CUSTOMER SUCCESS

California Department of Corrections and Rehabilitation

Keeping Up with a Flood of Legal Demands using Veritas™ eDiscovery and Cloud Archiving Solutions

The California Department of Corrections and Rehabilitation wanted to streamline its ability to produce documents for legal matters, and it turned to a start-to-finish eDiscovery solution from Veritas. Results include the ability of legal staff to produce and manage data without IT assistance, reduced time and cost when reviewing requested information, and cloud storage archiving that saves the cost of adding storage, delivers faster performance, and fosters quick adoption because of an easy-to-use interface.

A major mission

The statistics are mindboggling. The California Department of Corrections and Rehabilitation (CDCR)—the largest state-run prison system in the country—manages a population of more than 118,000 inmates and juvenile offenders, and over 46,000 parolees, roughly the size of Grand Rapids, Michigan. It operates 34 prisons, 3 juvenile facilities, and 50 parole offices, and its 29,000+ peace officers rank only behind the New York City Police Department in number.

In December 2006, the Federal Rules of Civil Procedure Act was amended to include eDiscovery rules. On July 29, 2009, the California Code of Civil Procedure Act, known as the Electronic Discovery Act, permitted opposing counsel, governmental entities, and others to inspect, copy, test, or sample essentially all unprivileged information stored in an electronic medium or format. That covers emails, computerized financial records, personal notes, and memos, among other material. As a result, CDCR needed to implement policies, processes, procedures, and an email archiving solution to ensure it complied with the new eDiscovery law.

As a backdrop, the Department faces many legal matters and lawsuits that require its Information Technology and legal affairs staff to respond to a mountain of demands for documents and data stored away. These requests come from inmates, their families, department employees, the federal government, and myriad other plaintiffs.

Organization profile

Site: cdcr.ca.gov
Industry: Public Sector
Headquarters: Sacramento, California
Employees: 53,240
Secretary: Jeffrey Beard, Ph.D.

Key challenges

The California Department of Corrections and Rehabilitation faces many legal matters requiring IT and legal affairs staff to produce requested documents quickly and accurately.

Solution

The Department deployed Veritas Enterprise Vault™ Discovery.cloud and the Veritas™ eDiscovery Platform as a start-to-finish eDiscovery solution, from ingesting data into the archive to providing it for legal purposes.

Benefits

- Reduced time and cost in reviewing requested information
- Legal staff can produce and manage data without IT assistance
- Cloud storage archiving
  - Saves cost of adding storage
  - Delivers faster performance, boosting productivity
  - Fosters quick adoption because of easy-to-use interface
- Security and availability enhanced by best practices at the Veritas Tier 4 data center

California taxpayers have spent more than $200 million for inmates' attorneys, court-appointed authorities and the state's own legal costs over the last 15 years, a 2013 tally by the Associated Press showed.

So, it's vital that the CDCR possesses the technology and processes to locate the information requested quickly and accurately from the file archives and also to protect the data from cyber-attacks and disasters.

Partnering for business results

Joseph Panora, director of the CDCR's Enterprise Information Services, recognized that to keep up with these growing demands for public records, he and his staff needed to improve significantly the department's electronic discovery and archiving technology and infrastructure. "It's been a decade of litigation and constant inquiries about requests for information," says Panora, who assumed his Director role in January 2008. For Panora, the answer didn't simply lie with IT and technology. It required developing or employing:

- A business process and the proactive management of eDiscovery

- A risk-management, pre-litigation strategy

- Advanced, automated technology—not simply bought off a shelf and installed—that also could support the department's data retention policies.

Panora knew that if the CDCR didn't respond adequately to demands for data, future lawsuits would result.

He and Scott MacDonald, the CDCR's Agency Information Security Officer, turned to Veritas, which had furnished archiving software before a major 2008 technology overhaul at the department. Veritas, continually enhancing its archiving and eDiscovery products, offered what CDCR's IT managers needed to respond to the increasing litigation and Public Records Act request.

Fulfilling data requests is also much more complicated than it might appear. MacDonald and his staff receive several new data requests a week, and often they relate to years-old legal cases. Cases today also are more complex and data demands more specific and complicated. Confounding matters, the prison system possesses about 40,000 electronic mailboxes and, in some instances, IT and legal staff have had to sift through 300,000 to 400,000 relevant emails to fulfill a request.

