



Improving performance to better serve our county residents

Countywide operational performance review –
Santa Barbara District Attorney's Office

December 2020

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Executive summary

Scope and methodology

The County of Santa Barbara (the County) contracted with KPMG in May 2019 to conduct an operational and performance review of all County departments. The District Attorney's Office (the Office) review commenced in June 2020. The purpose of this review is to provide a high-level assessment of the Office, identify strengths and opportunities, and benchmark financial and operational areas with similar jurisdictions with the focus to improve the overall operational efficiency, effectiveness, and service delivery provided by the Office.

Over a 16-week period, the KPMG team conducted the following activities:

- **More than 20 interviews** with Office leadership and staff to understand the organizational structure, roles and responsibilities, operations, and processes of the Office
- **Analysis of data available, reports, and policy documents** to understand the demands upon and the operations of the Office
- A **benchmarking and leading practice review** of the County with eight recommended benchmark counties: Marin, Monterey, Placer, San Luis Obispo, Santa Cruz, Solano, Sonoma, and Tulare. Specific additional counties were analyzed based on feedback from District Attorney's Office leadership, subject matter experts, and available online information.

This report outlines the findings of the operations and performance review and details recommendations for the management of the District Attorney's Office.

As revenue and cost constraints grow due to the economic impact of the COVID-19 pandemic, pressure will increase for public safety agencies to diagnose cost drivers and develop savings solutions—without undermining the delivery of public safety services to county residents. Given this fiscal environment, this report outlines recommendations to maximize the impact of the District Attorney's Office's available resources through strengthened staffing, workload, and performance management as well as technology and process improvements.



Executive summary

Office orientation

Mission statement: The mission of the District Attorney’s Office is to pursue truth and justice by employing the highest ethical standards in vigorously prosecuting the guilty, protecting the innocent, and preventing crime.

District Attorney’s responsibilities within the scope of this review:

- 1 Review, file, and prepare cases for prosecution

- 2 Enforce terms and conditions of criminal probationers

- 3 Assist victims throughout the criminal justice process, including efforts to recover restitution

- 4 Participate in proactive efforts to deter crime

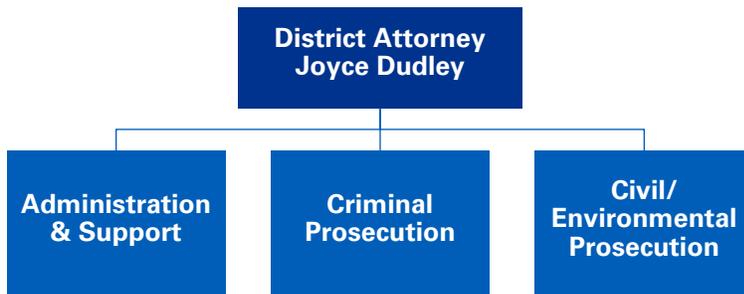
Adopted budget (2020/21):

\$28.6M	\$265K	142
Operating Expenses	Capital Expenses	Full-time Equivalents (FTE)

County benchmarks:

	Budgets in \$1000	Santa Barbara County	Average
FY19	<i>District Attorney FTE</i>	141	131
	<i>Percent of Enterprise</i>	3.31%	3.83%
	<i>District Attorney Budget</i>	\$27,339	\$24,341
	<i>Percent of Enterprise</i>	2.40%	2.34%

Organizational structure



Executive summary

Commendations

Dedication of staff

The staff of the District Attorney's Office demonstrated a clear and vocal commitment to the pursuit of justice and, often, a willingness to work long hours to achieve this goal. Commitment to diversion, fair application of the law, and a strong dedication to high ethical standards were consistent throughout the Office.

Creation of the misdemeanor diversion program

The Office should be commended for developing and implementing a misdemeanor diversion program, which demonstrates the Office's commitment to reducing court congestion and connecting justice-involved residents to services that address their criminogenic needs. Additionally, the Office has commendably announced its intention to develop a felony diversion program, which will build on the accomplishments of the misdemeanor program, however, as noted publicly by the District Attorney, the success of a felony diversion program relies on a strong partnership with other public safety agencies and community partners.

Development of a digital discovery process

As discussed in Recommendation 3 of this report, the volume of digital discovery facing the Office has increased dramatically in recent years. While this report outlines continued opportunities to more efficiently manage this workload, the Office has already developed multiple technological solutions to begin addressing this ongoing challenge.

Initiation of case management system procurement

Procurement of an updated case management system with expanded capabilities has the potential to advance many of the recommendations detailed in this report, from strengthening performance management to enhancing workload tracking. The Office should be commended for recognizing the limitations of its current case management system and moving towards the procurement of a new system, while remaining committed to maximizing the use of its current systems and data in the interim period.

