice...

The idea would be that the DDA taking the plea (or the supervisor extending the offer) would be the one entering in this information instead of filling out the case summary sheet.

There is a CDAA committee working on this with offices across the state. It sounded like Marin had already reached out to a statistician so they might be a bit more ahead than others, but otherwise we're just trying to get ahead of this and not just be reactive. Venus will be getting more information about who they are using so that hopefully we can meet with them as well to make sure we are capturing enough data without it being cumbersome/useless.

I have to imagine that any DAs offices currently using Karpel - certainly in CA but across the nation as well - will be trying to also find ways to access and pull this data so hopefully they see the benefit in creating the ability to capture this information efficiently. If they have questions we could meet with them via zoom or something to discuss? Do you think that would be helpful?

Best,

Colleen Gleason, DDA

CCC District Attorney
Supervisor of the Sexual Assault and Child Abuse Unit

[REDACTED]

From: Gwyneth Andrews [REDACTED]
Sent: Wednesday, February 3, 2021 4:14 PM
To: Colleen Gleason <[REDACTED]>; Andrea Tavenier <[REDACTED]>
Subject: RE: your expert advice...

Colleen - Actually the filing stat reports are based off of events run (FLCMP, WARCRT, CASCRT, etc.) and commonly compiled by Unit.

Andrea – The Sentencing screen displays the information entered into the Sentencing tab under a Charge (to mimic the Court's current procedure (and because it is almost always the only information we are provided with) we only add sentencing information into the Lead Charge disposed) – this can either be done by data imported from the Court system or manually be done by DA users.

The only available general field on the Sentencing screen is the text field available for Sentencing notes but that is free text so we could not compile it to a report. There are Special Program factors that can be assigned/flagged but those reflect the Sentencing/Subsequent Actions added by the Courts (attend program, search and seizure, obey all laws, etc.)

There is no capability in PbK as it exists to create additional screens. I may be able to write something up to submit to Karpel as an enhancement request but due to the scope of that kind

of project we would have to write it up so that it would be useful to any Karpel office (so we likely may not be able to request factors specific to Contra Costa) and I don't know how long something like that may take to develop (if they were to accept the request).

Additionally, if this was only to select/track factors throughout the course of a case then the factors may only be available via a case specific report (like Case Summary or Court face Sheet)? If we needed to have each factor (potentially) reported separately than Karpel would have to hard code each option which means it may be difficult to customize/change factors if the parameters of the law changed or more or less data would be needed.

Are there any Offices/County's that are already compiling/reporting this data that I may be able to reach out with regards to their methodology (even if they are not PbK users)?

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)
Contra Costa County District Attorney

[REDACTED]

From: Colleen Gleason [REDACTED] >
Sent: Wednesday, February 3, 2021 3:53 PM
To: Gwyneth Andrews [REDACTED] Andrea Tavenier
[REDACTED]
Subject: Re: your expert advice...

Well, I know that we can pull inventory reports on filing - I am positive how that is done, but I think that in part it is possible because the data pulled isn't from an 'event entry' pdf document.

I do not think creating a separate event entry for every single criteria used to resolve a case would be useful in pulling the data that we need because it would be overly burdensome. I was trying to brainstorm about other ways that PBK could create a way to capture the data we need. I don't mean to limit it to creating a new screen (and I'm thinking like the small pop-up charging screen) - any ideas are on the table at this point.

Colleen Gleason, DDA

CCC District Attorney
Supervisor of the Sexual Assault and Child Abuse Unit

[REDACTED]

From: Gwyneth Andrews [REDACTED]
Sent: Wednesday, February 3, 2021 3:47 PM

To: Colleen Gleason [REDACTED] >; Andrea Tavenier [REDACTED] >
Subject: RE: your expert advice...

Hi Colleen,

Trying to wrap my head around all of this but I think my first question is what is meant by "separate PbK Screen".

