

# Supporting District Attorneys' Offices in Building Their Capacity for Data-Driven Decision-Making

## Results from the Colorado Prosecutorial Dashboards Project Survey July 2023

In fall 2021, the Colorado Evaluation and Action Lab (Colorado Lab) and the national Prosecutorial Performance Indicators (PPI) began working with District Attorneys' (DA) offices across Colorado to support them in tracking progress toward greater efficiency, effectiveness, and fairness. The project has three primary goals:

- Build the capacity of offices to routinely use data to identify challenges or opportunities, and adopt, test, and refine solutions.
- Increase engagement with and accountability to the public.
- Raise awareness of—and support offices in addressing—racial/ethnic disparities in justice outcomes.

We released [data dashboards](#) for our eight pilot sites in September 2022. Additionally, in February 2023, we published an in-depth report for each office examining racial/ethnic disparities at points of prosecutorial discretion.

Before the project's start in fall 2021, we administered a survey to all staff in six of the eight pilot offices that focused on understanding priorities, prosecution strategies, perceptions of community engagement, disparities in the criminal justice system, and office practices. In spring 2023, we re-administered the survey to the same offices to understand how priorities, practices, and perceptions may have changed.

We identified three key findings:

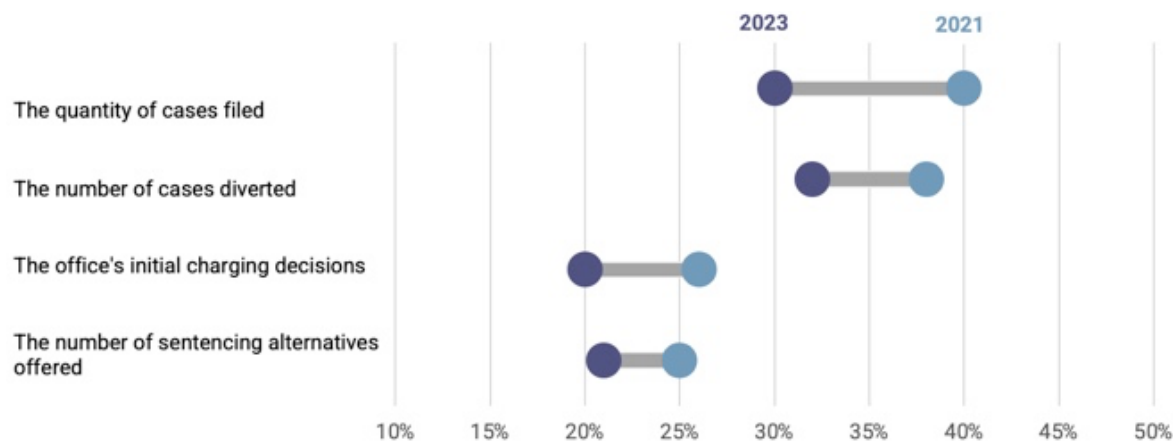
- Staff in DA offices have benefited from—and continue to see the value in—increased access to information about the office as a whole.
- Staff in DA offices continue to believe in the importance of community engagement, and, since the start of the project, more strongly believe in transparency efforts.
- Staff in DA offices remain mixed on their perceptions of racial/ethnic disparities in the justice system.

In this report we discuss these findings, share accomplishments, and identify ongoing opportunities. Lessons learned will support the scale of prosecutorial dashboards across the state and the expansion of local and statewide efforts to support data-driven decision-making across the criminal justice system.

### Key Finding 1: Staff in DA Offices Have Benefited from—and Continue to See the Value In—Increased Access to Information About the Office as a Whole.

Overall, respondents were more likely to have insight into office practices in 2023 than they did in 2021. In 2023, over half of respondents agreed that their office is filing the appropriate number of cases (57%), making appropriate initial charging decisions (53%), and offering the right number of sentencing alternatives (50%). Since 2021, across four of the five prosecutorial practices we asked about, a lower percentage of respondents reporting being *not sure* (Figure 1).

Figure 1. In 2023, Respondents had a better understanding of office practices. Fewer respondents were *not sure* about the appropriateness of:



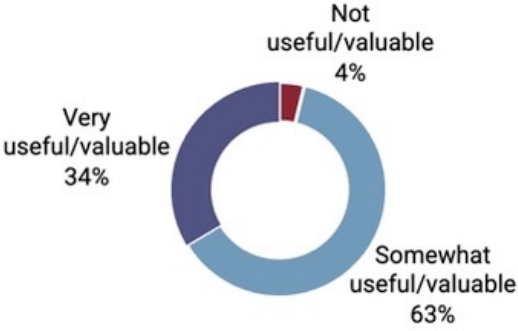
In 2023, despite this overall drop, a high percentage of respondents remain *not sure* about whether their office is diverting the appropriate number of cases (32%), filing the appropriate number of cases (30%), and making appropriate bond recommendations (25% unsure). Currently, due to data collection and sharing limitations, the dashboards do not provide detailed information on these three areas, which may explain why respondents are less certain about this information.

