

**CITY OF OAKLAND**  
**AGENDA REPORT**

**To:** Office of the City Administrator  
**Attn:** Deborah Edgerly  
**From:** Police Department  
**Date:** November 9, 2004

**Re: A Report and Proposed Resolution Authorizing the Acceptance and Appropriation of Grant Funds in the Amount of Eighty-Two Thousand Seven Hundred and Twenty-Seven Dollars (\$82,727) from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for the 2004 DNA Capacity Enhancement Program**

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**SUMMARY**

This report and resolution authorizes the City Administrator, on behalf of the City of Oakland, to accept and appropriate a grant in the amount of \$82,727 from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for the 2004 DNA Capacity Enhancement Program. The proposed program period is October 1, 2004 through May 31, 2006. The funds will be used to supplement the additional cost to the Police Department's Criminalistics Division Forensic Biology Unit to increase its capability in analyzing biological evidence associated with criminal cases.

**FISCAL IMPACT**

It is anticipated that the Department will receive federal grant funds in the amount of \$82,727 to improve the infrastructure and analysis capabilities of state and local crime laboratories that conduct DNA analysis. Revenues and appropriations will be allocated in the Federal Grant Fund: 2112, Criminalistics Division Org.: 102610; Criminalistics Program: PS05, in a Project Account to be determined. The Criminalistics Laboratory DNA Technical Lead will be responsible for program administration. All equipment purchases will be covered under the manufacturer's warranty for the first year. Maintenance provision costs for the BioRobot EZ1 beyond the first year of acquisition, (with an annual estimated cost of \$2,000) will be expensed to: General Fund: 1010; Criminalistics Division Org.: 102610; Criminalistics Program: PS05; Maintenance Account: 54612. The program liquidation period is 90 days following the program end date. There are no matching fund requirements. Expense allocations are:

<b>Description and Use of Funds</b>	<b>Amount</b>
BioRobot EZ1	63,185
Freezer	9,045
Travel and Training	7,440
Supplies	3,057
<b>Total</b>	<b>\$82,727</b>

Item: \_\_\_\_\_  
Public Safety Committee  
November 9, 2004

## **BACKGROUND**

The 2004 DNA Capacity Enhancement Program was created to assist laboratories in improving the infrastructure and analysis capacity of their DNA analysis so laboratories can process DNA. These improvements will allow staff to process DNA samples in a more efficient and cost-effective manner. Grant funds will support the purchase of automated DNA extraction equipment, an energy efficient freezer, laboratory benches, and provided specialized training to the Forensic Biology Unit staff.

The Police Department's Criminalistics Laboratory has a named suspect case backlog of 115 requests, with 209 additional cases in which biological evidence is expected. The Laboratory will analyze 70 of these backlogged cases using the 2003 Paul Coverdell National Forensic Science Improvement Act grant funds, specifically by covering the salary of a Criminalist II. Accordingly, these 70 backlogged case requests are not considered part of the 2004 DNA Capacity Enhancement Program. Funding through the 2004 DNA Capacity Enhancement Program will be used for the purchase of automated DNA extraction equipment to analyze the remaining 254 backlogged case requests. Staff anticipates that 190 of these cases will be completed within the 18-month program period. The remaining backlogged cases and contemporary cases will be analyzed as a matter of routine within the laboratory.

The Laboratory's case completion time during 2002 was 133 days. Upon implementation of automated DNA extraction instrumentation and the ability to store biological evidence appropriately, the Forensic Biology Unit will decrease the case turn-around time to less than 100 days. This decrease will enable staff to increase the number of case requests completed each year. The DNA profiles obtained from probative evidence will be entered into the Combined Offender DNA Indexing System (CODIS). A DNA match made by CODIS can then be matched to a named individual or to another unknown suspect case. Based upon past experience with DNA profiles obtained from suspectless cases, staff anticipates a 25% Hit-Rate.<sup>1</sup>

## **KEY ISSUES AND IMPACTS**

The advent of DNA technology has revolutionized law enforcement's ability to analyze biological evidence at a genetic level, and in particular, semen evidence encountered in sexual assaults. Coinciding with this revolution in genetic analysis is the utilization of computer-based DNA databases. The DNA analysis of the biological evidence associated with unsolved sexual assault and homicide cases and subsequent searches of these DNA profiles against the Combined Offender DNA Indexing System and against other case profiles, can determine if any matches exist. The outcome of such cross-referenced searches can lead to the arrest and prosecution of

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<sup>1</sup> "Hit Rate" is defined as that portion of all cases examined in which at least one suspect is identified. Multiple suspects may be identified in some portion of the cases examined. In "named" cases, investigators frequently request multiple suspects be examined.

violent individuals. Additionally, DNA typing may lead to the elimination of a particular individual as a crime suspect. The ability of the laboratory to conduct the DNA analyses as a matter of routine, with a shorter turn-around time, will ultimately lead to solving crime in less time.

