

The Economic Benefits of Electronic Charge Processing and Disclosure



There is no question that pursuing a criminal investigation is demanding, yet the process of bringing a criminal charge before the courts can be considered even more arduous. As police services and their governing boards strive for new ways to achieve cost containment measures while also providing a high degree of public safety, two areas that are worthy of consideration are automated electronic charge package preparation and automating the exchange of that information by utilizing electronic disclosure to your prosecution partners. These transformational changes will afford a significant reduction in the time and effort required to output information while at the same time improving the overall quality of the product delivered. The time reduction allows officers to be redeployed to the field more quickly.

Disclosure of information – the fundamental duty of law enforcement agencies

Police officers are obligated to provide the essential elements of the charges laid to the Crown Prosecutor in order that they can perform their function within the judicial system. Along with the fundamental duty of providing disclosure, numerous special rules are always at the forefront of the investigator's mind to ensure that business rules are applied to safeguard the end result is not only accurate but complete. The essential details of each case translates to disclosing the entirety of evidence collected in what is commonly referred to as a Crown brief or a prosecution package. Despite technological advances made in information management, it is surprising that in 2015, the majority of police agencies across North America were still providing paper-based disclosure to their prosecutors.



By Ray Zarb

This practice is most often combined with outdated or non-existent quality review and business processes that result in incomplete disclosure packages being returned for correction. Consequently, this lack of quality control and standardized business processes upstream cascades downhill causing delays within the courts system. With the advent of increasing levels of digital assets being part of disclosure packages,

end users in today's law enforcement landscape must be confident that all forms of information required by the Crown Prosecutor to proceed with the criminal charges laid is precise and complete.

A positive shift is starting to occur in police services

Police services are attempting to modernize by shifting to a semi-paperless system, but the transition has been marginal, as it requires a laborious "drag and drop" filing method where structured and unstructured data is manually assembled, and provided to the Crown as a paper brief accompanied by CDs or USBs of the digital media.

While there are signs of improvement, the biggest culprits of inefficiencies in charge processing and disclosure are as follows:

- Sworn members spending a considerable amount of time performing a clerical function. This is a critical factor when taking into account that the annual salary for a 1st Class Constable in Ontario is in excess of \$90,000;
- Repeated entry of tombstone data in various forms or documents often resulting in errors and rework;
- Multiple printed copies required by the Crown causing wasted time and money in printing and photocopying documents;
- Inability to audit track initial and additional disclosure.

Common issues for the Crown without automated case management

Crown's offices rely on the police's quality control measures to ensure that charge and disclosure packages are prepared correctly but unfortunately, manual production of disclosure packages often result in Crown Attorneys having to request the required information that should have been provided in the first instance and unnecessarily causes

delays in the judicial process. These forms of postponements hinder early resolution for many cases but are particularly disruptive for domestic violence and impaired driving cases, which are so common in our courts.

It is important at this juncture to clarify two terms that are used interchangeably but are not synonymous: electronic charge processing and electronic disclosure.

Electronic charge processing is the process that affords police services the ability to automate the production of charge packages, including the automated electronic creation of all Court forms, and documents required to proceed with charges that are before the courts, and the electronic delivery of those packages and all associated digital assets to the prosecution. Automated charge processing also provides the opportunity to have the charge package as part of an electronic brief.

Electronic disclosure is the collection, validation, and compilation of all of the evidence collected for the charges laid into a Brief to the Crown. Included in the electronic form of delivery are all of the associated digital assets without needing the use of USBs or CD/DVDs. Although usually complete after a set period of time, it can be a continuous process until the conclusion of the case in court. Having the ability to deliver additional disclosure packages to the

Crown with an updated index and content is an important feature that should be considered.