Across offices, most respondents (87%) were aware of the 2022 dashboard release. Of those aware, most indicated that the dashboard was either somewhat or very useful/valuable (Figure 2).

Figure 2. Most respondents indicated that the dashboard was valuable.

Findings suggest that participating offices continue to have a strong culture of learning. Specifically, most respondents agreed that:

- Their colleagues ask thoughtful questions and share different perspectives (90% in 2021 and 87% in 2023).
- Their office is committed to learning and improving (87% in 2021 and 86% in 2023).



However, like in 2021, offices could benefit from continued commitment to information sharing. In 2023, over half of the respondents (58%) agreed that they wish they had more information on case processes and outcomes in their office as a whole. And some folks—particularly investigators and victim/witness staff—continue to feel differently, with 18% agreeing that reviewing data from across the office does not make much sense since each case should be reviewed independently.

**What Did the Project Accomplish?**

The project was rooted in the belief that fostering buy-in among staff is critical to developing a tool the office values and to build a culture of data-driven decision-making. The project supported each office in developing a working group to facilitate adoption, use, and sustainability of the dashboards. Workgroups were made of up individuals with diversity in office roles, perspectives, levels of tenure, and informal/formal leadership roles.

Workgroups were the key to making the project meaningful. They led the work to:

- Cultivate top-down and bottom-up support for the work.
- Review and interpret dashboard data and disparity analysis results.
- Identify opportunities to translate data into action.

For more on our approach to developing workgroups and their role, see Area 1 of the [project toolkit](#).

**What Still Needs to Be Done?**

Findings from open-ended survey questions highlight the value of ongoing work to support data-driven decision-making. For example, when asked how the dashboards could be improved, some respondents indicated the need to filter and further analyze certain information, improve data collection, explain data limitations, and better integrate the dashboard information into existing meetings and workflows.

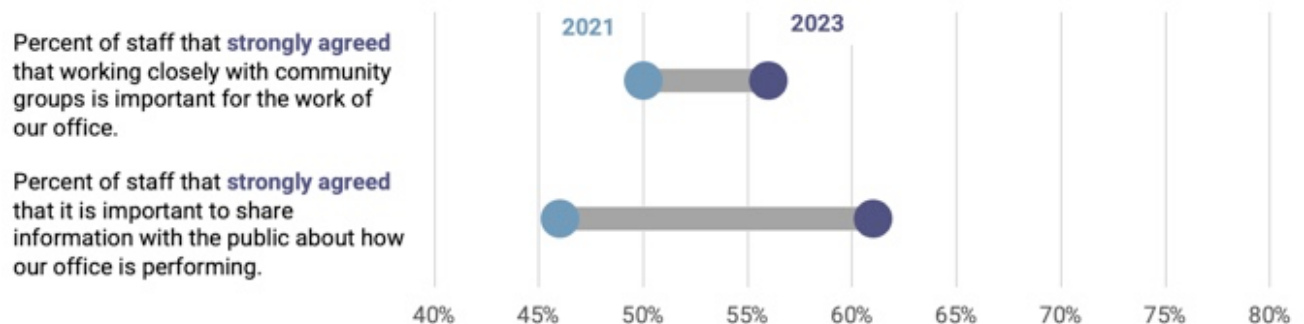
However, ongoing data work must balance competing demands. Across offices, most respondents reported that high caseloads or other resource constraints sometimes (42%) or frequently (30%) limit them from doing their job well.

Over the course of the project, we noticed that offices had different capacities to engage in this work. In particular, larger offices (>25 staff), especially those who had a dedicated owner/champion of the work (outside of, but who had strong support from, the elected DA) were better able to meaningfully engage staff and identify opportunities to translate data to action. Moving forward, offices must ensure the resources needed to move the work forward and identify opportunities to use data to support staff and increase office efficiency.

