



## OFFICE OF THE STATE PUBLIC DEFENDER

MEGAN A. RING  
STATE PUBLIC DEFENDER

January 2, 2024

### 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 moving along as planned. Since the previous quarterly update, most of the hardware and production environment have been installed and configured. The focus now is on revising the migration plan based on initial testing and organizing the various existing sources so that files can be combined into one single location. The project is on schedule with the Office's initial plans.

#### Digital Litigation Tools (Transcription and Case Management)

OSPD is in discussion with several DAs on the changes needed with how discovery is shared with the Office through evidence.com and are piloting the changes with a couple. This is slower than initially planned largely due to changes in Axon's licensing model in the middle of negotiations and significantly more money needed for those licenses. The lack of central coordination by the Colorado District Attorney's Council and 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, 18 of 23 sites have them installed. Progress has been slower than initially planned but timing 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: \$1,938,995

Remaining Obligated Amount: \$3,771,124

#### 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 ongoing in unexpected costs for Axon licensing

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, OSPD anticipates completing migration of many of its sites over to the new storage solution, working on the migration of the remaining sites, and troubleshooting issues.

*Note: this is largely dependent on how the first 3 sites go which will be migrated during the next month or so.*

Digital Litigation Tools (Transcription and Case Management)

By the next quarterly update, OSPD anticipates that it will have a few sites using Evidence.com to receive discovery from the DAs and the automated download process in place for those sites.

Bandwidth Increases

By the next quarterly update, 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 the project will be complete by December 31, 2023, except work on ediscovery issues are ongoing on dependent on external agencies.

Bandwidth Increases

OSPD anticipates this will be complete by December 31, 2023.

**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 3 terabytes per day) and 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 OSPD's current total storage is 2300 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 individual district attorney offices. OSPD has been working with local district attorneys 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, district attorneys 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 district attorneys and OSPD as contracts expire, but district attorneys and OSPD have little power to negotiate because law enforcement is already committed to this vendor.

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

Not applicable