Executive summary

Renew '22 Mapping

The recommendations made within the Office operational and performance review have been aligned to the Renew '22 Transformation Behaviors to help ensure that the recommendations are driving towards the Renew '22 strategic vision, as seen in Figure 1 below. The blue tiles identify the Renew '22 Transformation Behaviors that align to each recommendation.

		Transformation Behaviors				
		Alignment with Vision	Data Driven Decision Making	Strategic Thinking	Risk Taking	Collaborative Problem Solving
Office Recommendations	1.1	Enhance timekeeping and workload tracking for attorneys, investigators, and legal office professionals (LOPs) to transition to a data-driven workload allocation and staffing model				
	1.2	Delegate administrative responsibilities from attorneys to LOPs to more efficiently distribute workload across staff				
	2.1	Delegate basic legal tasks from attorneys to LOP IIIs, as permitted under California law, to expand attorney capacity				
	2.2	Review mid-level attorney pay for parity with benchmark counties to strengthen retention				
	2.3	Streamline the case filing process to enhance consistency and accountability				
	3.1	Track discovery volume and processing time to acquire data-driven understanding of related workload				
	3.2	Develop action plan to manage expected increases in the volume of digital discovery				
	3.3	Delegate processing of digital-media-based discovery materials to nonsworn investigative technicians to more efficiently manage workload				
	3.4	Develop standardized training for law enforcement and enhance outreach efforts				
	4.1	Develop and refresh standing operating procedures (SOPs) and ensure adherence to standard processes				
	4.2	Develop interim reporting solutions for key metrics to guide management decision-making				
	5.0	Strengthen performance measurement processes to enable regular evaluation of progress towards established targets				
	6.1	Develop a strategic roadmap for key initiatives to facilitate coordination, prioritization, and sequencing				
	6.2	Expand outcome tracking for diversion programs				

Figure 1 – Source: KPMG LLP

Executive summary

Office recommendations

The recommendations outlined below focus on empowering the Office to more efficiently manage its operations in delivering criminal justice services to County residents.

#	Office recommendations
Workload management	
1.1	Enhance timekeeping and workload tracking for attorneys, investigators, and legal office professionals (LOPs) to transition to a data-driven workload allocation and staffing model
1.2	Delegate administrative responsibilities from attorneys to LOPs to more efficiently distribute workload across staff
Organizational structure	
2.1	Delegate basic legal tasks from attorneys to LOP IIIs, as permitted under California law, to expand attorney capacity
2.2	Review mid-level attorney pay for parity with benchmark counties to strengthen retention
2.3	Streamline the case filing process to enhance consistency and accountability
Discovery	
3.1	Track discovery volume and processing time to acquire data-driven understanding of related workload
3.2	Develop action plan to manage expected increases in the volume of digital discovery
3.3	Delegate processing of digital-media-based discovery materials to nonsworn investigative technicians to more efficiently manage workload
3.4	Develop standardized training for law enforcement and enhance outreach efforts
Data-driven Decision-making	
4.1	Develop and refresh standing operating procedures (SOPs) and ensure adherence to standard processes
4.2	Develop interim reporting solutions for key metrics to guide management decision-making
Performance management	
5.0	Strengthen performance measurement processes to enable regular evaluation of progress towards established targets
Initiative management	
6.1	Develop a strategic roadmap for key initiatives to facilitate coordination, prioritization, and sequencing
6.2	Expand outcome tracking for diversion programs

This report details recommendations that can be implemented by the District Attorney's Office to enable increased operational efficiency and effectiveness. However, the review also identified challenges and

improvement opportunities affecting the Office that will require interagency collaboration to address. Referenced below, these interagency recommendations will be detailed in an addendum report to the CEO.

Interagency observations

Observation and analysis

Track continuances as a first step to assessing their impact on County costs and operations

— In interviews, Office leadership and attorneys cited continuances as a challenge to Office operations, this same challenge was also expressed during the review of the Public Defender’s Office. When trying to develop a data-driven understanding of the magnitude or impacts of this challenge, it became clear that no criminal justice agency tracks the number of continuances that occur each year or assesses the drivers and impact of these continuances. As a first step toward addressing continuances, and in order to estimate their fiscal and operational impact, the California courts and criminal justice agencies should collaborate to track the number and driver of continuances that occur in the County on an annual basis in order to review the drivers of these continuances and their impact on County operations.