**Key Finding 2: Staff in DA Offices Continue to Believe in the Importance of Community Engagement, and, Since the Start of the Project, More Strongly Believe in Transparency Efforts.**

In 2021, before the project began, staff in different roles across the participating offices overwhelmingly agreed about the importance of working with community groups and sharing information with the public. In 2023, the percentage of staff that *strongly agreed* about the importance of community engagement and transparency efforts increased (Figure 3) and the percentage of staff that *disagreed* that community groups bring unnecessary attention to the work of the office remained high (74% in 2021 to 75% in 2023).

Figure 3. Respondents increased their commitment to community engagement and transparency.



In 2021, respondents primarily indicated that it was the role of the elected DA (76%) and the public information officer (64%) to conduct community engagement. In 2023, 73% of respondents agreed that they saw community engagement as part of their role (across offices, 100% of chief or program directors, 89% of investigators, 78% of victim/witness staff, 76% of deputy district attorneys, and 51% of paralegals).

**What Did the Project Accomplish?**

The project was rooted in the belief that meaningful interaction with the community is important so that prosecutors understand community concerns and priorities; the dashboards contain information that is useful and relevant to the community, and historically marginalized communities have a voice in what justice looks like. Over the course of the project, offices were expected to engage with the community at least twice: to inform dashboard development and to seek feedback upon release.

To support this work, the project team hosted a virtual metro-Denver listening session and developed resources to support offices in their work, including an action

plan template, tips on how to make community engagement everyone's job, and ideas for hosting a listening session and developing a community advisory board (see Area 2 of [project toolkit](#)).

### **What Still Needs to Be Done?**

Despite the belief in the importance of community engagement, not all offices have the structures and processes in place to meaningfully do this work. Only a third of respondents (32%) indicated that their office is doing the right amount of community engagement; respondents were equally likely to believe their office is not doing enough (35%) or they were not sure (30%).

Over the course of the project, we noticed that offices that successfully engaged in the community had pre-existing structures and processes for this work, such as town halls, listening sessions, or regular attendance at community meetings. Meaningful community engagement is a continuous process and offices should engage in two-way dialogue to continue to build trust and inform future work, including dashboard updates. It is promising that two-thirds of survey respondents strongly agreed that they see community engagement as part of their role; each office should consider how to leverage where staff have connections as entry points for engagement.

### **Key Finding 3: Staff in DA Offices Remain Mixed on Their Perceptions of Racial/Ethnic Disparities in the Justice System.**

In 2021, when asked to identify the most important disparity, if any, to examine in their jurisdiction, offices identified *socioeconomic* (56%) and *racial/ethnic* (17%) disparities. This finding was fairly consistent across offices and among staff in different roles. Importantly, some staff (ranging between 5% and 27% in the six offices), felt that it was *not important to consider any disparities*.

In 2023, there was a slight decrease in the percent of respondents that identified socioeconomic (42%), and a slight increase in the percent that identified racial/ethnic (22%) as the most important to examine. The percentage of respondents that selected racial/ethnic disparities varied widely across offices (from 7% to 42%). A similar percentage of staff (ranging from 4% to 27%), maintained that it was not important to consider any disparities. Investigators were the staff type most likely to indicate this response (42% across offices).

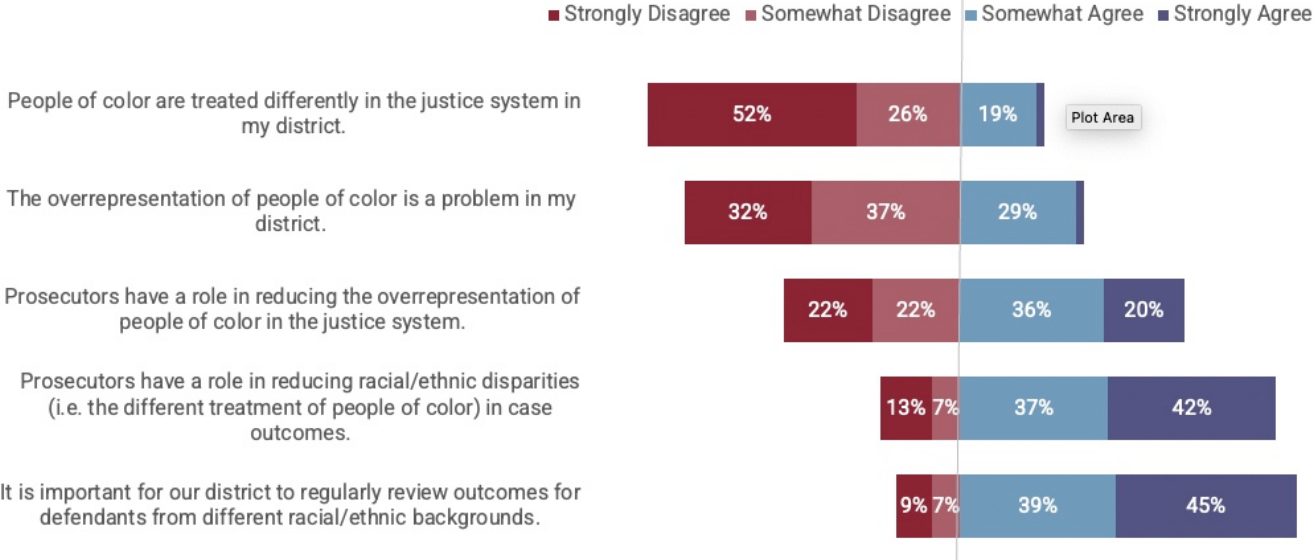
Office perceptions on racial/ethnic disparities remained relatively consistent across the project period. At both time points, most respondents