As for their specificity, a growing number of data requests ask that searches use specific key words or phrases. Another complication: Prison employees come and go and it's not unusual for a data request to involve a very old lawsuit and seek emails and other information from, say, a correctional counselor without providing a specific person's name. Fulfilling this request takes time.

Before the technology advances, the staff often had to narrow what it could provide. Lawyers then could argue in court that the CDCR was holding back on delivering documents. "They could see holes in our processes, invalidate them in court and strengthen their position," says MacDonald. That weakened the state's position. Further, significant issues arose relating to the adequacy of CDCR's mail server storage capacity because the department had to retain so much more data.

"We're experiencing cost savings with Enterprise Vault.cloud and it gives us unlimited storage."

Joseph Panora,
Director, Enterprise Information Services, California Department of Corrections and Rehabilitation

Veritas training and the much broader capabilities of the enhanced technology allow the legal staff to search for data themselves to handle lawsuits and information requests expeditiously. The reviewers especially appreciate the new tool's ability to redact certain information automatically. This enables reviewers to avoid having to print out documents and use a black marker to hide information that doesn't pertain to the data request.

Results and ROI

The changeover to the new cutting-edge technology began in January 2013. Panora says one of the main drivers of employing the new technology was to realize a return on investment through cost savings. "We're experiencing cost savings with Enterprise Vault.cloud and it gives us unlimited storage," he says. CDCR has been able to comply with the data-retention policies for user's email, while limiting the amount of it stored on mail servers without having to procure additional storage capacity.

Besides cost savings, CDCR also benefits from faster performance due to archiving in the cloud, and quick adoption by attorneys and investigative staff because of an easy-to-use interface.

Security was an initial concern because of widespread fears that a cloud system with so much more data might attract cyber thieves. However, when Veritas presented its security infrastructure, policies, and systems for protecting data in transit and at rest, and reviewed the capabilities of its redundant and scalable Tier 4 data center, CDCR officials voiced confidence the data would be secure and any legal liability minimized. Veritas has also built a disaster-recovery strategy into Enterprise Vault.cloud to encompass key business-continuity issues and provisions. "We haven't experienced any problems," reports MacDonald.

"With where we are today and moving toward tomorrow, I see us as a technology leader within corrections."

Joseph Panora, Director, Enterprise Information Services, California Department of Corrections and Rehabilitation

Strategic approach

Expanding upon its partnership with Veritas, CDCR recently migrated its email archives to a hosted solution. What the department gained were two best-of-breed systems—Veritas Enterprise Vault™ Discovery.cloud and the eDiscovery Platform—that provide it with a wealth of archiving, eDiscovery and simple workflow integration features. Together, they deliver a start-to-finish eDiscovery solution—from ingesting data into the archive to providing it for legal purposes. Archived information in Enterprise Vault.cloud easily exports to the eDiscovery Platform for further processing, analysis and review. Veritas also generates collection from hundreds of enterprise information sources, which enables legal personnel to search, filter and analyze both archived and non-archived data in a consolidated, case-based location.

Using advanced Early Case Assessment, review and Predictive Coding technology, Veritas extends the search capacity of its cloud offering. It provides IT and legal staff the ability to home in on information specific to the case and, thereby, reducing the time and cost of reviewing irrelevant email and documents.

The new technology proves to be more intuitive for attorneys to use and also enables them to look for anything electronically—whether the data comes off Microsoft SharePoint® files, Instant Messaging systems or Microsoft® Exchange mail servers. Initially, the responsibility of data-retrieval for litigation or Public Record Acts requests was left for the IT staff to handle. The tools now available for legal staff provide the CDCR legal staff the ability to produce relevant data from various electronically stored information resources on their own. They also furnish attorneys a way to manage all relevant data throughout the lifecycle of the case.

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In terms of providing IT support, Veritas has been "stellar," says MacDonald, noting that CDCR can count on 24×7 support from Veritas. While CDCR employees were still learning to use the new tools available with Enterprise Vault.cloud and Veritas, they found they were able to easily reach knowledgeable well-trained Veritas technical support staff during weekends and into the late hours of the night who could walk them through the application set or help with any issues.

Conclusion

Panora believes that with the Veritas partnership, the Department's IT capabilities in retrieving and safeguarding its massive data trove are superb. "This has been a cumulative evolution," he explains. "With where we are today and moving toward tomorrow, I see us as a technology leader within corrections."

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