

**2008 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT
EI DORADO COUNTY**

PROGRAM NARRATIVE

The El Dorado County District Attorney's Office would like to obtain equipment that would work together with the current case management system to electronically store documents to case files. A scanner would enable the department to provide accurate discovery while assisting the department with record retention. The District Attorney's Office would also like to apply to use the funding for three (3) laptops that are needed to assist in prosecution.

Need for the Equipment

Scanner

As detailed in PC 1054 and PC 1054.1 below the prosecution is required by law to provide accurate discovery to all parties.

“Penal Code § 1054: . . . (a) To promote the ascertainment of truth in trials by requiring timely pretrial discovery; (b) To save court time by requiring that discovery be conducted informally between and among the parties before judicial enforcement is requested; (c) To save court time in trial and avoid the necessity for frequent interruptions and postponements; (d) To protect victims and witnesses from danger, harassment, and undue delay of the proceedings. . .

Penal Code § 1054.1: . . . The prosecuting attorney shall disclose to the defendant or her or her attorney all of the following materials and information, if it is in the possession of the prosecuting attorney or if the prosecuting attorney knows it to be in the possession of the investigating agencies: (a) The names and addresses of persons the prosecutor intends to call as witnesses at trial; (b) Statements of all defendants; (c) All relevant real evidence seized or obtained as a part of the investigation of the offenses charged; (d) The existence of a felony conviction of any material witness whose credibility is likely to be critical to the outcome of the trial; (e) Any exculpatory evidence; (f) Relevant written or recorded statements of witnesses or reports of the statements of witnesses whom the prosecutor intends to call at the trial, including any reports or statements of experts made in conjunction with the case, including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the prosecutor intends to offer in evidence at the trial.”

The need to provide accurate and detailed evidence on a case is crucial to both the prosecution and defense counsel. It is imperative that the District Attorney's Office has equipment that will enable documents to be scanned while maintaining the integrity of the information.

The following are examples of the varying problems with the current equipment:

- Feeder pulls multiple documents at a time creating a jam
- Scanner is black and white only
- Scanner often loses connection with case management system
- Double sided documents have to be manually copied and placed in sequential order
- Documents written in pencil have to be manually copied first so that the image can be darkened
- Carbonated paper cannot be scanned without a copy being made in its place. The scanner either multi feeds the paper or it won't recognize the characters on the page resulting in a blank document

All of the above items create an environment where the margin for error is greatly enhanced. It is up to the individual scanning the file to review each page to insure that the job has been done correctly. The level of inefficiency results in wasted labor resources along with the possibility of providing incomplete documents to counsel.

Along with the need to provide accurate discovery the District Attorney's Office has been challenged in the area of record retention. Due to the varying requirements on how long case files need to be retained the department has acquired monthly storage facilities to store the numerous boxes of case files. With the purchase of the scanner the department would be able to electronically scan closed files and store them as a PDF document. This would allow for the discontinuance of offsite storage which results in a substantial savings to the department along with enhancing the department's ability to electronically search a document for information as needed.

Laptops

From 2007 to 2009 El Dorado County had an unprecedented number of murders. Due to their complexity the department is preparing to bring many of the cases to trial in during mid 2010. The demands of the varying case load are requiring the use of laptops in the court room to assist with the prosecution. Laptops are used in a variety of fashions, including but not limited to, note taking, cross examination questions, jury instructions and Power Point presentations.