

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: October 11, 2005

2005 SEP 29 PM 2: 31

Re: A Report and Proposed Resolution Authorizing the City Administrator to Accept and Appropriate Grant Funds in the Amount of Sixty-Nine Thousand Five Hundred Twenty-Four Dollars (\$69,524) from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for the 2005 Forensic Casework DNA Backlog Reduction Grant Program in the Police Department

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 \$69,524 from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for the 2005 Forensic Casework DNA Backlog Reduction Program. The proposed program period is October 1, 2005 through September 30, 2006. The funds will be used to supplement the cost of processing DNA analysis reference samples obtained from Cold Hit cases. The funds will also be used to analyze additional biological evidence associated with these cases for investigative purposes and, ultimately, prosecution. The DNA analyses will be conducted by the Police Department's Criminalistics Division, Forensic Biology Unit.

FISCAL IMPACT

It is anticipated that the Department will receive federal grant funds in the amount of \$69,524 for DNA analysis of biological evidence. 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. There are no matching fund requirements. Expense allocations are:

Description and Use of Funds	Amount
Laboratory staff overtime: DNA Technical Lead, Criminalist III, Criminalist IIs, Criminalist I, DNA Analysts and a forensic DNA Technician	\$59,044
DNA Supplies and DNA Typing Kits	10,480
Total	\$69,524

Item: 4
Public Safety Comte.
October 11, 2005

The applicable costs of Central Services Overhead (CSO) charges associated with the \$59,044 charges for salary and wages equals \$10,492, based on a 17.77% calculation rate. However, the granting agency specifically disallows indirect (CSO) charges. Therefore, the Department requests a waiver for applicable Central Services Overhead charges.

BACKGROUND

The advent of DNA technology has revolutionized the genetic analysis of biological evidence and, in particular, semen evidence encountered in sexual assaults. Coinciding with the revolution of genetic analysis has been the utilization of DNA databases (Combined DNA Index System – CODIS). The usefulness of the database rests on entering DNA profiles from probative evidence in all cases. Once entered into the database, the samples can be searched against profiles of convicted offenders and other evidence profiles locally, statewide, and nationally. A “hit” in such a search could link cases together and/or lead to the successful investigation and prosecution of a violent assailant. Based on past experience with DNA profiles obtained from suspectless cases, the crime lab has a 25% ‘Hit-Rate’¹.

Since October 2000, the City of Oakland has 88 named individuals obtained through CODIS as a result of the analyses conducted on suspectless sexual assaults and homicides under the California Cold Hit Program. The Laboratory anticipates an additional 34 names individual-to-case matches will be obtained through CODIS from backlog cases analyzed under the 2004 Forensic Casework DNA Backlog Reduction Program.

Due to the quantity of contemporary cases with suspects, the current Criminalistics Laboratory Forensic Biology Unit staffing levels, and the current method of sample processing, the OPD is unable to absorb the analysis of the biological material associated with these Cold Hit cases into routine casework. The analysis of these Cold Hit cases involves using experienced DNA analysts, plus time and resources.

KEY ISSUES AND IMPACTS

The DNA analysis of the biological evidence associated with unsolved sexual assault and homicide cases, and subsequent searches of these DNA profiles against the CODIS, and against other case profiles, can determine if any sample matches exist. The outcome of such cross-referenced searches could lead to the arrest and prosecution of violent individuals, and/or the elimination of a particular individual as a suspect in a given crime. The ability of the laboratory to conduct the DNA analyses as a matter of routine, in a reduced turn-around time, will ultimately lead to the solving crimes in less time.

¹ “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 to be examined.

SUSTAINABLE OPPORTUNITIES

Economic

Whenever possible, supplies and equipment will be purchased locally.

Environmental

There are no environmental issues associated with this report.

Equity

Support personnel and supplies 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

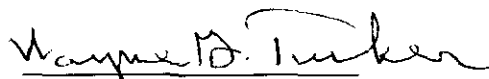
The Oakland Police Department recommends that the City Council authorize the City Administrator to accept grant funds in the amount of \$69,524 from the U.S. Department of Justice, National Institute of Justice, and appropriate said funds to the Police Department Criminalistics Division.

Item: _____
Public Safety Comte.
October 11, 2005

ACTION REQUESTED BY THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



Wayne G. Tucker
Chief of Police

Prepared by: Jennifer Mihalovich
Criminalistics Division
Bureau of Investigation
and Candice Jessie
Fiscal Services Division
Bureau of Administration

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

Item: 4
Public Safety Comte.
October 11, 2005

OAKLAND CITY COUNCIL

[Signature]
City Attorney

OFFICE OF THE CITY CLERK
21.41.1100

RESOLUTION No. _____ C.M.S.

2005 SEP 23 PM 2:31

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF SIXTY NINE THOUSAND FIVE HUNDRED TWENTY-FOUR DOLLARS (\$69,524) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR THE 2005 FORENSIC CASEWORK DNA BACKLOG REDUCTION PROGRAM IN THE POLICE DEPARTMENT

WHEREAS, grant funds totaling \$69,524 have been awarded by the U.S. Department of Justice, National Institute of Justice to support the Police Department's 2005 Forensic Casework DNA Backlog Reduction Program; and

WHEREAS, the Forensic Casework DNA Backlog Reduction Program was created to assist laboratories in reducing the number of cases in their backlog in which DNA analyses may be conducted on biological evidence; and

WHEREAS, the proposed grant does not allow for any indirect costs (Central Services Overhead) charges in the amount of \$10,492, and the Department has requested a waiver of said charges; and

WHEREAS, the grant term for the proposed initiative is October 1, 2005 through September 30, 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 \$69,524 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 Central Services Overhead costs of \$10,492 (17.77%) are hereby waived; 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

4
PUBLIC SAFETY CMTE.

OCT 11 2005

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California