

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) ACCEPT AND APPROPRIATE ONE HUNDRED FORTY-SEVEN THOUSAND SIX HUNDRED FORTY-SIX DOLLARS (\$147,646) IN SEXUAL ASSAULT EVIDENCE SUBMISSION GRANT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE (CA DOJ) BUREAU OF FORENSIC SERVICES, TO PROCESS UNTESTED SEXUAL ASSAULT EVIDENCE KITS IN THE OAKLAND POLICE DEPARTMENT (OPD); 2) ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH CA DOJ BUREAU OF FORENSIC SERVICES TO DEFINE GRANT REIMBURSEMENT RULES; AND 3) TO AUTHORIZE THE GENERAL PURPOSE SERVICES FUND TO CONTRIBUTE FOUR THOUSAND NINE HUNDRED SEVENTY FOUR DOLLARS (\$4,974) TO COVER THE RELATED CENTRAL SERVICES OVERHEAD CHARGES.

WHEREAS, the CA DOJ Bureau of Forensic Services Sexual Assault Evidence Submission Grant (SAESG) program is designed to assist statewide county and city local law enforcement agencies to test sexual assault forensic evidence, to support the requirements outlined in Assembly Bill 3118 (Chiu, 2018); and

WHEREAS, grant funds totaling one hundred forty-seven thousand six hundred forty-six dollars (\$147,646) have been awarded by CA DOJ to OPD to cover overtime for staff to complete the screening and DNA typing of approximately 119 sexual assault evidence kits; and

WHEREAS, the grant sward period of performance is April 1, 2024 through March 1, 2027; and

WHEREAS, a list of technologies was introduced by the Crime Lab to the Privacy Advisory Commission (PAC) where both a Surveillance Impact Report and a Biometric Technology Use Policy for DNA Instrumentation and Analysis Software were provided to and recommended by the PAC in accordance with [Resolution No. 88388 C.M.S.](#), on December 1, 2020; and

WHEREAS, the City Council previously authorized acceptance of a similar grant funds by [Resolution No. 88359 C.M.S.](#), dated November 10, 2020; and

WHEREAS, Article V, Section 504(l) of the Oakland City Charter requires that the City

Council approve all inter-agency relationships such as between OPD and CA DOJ; therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator to accept and appropriate grant funds in an amount not to exceed \$147,646 from the State of California, Department of Justice (CA DOJ); and be it

FURTHER RESOLVED: That the City Administrator is authorized to enter into an MOU and sign all related documents with CA DOJ Bureau of Forensic Services to define grant reimbursement rules; and be it

FURTHER RESOLVED: That said grant funds shall be maintained in the State of California Fund (2159); Criminalistics Organization (102610), in a Project to be determined; and be it

FURTHER RESOLVED: That funding for Central Services Overhead will be authorized from General Purpose Fund (1010), Org (102610), Project (TBD), Central Services Overhead Account (58522), Program (TBD).

FURTHER RESOLVED: that the Department continues to be in compliance with O.M.C 9.64.030 2 regarding DNA technology by virtue of the Department providing to the Privacy Advisory Commission (PAC) a list of all DNA technology used by the Crime Lab included in the Impact Statements and Use Policies which were both approved by Council in [Resolution No. 88388 C.M.S.](#), on December 1, 2020; and be it

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

FURTHER RESOLVED: That any agreement authorized by this resolution shall be reviewed and approved by the Office of the City Attorney for form and legality prior to execution, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – KAPLAN, KALB, FIFE, RAMACHANDRAN, GALLO, JENKINS, REID, and PRESIDENT BAS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

Asha Reed
City Clerk and Clerk of the Council
of the City of Oakland, California