- Disagreed that people of color are overrepresented or treated differently in the justice system.
- Agreed that prosecutors have a role in reducing the overrepresentation of people of color in the justice system and have a role in reducing racial/ethnic disparities in case outcomes.
- Agreed about the importance of reviewing outcomes for defendants from different racial/ethnic backgrounds. (Figure 4).

However, there were variations between offices. For example,

- In 2023, respondents from the three larger offices (>25 staff) were more likely to agree (86%) than staff from the three small offices (73%) that they have a role in reducing racial/ethnic disparities in case outcomes through prosecutorial decision-making. There was no distinct pattern by office size on this item in 2021.
- In two offices, where there has been extensive staff engagement in this work, there was an 8% increase since 2021 in the number of staff that agreed that they have a role in reducing racial/ethnic disparities in case outcomes.

Figure 4. Perceptions of racial/ethnic disparities were similar to those from 2021.



**What Did the Project Accomplish?**

The February 2023 disparity reports provided offices with a more in-depth understanding of issues relating to disproportionality and disparity. Across offices, results showed evidence of disproportionality, meaning that more Hispanic and Black individuals were arrested than expected, given the population. The reports also showed some evidence of disparity at points of prosecutorial discretion, after taking into account potential differences among defendants and cases.

Survey responses indicated that only slightly more than half of staff across the offices (63%) were aware of their office’s disparity report—fewer than the percentage that were aware of their office’s data dashboard. Awareness varied by role, with chiefs/program directors (92%) and deputy DAs (81%) the most likely and victim/witness staff the least likely (56%). Staff in larger offices (>25 staff members) were more likely to be aware (78-82%) when compared to staff in smaller offices (33-58%).

For those who were aware of the disparity report, most indicated that the report was either somewhat useful/valuable (61%) or very useful/valuable (22%).

Results from the disparity reports are being used to drive change. In February 2023, offices convened to reflect on results. They identified four cross-cutting strategies:

- Hosting targeted community conversations to interpret and act on data.
- Revisiting deferred judgment and diversion eligibility criteria to identify opportunities for program expansion.
- Exploring opportunities for plea guidelines or prosecutorial checklists.
- Collaborating with justice partners for systemic change.

More information about these strategies is synthesized in this [two-page brief](#).

### **What Still Needs to Be Done?**

Survey responses indicated the need for continued work with staff to discuss issues related to racial/ethnic disparities, including additional targeted dissemination and discussion of results from their office's disparity report.

When asked open-ended questions on how the reports could be improved, some respondents noted the need for ongoing work to improve data collection on race/ethnicity, including through engagement with law enforcement, the importance of considering other factors (such as socioeconomic status) through the use of a systemic drivers frame, and a need for more targeted action plans on how to address disparities.

### **Methods**

The 37-question survey was developed by the project team. We used Qualtrics to administer the survey to the six offices who participated in the baseline survey. Overall, 251 staff completed the survey. Office-level response rates ranged from 19% to 70%, with a median of 47%. Any respondent who completed less than five items was excluded. We had a mix of respondents from across roles: 80 deputy DAs (32%), 49 paralegals or administrative support (20%), 32 victim/witness services specialists (13%), 34 other roles (13%), 25 chief or program directors (10%), and 19 investigators (8%); role data were missing for 12 respondents (5%).

Descriptive analysis was completed using Stata. We first stratified to examine responses for each office. Because the offices varied in size (from 12 to 110 respondents), we calculated overall weighted percentages, where each response was multiplied by its weight. Weights were calculated by taking the total number of survey responses and dividing by the number of offices, and then dividing by the total number of responses from each office.