Electronic charge processing and electronic disclosure is the realm of charge management software that enables police services to largely automate the production of charge packages and deliver those packages and all associated digital assets to the prosecution electronically. (See Figure 1)

By utilizing a charge management system and also considering the use of a centralized charge processing department comprised of civilian and sworn members, the benefits that are attainable include:

- Specialized team that will become subject matter experts in charge production;
- Reducing the time required to produce charge packages in the range of 55 per cent;
- Reduction of error rate prevalent in manual production;
- Established time allotment for the preparation of charge and disclosure packages;
- Electronically providing access to Crown Attorneys; and
- Relinquishing case preparation from the officer resulting in officers being able to be re-deployed to other duties or investigations more quickly.

Figure 1 - Integration of Systems

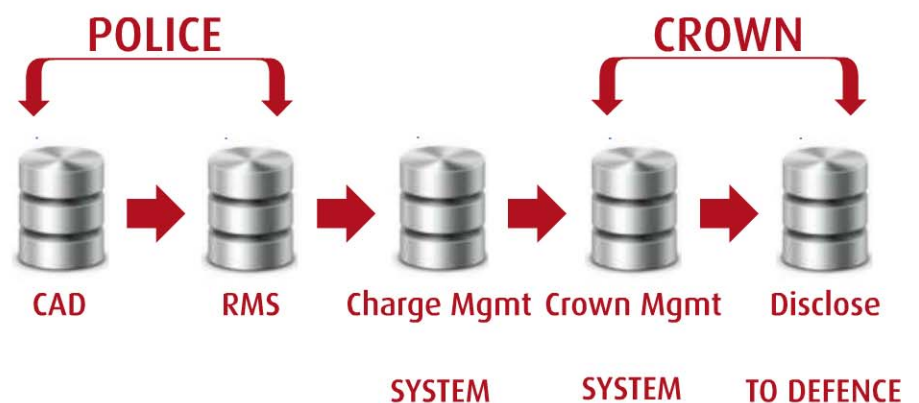


Figure 2 - Cost Savings

	Cases	Time required to prepare each case	Total Minutes	Total Hours	Hourly Wage of 1st Class Constable	Daily Expenditure	Daily Salary Savings	Annual Salary Savings
Manual	50	45 min	2250	37.5	\$43.26	\$1,622.25		
Automated	50	20.25 min	1012.5	16.88	\$43.26	\$730.23	890.02	\$324,587.30

Economic benefits of electronic charge processing and disclosure

The economic benefits of electronic charge processing and disclosure are many. The savings can be measured in time at various stages of the process and hard cost savings for items such as paper, toner, and printers. Studies have compared traditional paper-based charge processing versus the more automated electronic charge processing and identified operational efficiencies in the range of 55-65 per cent.

If we were to compare the cost of manual versus automated production of 50 cases per day by a police service and using 55 per cent as a savings target, a police service would be able to recover the salary savings shown in Figure 2.

The benefits for the Crown Attorney

Continuing down the path of efficiency, there is significant benefit to be realized by Crown Prosecutors in receiving and utilizing electronic disclosure in an electronic Crown case management system. These files will be received more quickly by prosecutors simply by virtue of not having to transport paper files. The electronic collection, validation, configuration, and dissemination of the information for a Crown Brief Report means that the briefs are received more quickly, are more complete and have less errors than ever before.

Crowns will save time searching for lost files and misplaced additional disclosure, have improved business processes due to the ability of having multiple people working on a single


file at one time and by having a standardized file format, it will make it easier to perform tasks involving the file. These benefits will allow the Crown to present more effective bail hearings, resolve cases earlier due to more complete information, resulting in fewer trials, and more successful outcomes of those cases that go to trial due to the reduction in defence challenges.

What the future holds

As police services and their governing bodies search for new ways to become more efficient, examining traditional policing functions and

automating key business processes in the production of charge packages, disclosure, and the exchange of that information are new innovative strategies for consideration. Coupled with the advancements made in the information management spectrum, the benefits will act as a catalyst in providing excellent police service while achieving substantial economic benefits.

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