

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND

AGENDA REPORT

To: 2010 DECEMBER 14, 2010 City Administrator
Attn: Dan Lindheim
From: Police Department
Date: December 14, 2010

Re: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to 1) Accept and Appropriate Grant Funds in an Amount Not to Exceed One Hundred Fourteen Thousand Six Hundred Dollars (\$114,600) from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ), for Implementation of the Fiscal Year 2010 Forensic DNA Unit Efficiency Improvement Grant Program in the Police Department, 2) Hire One, Part-Time, 18-Month Limited Duration Professional Staff Position for the Criminalistics Division in the Police Department, and 3) Approve a Waiver of the Central Services Overhead Costs

SUMMARY

This report and proposed resolution authorizes the City Administrator, on behalf of the City of Oakland, to accept and appropriate grant funds in an amount not to exceed \$114,600 from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ), for implementation of the FY 2010 DNA Unit Efficiency Improvement Grant Program. The proposed program period is October 1, 2010 through March 30, 2012. Approval of the proposed resolution will also authorize the hiring of one part-time, 18-month limited duration professional staff position in the Oakland Police Department's Criminalistics Division and fund the associated research, supplies and equipment. In addition, authorization of this proposed resolution will waive the Central Services Overhead charges as administrative costs are specifically disallowed by the grantor.

FISCAL IMPACT

Approval of the proposed resolution will authorize the application, acceptance and appropriation of U.S. Department of Justice, National Institute of Justice grant program funds for the Police Department's FY 2010 DNA Unit Efficiency Improvement Grant Program for the project term October 1, 2010 to March 30, 2012, in an amount not to exceed \$114,600. Funding will be appropriated to the Department of Justice Fund (2112); Criminalistics Division Org. (102610); Criminalistics Division Program (PS05), in a Project Account to be determined.

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Proposed expense allocations are as follows:

Description and Use of Funds	Amount
DNA Analyst (\$45.00/hour x 800 hrs/yr x 1.5 years)	\$54,000
Sample Management Software and Supplies, Shaker Heat Block, Slide Drying Tower, Pipette, Plate Sealer, etc.	28,950
DNA Typing Supplies	\$31,650
TOTAL PROJECT COST:	\$114,600

The granting agency specifically disallows indirect costs Central Services Overhead (CSO) charges. Therefore, the Department requests a waiver for applicable Central Services Overhead charges at a rate of 13.64% in the amount of \$7,365.60. There is no matching funds requirement associated with this grant.

The DNA Efficiency grant project will be managed by the Criminalistics Division Manager.

BACKGROUND

The need for enhanced DNA laboratory capacity is critical to the ability of crime laboratories to meet the increased demand for DNA testing services. More law enforcement officers are realizing the importance of collecting, preserving, and submitting forensic evidence from both violent and non-violent crime scenes, resulting in sharp increases in submissions of DNA evidence to the Nation's public crime laboratories. Under the FY 2010 DNA Unit Efficiency Improvement Grant Program, the National Institute of Justice (NIJ) is funding novel and innovative methodologies for improving the efficiency and capacity of public forensic DNA laboratories through the development and adoption of an improved laboratory process. The NIJ's objective is to publish successful and carefully evaluated novel efficiency improvement methodologies as models to be considered by other forensic science laboratories.

KEY ISSUES AND IMPACTS

The advent of DNA technology has revolutionized law enforcement's ability to analyze biological evidence at a genetic level; in particular, semen evidence encountered in sexual assaults and homicides with a potential sexual assault. The ability to investigate violent crime cases that have the potential to be solved through DNA analysis, however, is often limited by the resources of police departments - this is the case with the Oakland Police Department's Criminalistics Division (i.e. Crime Lab). Toward this end, the Police Department's Crime Lab shall utilize the FY 2010 DNA Unit Efficiency Improvement Grant Program funds to further assist in its efforts to conduct research into the robotic processing of cellular material in

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association with sexual assault evidence. It is anticipated that implementation of this project will improve the Crime Lab's capacity to process more biological evidence being subjected to DNA analyses, subsequent substantive searches in DNA databases and ultimately lead to the arrest and prosecution of violent individuals. Further, the scientist conducting the research will be a grant-funded DNA Analyst, so the research will enhance the Crime Lab's current DNA analyses efforts.

