



OFFICE OF THE STATE PUBLIC DEFENDER

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Office of the State Public Defender Joint Technology Committee Quarterly Update

- 1. Which elements of the project are currently underway? Which elements have been completed since the department last updated the JTC? Is the project on schedule with initial plans?**

Comprehensive IT Storage Solution

Work on the new storage solution, Panzura, is proceeding as planned. Since the previous quarterly update, 2 of the 23 offices have migrated over to Panzura. Work continues to migrate the other offices. The migration of the first 3 sites was slightly delayed due to file preparation for migration taking longer than projected and various configuration and troubleshooting issues. The completion of the total project is still on schedule with the Office's initial plans.

Digital Litigation Tools (Transcription and Case Management)

The OSPD is in discussion with several prosecutors' offices regarding the changes needed with the process of discovery sharing through Axon's Evidence.com rather than the state-funded eDiscovery platform system. Several offices are piloting the changes or have moved fully over to it. This is slower than initially planned due to changes in Axon's licensing model in the middle of negotiations, significantly more money needed for those licenses, and in some jurisdictions, delayed cooperation from prosecutor offices. The lack of centralized coordination and having to work across difference licensing levels and features in each prosecutor's office which then requires negotiations with twenty-two separate prosecutors causes delay and frustrations.

Bandwidth Increases

All new and upgraded circuits have been ordered. So far, 22 of 23 sites have them installed. Progress is subject to the telecommunication companies' construction schedules and various permitting authorities.

Note: All components completed prior to the last Quarterly Update have been excluded from this update.

2. How much money has been obligated and spent at this point? Please break down amounts and spent separately.

Comprehensive IT Storage Solution

Already Spent: \$2,501,789

Remaining Obligated Amount: \$3,208,330

Digital Litigation Tools (Transcription and Case Management)

Already Spent: \$552,636 (includes \$123,636 in unexpected costs for Axon licensing)

Remaining Obligated Amount: \$123,636 is an ongoing in unexpected costs for Axon licensing.

The OSPD expects to request supplemental funding to cover the additional expenses created by law enforcement's reliance on Axon's Evidence.com portal for discovery provision in lieu of the state created CDAC eDiscovery portal.

Bandwidth Increases

In Progress to Spend: \$163,000

3. What is anticipated to be completed by the next quarterly update?

Comprehensive IT Storage Solution

By the next quarterly update, the OSPD anticipates a minimum of four sites will be migrated over to the new storage solution, continued work on the migration of the remaining sites and troubleshooting issues.

Digital Litigation Tools (Transcription and Case Management)

By the next quarterly update, the OSPD anticipates that the majority of sites will be using Evidence.com to receive discovery from the prosecutors and the automated download process in place for those sites.

Bandwidth Increases

By the next quarterly update, the OSPD anticipates all of this work will be complete.

4. When does the department/institution anticipate that the project will be complete?

Comprehensive IT Storage Solution

OSPD anticipates implementation of the project will be complete by June 30, 2024.

Digital Litigation Tools (Transcription and Case Management)

OSPD anticipates implementation of most of the project will be complete by January 31, 2024, but complete implementation of evidence.com is dependent on external agencies. That piece will likely be ongoing.

Bandwidth Increases

OSPD anticipates this will be complete by January 31, 2024.

5. Are there any important concerns or updates you wish to share with the committee?

Comprehensive IT Storage Solution

The amount of discovery needed to be stored has continued to grow at a very high rate (around 2 ½ terabytes per day) and the OSPD is anticipating that the annual on-going costs will need to be adjusted accordingly to account for that growth. The initial budget request was based on a starting storage of 1500 terabytes but the OSPD's current total storage is 2500 and estimated to be around 2900 terabytes by the time implementation is complete.

Digital Litigation Tools (Transcription and Case Management)

The Office of the State Public Defender spent \$123,636 to pay for licenses from Axon to enable more efficient receipt and processing of electronic discovery as a temporary fix to problems. However, making use of the licenses within the Evidence.com system requires the cooperation of each individual prosecutor's office. The OSPD has been working with local prosecutor offices to adjust discovery practices and procedures.

As noted in our last quarterly report receiving and processing discovery, especially media including body camera footage, is a significant future concern. Because police agencies enter contracts with vendors, of which Axon (evidence.com) is the biggest, prosecutors and public defenders become backend users who must then negotiate and pay for access to items once the vendor has the contract. It is also likely that Axon will seek to dramatically increase costs for prosecutors and the OSPD as contracts expire, but the OSPD will be at a negotiation disadvantage because of the costly contracts already in place between the vendor and law enforcement. The OSPD is also concerned about the proliferation of other sources of discovery that will require additional state-funded licenses.

Bandwidth Increases

OSPD does not have any concerns.

6. For multi-phase projects, has there been any insight gained through this phase of the project that will cause changes in the next requested phase of the project?

Comprehensive IT Storage Solution

The insight and potential changes noted as part of the concern in #5.

Digital Litigation Tools (Transcription and Case Management)

The insight and potential changes noted as part of the concern in #1 and #5.

Bandwidth Increases

This is not applicable.