Thank you,

Gwyneth Andrews

Office Manager (Interim PbK)

Contra Costa County District Attorney

[REDACTED]

[REDACTED]

[REDACTED]

From: Colleen Gleason [REDACTED]
Sent: Wednesday, February 3, 2021 3:42 PM
To: Gwyneth Andrews <[REDACTED]>; Andrea Tavenier <[REDACTED]>
Subject: your expert advice...

Okay, so Gwen, given that we need to figure out some way of capturing data on our resolutions and how/why we do them to make sure we are not treating different groups of people differently (given our new requirements under the law), this is what we need - let me know if you have any ideas. We need something that would be simple enough for people to use so they don't skip entering in the data.

We would like to replace our "case closing summary" pdf form with something that would allow us to pull/use data. My thought is that instead of an event entry we might have to have a separate PBK screen created for closing?

The page would have check boxes next to the main factors that we all use in deciding to resolve cases such as:

- charges/enh pled to [a field much like our charging field with drop down lists of charges]
- charges/enh dropped [same]
- plea contemplated immigration consequences
- uncooperative victim
- problems of proof
- prior criminal history
- prior undocumented history
- etc. - and yes this list could get to be too long we're discussing how to keep it useable

Ideally, we would have drop down menus or check boxes that would default to "N/A" and only be checked if they apply.

Then we'd want to have a field that people could type in unique reasons for a resolution (ie: witness stole money from the court reporter during a break, victim died before testifying) so that if there are outliers we can figure out why.

Is something like this possible?

Colleen Gleason, DDA

CCC District Attorney
Supervisor of the Sexual Assault and Child Abuse Unit

From: Gwyneth Andrews [REDACTED]
Sent: Wednesday, February 3, 2021 3:21 PM
To: Andrea Tavenier [REDACTED]
Cc: Colleen Gleason [REDACTED] >
Subject: RE: PBK Data

Correct, if the specific data is contained only on the generated document there is no way to statistically gather it.

There are some ideas for workarounds in getting that data if the decisions would be relatively standard in application:

1. Create additional events to track the outcomes of the eligibility decisions
 - a. Examples:
 - i. RJDAPPR – Diversion Eligibility Approved
 - ii. RJDdeny – Diversion Eligibility Denied/Insufficient

iii. RJDDROP – Diversion Eligibility Evaluation Dropped

1. Can run Event reports for each
2. If the eligibility is known at the time the RJDELIG Event is run we can add a text field to the event to enter in the decision and reason
3. If the eligibility is unknown until after the RJDELIG Event is run than we could another singular event to run after that has a text field for the decisions/reasons (something like RJDELDEC (Restorative Justice Eligibility Decision)).

There was something similar set up (not sure if it still being used) to options 2 and 3 with regards to SART exams (SARTPERF). When I run an Event report I can format the report to display the contents of the text boxes. So if you were to develop standard language to be entered it would be easy to sort the generated report to group together the reasons/decisions.

Just an example if I run an event report for the SARTPERF report the matches display as:

<image001.png>

However if I flag it to display event text then it displays as:

<image002.png>

Thank you,

Gwyneth Andrews
Office Manager (Interim PbK)
Contra Costa County District Attorney



From: Andrea Tavenier <[redacted]>
Sent: Wednesday, February 3, 2021 2:49 PM
To: Gwyneth Andrews <[redacted]>
Cc: Colleen Gleason <[redacted]>
Subject: PBK Data

Hi Gwyn!

We had the AB 2542 meeting today, and I remember having a conversation with you re: extracting data from PBK.

My recollection is that if we generate an "event" like the RJ eligibility sheet, we can run a report to see how many eligibility sheets were created, but we could not extract data from the specific sheets (IE how many kids were "denied" because they lived out of county, etc).

IE... If we wanted to create a sheet that tracked certain filing criteria, we would not be able to run a report that tracked the specific criteria.

Is my recollection correct?

A

DDA Andrea Tavenier

Supervisor - Juvenile Division

Contra Costa County District Attorney's Office

<Adding Resolution Factors table to Sentencing tab.docx>