PROJECT DESCRIPTION

Efficiency Gains through Automating Differential Digestion

The Department's Crime Lab has a very robust differential digestion process utilized in the analyses of sexual assault evidence. Automation of the differential digestion process will substitute robotic liquid handlers, high volume format sample preparation devices, and centrifuges capable of handling these devices, for the time intensive manual steps. The chemical processes will not be changed. The scientist will prepare the sexual assault evidence samples for placement into the plates, using sample management programming to track sample location. The DNA Analyst would prepare microscope slides for the cellular material evaluation. This evaluation is critical to the subsequent DNA analyses. The robot would continue the differential digestion process automatically, which includes several digestion and wash steps. As envisioned, this process will still require 12 hours of time. However, efficiency will increase more than five-fold due to the fact that 96 samples will be processed in the same amount of time as is currently required for 18 samples per scientist. The hands-on time of the scientist is also significantly reduced and can be re-directed to other tasks that compete for attention, such as starting additional cases, data evaluation, report writing, and court testimony.

SUSTAINABLE OPPORTUNITIES

Economic

Whenever possible, supplies and equipment will be purchased locally.

Environmental

There are no environmental issues associated with this report.

Social Equity

Support personnel and supplies funded by this grant will enhance the Department's ability to analyze biological evidence associated with violent cases.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no ADA or senior citizen access issues contained in this report.

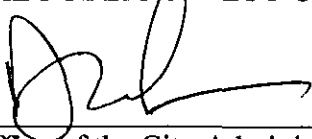
RECOMMENDATION

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept grant funds in an amount not to exceed \$114,600 from the U.S. Department of Justice, National Institute of Justice, FY 2010 DNA Unit Efficiency Improvement Grant Program, appropriate said funds to the Police Department and approve a waiver of Central Services Overhead costs. The Department also recommends that the City Council authorize one, part-time, eighteen-month limited duration professional staff position for the Criminalistics Division.

ACTION REQUESTED BY THE CITY COUNCIL


Staff recommends that the City Council approve the resolution.

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

Respectfully submitted,


Anthony W. Batts
Chief of Police

Prepared by:

Jennifer Mihalovich
Criminalistics Division
Bureau of Investigation

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

a. Macomber
City Attorney

2010 DEC -2 PM 12:42 **RESOLUTION No. _____ C.M.S.**

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO 1) ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FOURTEEN THOUSAND SIX HUNDRED DOLLARS (\$114,600) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ), FOR IMPLEMENTATION OF THE FISCAL YEAR 2010 FORENSIC DNA UNIT EFFICIENCY IMPROVEMENT GRANT PROGRAM IN THE POLICE DEPARTMENT, 2) HIRE ONE, PART-TIME, 18-MONTH LIMITED DURATION PROFESSIONAL STAFF POSITION FOR THE CRIMINALISTICS DIVISION IN THE POLICE DEPARTMENT, AND 3) APPROVE A WAIVER OF THE CENTRAL SERVICES OVERHEAD COSTS

WHEREAS, it is anticipated that grant funds in an amount not to exceed \$114,600 shall be awarded by the U.S. Department of Justice, National Institute of Justice to support the Police Department's fiscal year 2010 Forensic DNA Unit Efficiency Improvement Grant Program for the period of October 1, 2010 through March 30, 2012; and

WHEREAS, the 2010 Forensic DNA Unit Efficiency Improvement Grant Program was created to assist crime laboratories to evaluate procedures within their Forensic Biology Units and implement protocols that will yield a more efficient use of time and resources and;

WHEREAS, this evaluation could result in the implementation of procedures resulting in more biological evidence being subjected to DNA analyses and subsequent substantive searches in DNA databases; and

WHEREAS, authorization is being requested to hire one, part-time, 18-month limited duration professional staff position for the Oakland Police Department Criminalistics Division and;

WHEREAS, approval is being requested for a waiver of the Central Services Overhead costs as indirect costs are disallowed by the grantor; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 82291 C.M.S., dated September 22, 2009, Resolution No. 81624 C.M.S., dated October 21, 2008, Resolution No. 80869 C.M.S., dated October 2, 2007, Resolution No. 80129 C.M.S., dated September 19, 2006, Resolution No. 79534 C.M.S., dated October 18, 2005, and Resolution No. 78909 C.M.S., dated November 16, 2004; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to accept grant funds in an amount not to exceed \$114,600 from the U.S. Department of Justice, National Institute of Justice for the period of October 1, 2010 through March 30, 2012; and be it

FURTHER RESOLVED: That said grant funds shall be appropriated to the Oakland Police Department and maintained in the Department of Justice Fund (2112), Criminalistics Division Org (102610), Criminalistics Division Program (PS05), in a Project Number to be established; and be it

FURTHER RESOLVED: That the Police Department is authorized to hire one, part-time, eighteen-month Limited Duration professional staff position for the Criminalistics Division for the grant period; and be it

FURTHER RESOLVED: That approval is granted for a waiver of the Central Services Overhead costs at a rate of 13.64% in the amount of \$7,365.60; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to complete all required negotiations, certifications, assurances and documentation required to accept, modify, extend and/or amend the grant award.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California