## **PROJECT DESCRIPTION**

**Objective #1:** Validate the Use of Automated DNA Extractions using the Qiagen BioRobot EZ1 Robots

The Laboratory will decrease the turn-around time for the completion of homicide and sexual assault case requests in which biological material is subjected to DNA typing, thereby increasing the number of cases completed. Assisting in this time reduction will be the implementation of automated DNA extraction. The Laboratory will purchase two Qiagen BioRobot EZ1 robots, conduct validation studies, prepare Laboratory protocols, and then fully implement the use of automated DNA extraction in the analysis of biological material. Laboratory benches will be purchased in order to accommodate the new automated DNA extraction units. Staff anticipates a time reduction of two to three hours of each analyst's hands-on time per case. This will reduce the current turn-around time of case requests from 133 days to less than 100 days.

**Objective #2:** Purchase a Large Energy Efficient Freezer

The Forensic Biology Unit staff will replace an old freezer with a larger capacity, modern, and energy efficient freezer with a greater capacity to store biological evidence. The freezer will allow ready access to cases in process.

**Objective#3:** Meet Continuing Education Requirements of the DNA Advisory Board, the American Society of Crime Laboratory Directors/Laboratory Accreditation Board, and the American Board of Criminalistics

Staff will attend specialized training and participate in continuing education programs which will allow them to achieve time improvements for the completion of cases; (part of the turn-around time reduction from 133 to 100 days).

## **SUSTAINABLE OPPORTUNITIES**

**Economic** Whenever possible, supplies and equipment used for the project will be purchased locally.

**Environmental** There are no environmental issues associated with this report.

**Equity** The personnel training and equipment funded by this grant will enhance the Department's ability to analyze biological evidence in homicide and sexual assault cases in a more timely fashion.

#### **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 of up to \$82,727 from the U.S. Department of Justice, National Institute of Justice, and appropriate said funds to the Police Department Criminalistics Division.

#### **ACTION REQUESTED BY THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

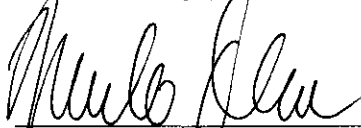
Respectfully submitted,



Richard L. Word  
Chief of Police

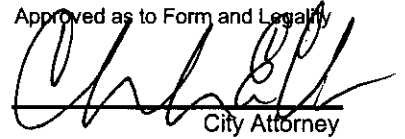
Prepared by: Candice Jessie  
Administrative and Technical Services Division  
Bureau of Services

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

Item: \_\_\_\_\_  
Public Safety Committee  
November 9, 2004

  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

2004 OCT 28 PM 1:55

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF EIGHTY-TWO THOUSAND SEVEN HUNDRED AND TWENTY-SEVEN DOLLARS (\$82,727) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR THE 2004 DNA CAPACITY ENHANCEMENT PROGRAM**

**WHEREAS**, grant funds totaling \$82,727 have been awarded by the U.S. Department of Justice, National Institute of Justice to support the Police Department's DNA Capacity Enhancement Program; and

**WHEREAS**, the DNA Capacity Enhancement Program was created to improve the infrastructure and analysis capabilities of laboratories that conduct DNA analysis; and

**WHEREAS**, the grant term for the proposed initiative is October 1, 2004 through May 31, 2006; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or her designee to accept grant funds in the amount of \$82,727 from the U.S. Department of Justice, National Institute of Justice and to increase revenues and appropriate said budget to the Police Department; and be it

**FURTHER RESOLVED:** That said grant funds shall be maintained in the Federal Grant Fund: 2112; Criminalistics Division Org.: 102610; Criminalistics Program PS05; in a Project Number to be established; and be it

**FURTHER RESOLVED:** That equipment maintenance costs beyond the first year of acquisition (with an annual estimated cost of \$2,000) will be expensed to the General Fund: 1010; Criminalistics Division Org.: 102610; Criminalistics Program: PS05; Maintenance Account: 54612; and be it

**FURTHER RESOLVED:** That the City Administrator or her 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, \_\_\_\_\_, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California