



Legislation Details (With Text)

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File created: 1/8/2024 **In control:** Board of Supervisors

On agenda: 3/5/2024 **Final action:** 3/5/2024

Title: District Attorney’s Office recommending the Board:
 1) Approve and authorize the Board Chair to execute Agreement 8299 with Gregory DeAngelo, dba Sicuro Data Analytics, LLC, for a three-year term, with a not-to-exceed amount of \$275,000, for statistical analysis of criminal charges and outcome services as outlined within the requirements of Assembly Bill (AB) 256 Racial Justice Act, contingent upon Risk Management approval;
 2) Make finding in accordance with Section 3.13.030(B) of the El Dorado County Ordinance Chapter 3.13, Contracting Out, that specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work;
 3) Make finding in accordance with Procurement Policy C-17, Section 3.4.2 (a & f), that the attached Agreement 8299 with Gregory DeAngelo, dba Sicuro Data Analytics, LLC, is exempt from competitive bidding because the services provided are unique and require critical skills that other vendors do not possess; and
 4) Authorize the Purchasing Agent to execute any necessary Amendments relating to Agreement 8299, excluding term extensions or increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

FUNDING: District Attorney and Public Defender Realignment Subfund (54%) and District Attorney General Fund (46%).

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - 8299 PE Agreement, 2. B - 8299 Blue Route Approved, 3. C - Non-Competitive Purchase Request Justification Form - Agreement 8299, 4. Executed Agreement 8299

| Date | Ver. | Action By | Action | Result |
|----------|------|----------------------|----------|--------|
| 3/5/2024 | 1 | Board of Supervisors | Approved | Pass |

District Attorney’s Office recommending the Board:
 1) Approve and authorize the Board Chair to execute Agreement 8299 with Gregory DeAngelo, dba Sicuro Data Analytics, LLC, for a three-year term, with a not-to-exceed amount of \$275,000, for statistical analysis of criminal charges and outcome services as outlined within the requirements of Assembly Bill (AB) 256 Racial Justice Act, contingent upon Risk Management approval;
 2) Make finding in accordance with Section 3.13.030(B) of the El Dorado County Ordinance Chapter 3.13, Contracting Out, that specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work;
 3) Make finding in accordance with Procurement Policy C-17, Section 3.4.2 (a & f), that the attached Agreement 8299 with Gregory DeAngelo, dba Sicuro Data Analytics, LLC, is exempt from competitive bidding because the services provided are unique and require critical skills that other vendors do not possess; and
 4) Authorize the Purchasing Agent to execute any necessary Amendments relating to Agreement 8299, excluding term extensions or increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

FUNDING: District Attorney and Public Defender Realignment Subfund (54%) and District Attorney General Fund (46%).

DISCUSSION / BACKGROUND

On September 29, 2022, AB 256, also known as “The Racial Justice for All Act”, was signed into law giving offenders charged with (or convicted of) a crime the ability to raise issues of bias or discrimination based on race, ethnicity, or national origin in their cases. These pre- and post-conviction motions will require the District Attorney’s (DA’s) Office to produce detailed information regarding their cases, such as demographic information about the defendant and victim, charging information, information about plea offers, and case disposition. In response to the law, the DA’s Office is looking to contract with Sicuro Data Analytics, LLC to extract the data elements from the DA’s previous and current case management systems.

Agreement 8299 will allow Sicuro Data Analytics, LLC to provide statistical analysis of criminal charges and outcome services as outlined in the Racial Justice Act (RJA) for a three-year term, with a not-to-exceed in the amount of \$275,000. The project is anticipated to be completed in three phases over a course of approximately two and a half years. The analytics database that Sicuro Data Analytics, LLC will create will be owned by the County. In addition to responding to RJA Motions, this database can be used to respond to Public Records Act demands much more efficiently, avoiding financial penalties for failing to adequately respond in a timely manner. This database also has the collateral benefit of better preparing the office for the justice data reporting requirements which are to be implemented by 2027 as part of AB 2418, the Justice Data Accountability and Transparency Act, as set forth in Penal Code Section 13370.

Procurement Policy C-17 3.4.2 (a & f) allows for the exemption from competitive bidding when (a) the services provided are unique and (f) the services require critical knowledge that other vendors do not possess. Sicuro Data Analytics, LLC offers unique services that other vendors do not possess. No other vendor exists that have the combination of ability to perform technical coding, data mining and database creation and the expertise to do the causal criminal justice data analytics that are required by the RJA.

In addition, this vendor has top criminal justice security clearance, fully completed criminal background, a Criminal Justice Information Services compliant data lab, and California Law Enforcement Telecommunications System Certification that allows them to immediately start this time-sensitive project.

ALTERNATIVES

Should the Board decline to approve Agreement 8299 with Gregory DeAngelo, dba Sicuro Data Analytics, LLC, the DA’s Office will need to find an alternative means in obtaining statistical analysis of criminal charges and outcome services as outlined in the RJA.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

Funds are available within the FY 2023-24 Budget for current year anticipated expenses. Appropriations and offsetting revenue has been included in FY 2024-25 Budget request to continue services. The offsetting revenue will be sourced from the District Attorney and Public Defender Realignment Fund. Per Government code 30025, funds in this account may be used to support the implementation, planning, and training costs associated with prosecution.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Clerk of the Board to obtain the Board Chair's signature on one copy of Agreement 8299 and forward to CAO Fiscal, attention Kelley Lawrie.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Vern Pierson, District Attorney