Share responsibility to request criminal history checks with the Public Defender to balance administrative burden

— Historically, the Public Defender did not have the authority to request a defendant’s criminal history from the Department of Justice, so the effort was led by the District Attorney’s Office. However, pursuant to sections 11105 (b) (8) and 11105 (b) (9) of the California Penal Code, public defenders and defense attorneys representing a client in a criminal matter now have the authority to request a certified copy of a person’s criminal record. The Office should work with the Public Defender to realign the administrative burden related to these requests to defense counsel or, at the very least, to develop an arrangement to share the administrative burden associated with these criminal history requests.

Executive summary

Current and recommended operating model

Figure 2 below summarizes the District Attorney’s Office’s current-state operating model across six design layers, as well as the target state that can be achieved by implementing the recommendations outlined in the following sections. Each operating model layer describes a continuum of maturity that articulates how the Office can be designed to deliver services optimally. These layers were also used to structure the observations, analysis, and recommendations of the review of the Office. Detailed descriptions of the six design layers can be found in Appendix D.

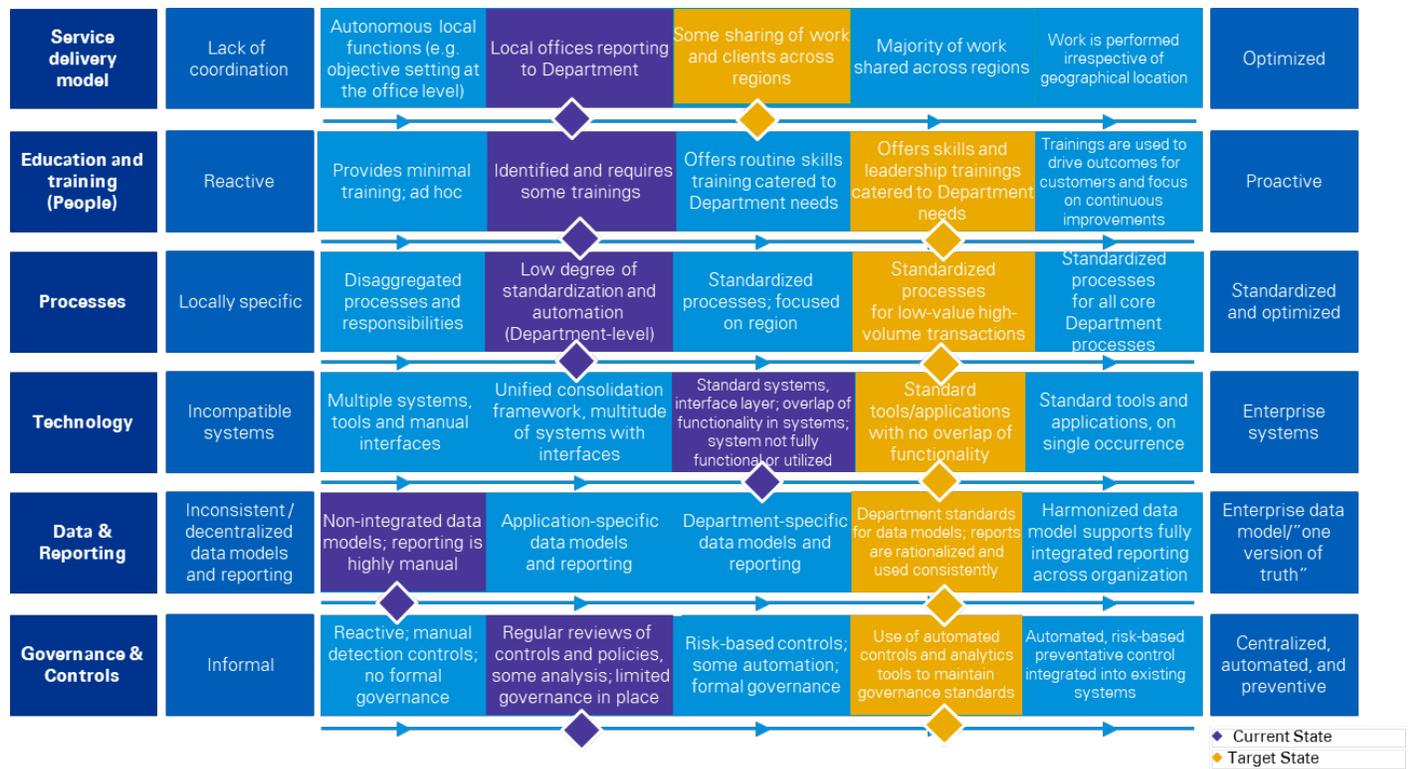


Figure 2 – Source: KPMG LLP