

# Agenda Report

March 11, 2024

**TO:** Honorable Mayor and City Council

**FROM:** City Attorney/City Prosecutor's Department

**SUBJECT: AUTHORIZATION TO ENTER INTO A CONTRACT WITH PROSECUTOR BY KARPEL (PBK) FOR A CASE MANAGEMENT SYSTEM NOT TO EXCEED \$185,735**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3);
2. Authorize the City Manager to enter into a contract with Prosecutor by Karpel (PBK) for a case management system in an amount not to exceed \$185,735 for a period of three years and three one-year extensions including a 10% contingency; and
3. Grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

## **BACKGROUND:**

The Prosecution Division of the City Attorney/City Prosecutor's Office represents the People of the State of California, and more particularly, the community in all adult misdemeanor criminal offenses that are committed in the City of Pasadena from before filing through the appellate process.

Each case that is referred to the Prosecution Division for review and charging is delivered in a physical case packet that typically includes a police report and information about a suspect's criminal history. Information from the case packet is manually entered into a case management system by administrative staff. Prosecution Division attorneys review the case packet to decide whether to file criminal charges and, if charges are to be filed, to decide what charges to file. After making a filing decision, Prosecution Division attorneys input their decision into the case management system and, if a case is to be filed, print a criminal complaint along with other case-related materials. The complaint is physically brought to court and filed with the Clerk's Office

of the Los Angeles County Superior Court. Cases are updated in the case management system to reflect court appearances, dispositions, and the terms and conditions of dispositions. Documents, such as criminal complaints, letters to victims, and subpoenas, are printed from the case management system. These documents are placed in a physical file that attorneys bring to court. Physical files are updated by hand and the notes attorneys make are input into the case management system.

Starting in about November 2007, the Prosecution Division began using a case management system created by Journal Technologies called JustWare. Several years ago, Journal Technologies stopped updating its JustWare system and created a similar case management system called eProsecutor, which is what the Prosecution Division currently uses and has used since about June 2022.

The Prosecution Division seeks to upgrade its case management system to a system that will better serve its needs going forward.

Changes in California law require prosecution agencies, including the City Attorney/City Prosecutor's Office, to implement race-blind charging guidelines and practices effective January 1, 2025 pursuant to AB 2778. Moreover, the Prosecution Division will need to ensure compliance with the Justice Data Accountability and Transparency Act (AB 2418), which involves prosecution agencies collecting and transmitting data to the State Department of Justice on a regular basis beginning in 2027. To comply with changes in the law, a case management system that works efficiently and effectively is critical.

The Prosecution Division intends to modernize and go "paperless" by moving beyond its paper files to having all files be kept electronically in its case management system. Prosecutor by Karpel (PBK) is a case management system that provides features that will allow the Prosecution Division to go paperless, implement race-blind charging, comply with upcoming data collection obligations, and manage key aspects of a case electronically. This will also include the ability of the Pasadena Police Department, which accounts for nearly 90% of the cases referred to the Prosecution Division, to submit their cases electronically for review through an online portal instead of bringing physical case packets to the City Attorney/City Prosecutor's Office.

PBK will further allow for the integration of police body worn camera videos, police dash cam video footage, security surveillance videos, 911 calls, and other evidence for cases that go to trial. PBK also allows discovery to be sent from the case management system to opposing counsel, something that the current case management system does not provide. The Prosecution Division has requested that desktop computers for attorneys be replaced with laptop computers through the City's desktop replacement program. This will allow attorneys to use laptop computers in court and use PBK to update case events, send discovery, and perform other tasks. PBK will provide for easier calendar management, and its configuration allows for easy detection of other cases a defendant may have, not only in Pasadena, but in any of the other nearly 40 California prosecutor agencies that use PBK. Moreover, PBK will allow the Prosecution Division to file its complaints electronically with the Los Angeles County Superior Court once the Court begins accepting electronic filing for criminal complaints in Pasadena.

The decision to change case management systems was not made lightly. The Prosecution Division created a case management working group to evaluate different case management systems, including PBK, eProsecutor, and JDI. The Prosecution Division also communicated with other City prosecuting agencies that use PBK as to its features, benefits, and any issues, and even shadowed a City prosecutor in Anaheim to learn more about how PBK works. In California, 33 District Attorney Offices use PBK and 6 City Attorney/City Prosecutor's Offices use PBK, including the cities of Anaheim, Burbank, Inglewood, and Santa Monica. The features, services, and technology that will propel the City Attorney/City Prosecutor's Office to fully move into the 21<sup>st</sup> Century and become a paperless office are available with PBK.

Over time, PBK will also be less expensive than eProsecutor. Transitioning to PBK involves one-time start-up costs of \$79,600, with \$21,875 due in FY 2024 and \$57,725 due in FY 2025 with an anticipated go-live date in December 2024. The start-up costs provide for software products, licensing, installation services, project management, document template set-up, training, and data conversion of over 77,000 cases from eProsecutor into PBK. The Prosecution Division has negotiated with PBK for three years of support services without a price increase. As a result, the first three years of annual support services per the agreement is scheduled to be \$12,875. Additional data storage is budgeted for \$2,000 per year. The current annual support services agreement with eProsecutor costs over \$35,000. As a result, even with anticipated inflationary price increases after three years of service, PBK will be considerably less expensive annually going forward. It is anticipated that it will take approximately six to ten months after entering into an agreement with PBK for PBK to have its case management system operational. PBK has provided an estimated go-live date of December 9, 2024. As a result, there will be case management system overlap and eProsecutor will need to be used until PBK is operational. Renewal for eProsecutor is scheduled for June 2024, to provide services through June 2025, and is expected to be at least \$36,400 (the amount of the renewal in June 2023), though it will likely be more.

As detailed above, the proposed cost breakdown for PBK is as follows:

Total Implementation Costs:	\$79,600
\$21,875 (FY 2024)	
\$57,725 (FY 2025)	
Annual Support Services with additional 4 TB storage	
\$14,875 per year (FY 2025-FY 2030)	\$89,250
Contingency 10%	<u>\$16,885</u>
<u>GRAND TOTAL:</u>	\$185,735

**COUNCIL POLICY CONSIDERATION:**

The proposed action is consistent with the City Council's strategic planning goals to ensure public safety, to maintain fiscal responsibility and stability, to improve, maintain, and enhance public facilities and infrastructure, and to increase conservation and sustainability.


**ENVIRONMENTAL ANALYSIS:**

The action proposed herein is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act ("CEQA") Section 15061(b)(3), the "common sense" exemption that the CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to the CEQA. The proposed action will not have a significant effect on the environment.


**FISCAL IMPACT:**

The cost of this action will be \$185,735 for a period of three years and three one-year extensions. In the current fiscal year, the Department will utilize existing budgeted appropriations in the General Fund (101) to support the initial implementation costs. Future contract costs will be budgeted in the City Attorney/City Prosecutor Department's annual operating budget.

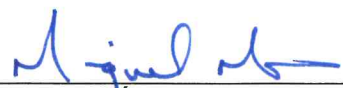
Respectfully submitted,

  
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