

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 Ninety-Eight Thousand Three Hundred Forty-Four Dollars (\$98,344) from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for the 2004 Forensic Casework DNA Backlog Reduction Program

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 \$98,344 from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for the 2004 Forensic Casework DNA Backlog Reduction Program. The proposed program period is October 1, 2004 through May 31, 2006. The funds will be used to supplement the cost of the DNA analysis of biological evidence associated with criminal cases currently backlogged in 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 \$98,344 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. The Criminalistics Laboratory DNA Technical Lead will be responsible for program administration. The program liquidation period is 90 days following the program end date. There are no matching funds requirements, and there are recurring costs associated with the proposed expenditures. 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	\$16,504
Automated DNA Supplies and DNA Typing Kits	78,907
Indirect Costs (17.77%)	2,933
Total	\$98,344

Item: _____
Public Safety Committee
November 9, 2004

BACKGROUND

The Oakland 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 combined effect of these categorical distinctions is an increase in the homicide and sexual assault case request backlog to 324. The Laboratory will analyze 70 of these backlogged cases using the 2003 Paul Coverdell National Forensic Science Improvement Act grant funds, specifically for the salary of a Criminalist II. Therefore, those 70 backlog case requests are not considered a part of the 2004 Forensic Casework DNA Backlog Reduction Program. Funding through the 2004 Forensic Casework DNA Backlog Reduction Program will be used for the analysis of the remaining 254 backlogged case requests, of which it is anticipated that 190 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 equipment during 2004 and the use of a single amplification kit containing the 13 core Combined Offender DNA Indexing System (CODIS) loci, the turn around time is expected to decrease to less than 100 days. This decrease will enable staff to increase the number of case requests completed annually. The DNA profiles obtained from probative evidence will be entered into CODIS. A DNA match through CODIS can then be used to link a named individual to another case. Based on past experience with DNA profiles obtained from suspectless cases, the crime lab anticipates a 25% 'Hit-Rate'¹.

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 toward the reduction in overall DNA case analysis turn around time.

KEY ISSUES AND IMPACTS

The advent of DNA technology has revolutionized law enforcement's ability to analyze biological evidence, in particular semen evidence encountered in sexual assaults, at a genetic level. Coinciding with this revolution of genetic analysis has been the utilization of computer-base 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 (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

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.

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.

PROJECT DESCRIPTION

Objective #1 Validate the Use of Automated DNA Extraction

Implement the use of automated DNA extraction procedures on reference samples and biological material recovered from evidence associated with the 254 homicides and sexual assault case requests currently listed on the backlog and contemporary cases.

The new automated DNA extraction equipment will decrease the amount of time it takes the Laboratory to complete homicide and sexual assault case requests where biological material is subjected to DNA typing. The Laboratory will conduct validation studies, prepare Laboratory protocols, and implement the use of automated DNA extraction in the analysis of biological material. Staff anticipates a time reduction of two to three hours of “hands-on” time per case request. Applied to the 254 case requests, it will result in up to 762 hours of additional time to complete other tasks pertinent to casework, complete the requests of additional case requests, and increase the number of completed case requests annually.

Objective #2 Use a Single DNA Amplification Kit in Order to Obtain the 13 Core CODIS Loci

The Laboratory will further decrease the turn-around time for the completion of homicide and sexual assault case requests in which biological material is to be subjected to DNA typing. To accomplish this, the Laboratory will implement the use of the AmpFLSTR® Identifiler® PCR Amplification kit. The AmpFLSTR® Identifiler® PCR Amplification kits amplify 15 STR loci and amelogenin. The CODIS 13 core loci are a subset of the 15 STR loci in this kit. Staff anticipates a time reduction of four to six hours of the analyst’s hands-on time per case. Applying the time reduction to the 254 cases will result in up to 1,524 hours of additional time available to the analyst to complete other tasks pertinent to casework and to complete the analyses of other case requests.

Objective #3 Backlog Reduction by Conducting Case Analyses on an Overtime Basis

The Forensic Biology Unit staff will also be able to decrease the turn-around time for the completion of homicide and sexual assault case requests by conducting portions of the analytical work on an overtime basis. Although this will not decrease the total number of hours spent on the actual case, the decrease in turn-around time will become apparent in terms of the average number of days required to complete a case. Staff anticipates a decrease from the year 2002 turn-around time of 133 days to less than 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 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.

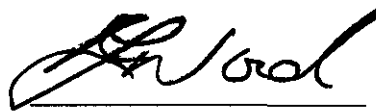
RECOMMENDATION

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept grant funds in the amount of \$98,344 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.

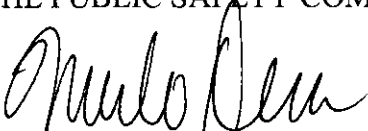
Respectfully submitted,



Richard L. Word
Chief of Police

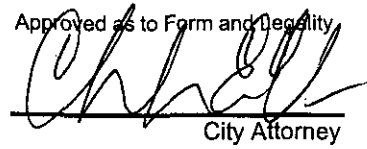
Prepared by: Candice Jessie
Administrative and Technical Services Division
Bureau of Services

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

Item: _____
Public Safety Committee
November 9, 2004



City Attorney

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____ C.M.S.

2004 OCT 28 PM 1:52

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF NINETY EIGHT THOUSAND THREE HUNDRED FORTY-FOUR DOLLARS (\$98,344) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR THE 2004 FORENSIC CASEWORK DNA BACKLOG REDUCTION PROGRAM

WHEREAS, grant funds totaling \$98,344 have been awarded by the U.S. Department of Justice, National Institute of Justice to support the Police Department's 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 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 \$98,344 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 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