

# CITY OF OAKLAND

## AGENDA REPORT

**To:** Office of the City Administrator  
**Attn:** Deborah Edgerly  
**From:** Police Department  
**Date:** October 2, 2007

**Re: A Supplemental Report on a Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Grant Funds in an Amount Not to Exceed One Hundred Forty-Five Thousand Five Hundred and Forty-Seven Dollars (\$145,547) from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for Implementation of the 2007 Forensic Casework DNA Backlog Reduction Grant Program in the Police Department**

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### SUMMARY

On September 25, 2007, the Police Department presented a report and proposed resolution to the Public Safety Committee which authorized the acceptance of \$145,547 in grant funds for the 2007 Forensic Casework DNA Backlog Reduction Grant Program. This Supplement Report responds to a request by members of the Public Safety Committee regarding the nature and extent of the backlog of cases confronting the Forensic Biology Unit in the Police Department's Criminalistics Division.

### KEY ISSUES AND IMPACTS

There are several different ways to define backlog, for example:

1. The number of requests received from investigators by the crime laboratory which have not been completed as of a given point in time.
2. The number of sexual assault cases in which the Department has recovered evidence (i.e., sexual assault evidence kits) that have not been examined in a given interval of time.
3. The number of all cases in which the Department has recovered evidence that might solve a case, or may show a connection to other cases, that has not been examined.

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***Backlog of Requests from Investigators***

The Criminalistics Division began calendar year 2007 with a backlog of 291 Forensic Biology requests. As of June 30, 2007, the backlog had increased to 302. Request throughput for this six month period is shown below:

<b>Requests Received</b>	<b>Requests Completed</b>	<b>Requests Canceled</b>	<b>Requests Resulting in DNA Analysis</b>
148	120	17	100

In approximately 83% of requests during this period, a sufficient amount of biological material was recovered to permit a DNA analysis.

***Backlog of Sexual Assault Cases***

Three Full-Time Equivalent (FTE) Criminalist positions were added to the Police Department's Criminalistics Division budget in July 2006 for the purpose of increasing the Department's ability to analyze the sexual assault evidence kits received. These FTE positions were filled in 2007, and incumbents are progressing through comprehensive training. We expect all three to advance to casework by January 2008.

At the direction of Council, staff developed a Performance Based Budget measure to track the percentage of sexual assault kits associated with rape or other serious sexual assault offenses received by the Department during the reporting period that is analyzed for DNA database searching purposes. Those that are not analyzed during the period would be considered backlogged.

In FY 06-07, the Department received 253 sexual assault kits in rape or other serious sexual assault offenses; 86 (34%) were analyzed for DNA database purposes; 40 of the 83 cases analyzed (48%) produced data that was suitable for a DNA database search. The balance of 167 (66%) cases is considered "backlogged".

Since the end of the enrollment period for the Cold Hit Grant in October 2003, a similar percentage of unanalyzed cases has accumulated each year. The exact numbers are not available within the period of time required to submit this Supplemental Report.

However, as previously reported to Council:

- In 2004, 62% of sexual assault evidence kits collected were not requested for analysis
- In 2005, 66% of sexual assault evidence kits collected (181) were not requested for analysis

The Criminalistics Division's goal in FY 07-08 is to analyze 40% of the sexual assault cases in which evidence has been received during the reporting period. The Division's goal for FY 2008-09 is to increase this number to 80%.

### ***Backlog of All Cases***

There are many cases that might be assisted or solved by an analysis of probative biological evidence. These range in severity and complexity from old, unsolved homicides to current property crime cases. An exact number of cases that could benefit from DNA analysis is not available within the period of time required to submit this Supplemental 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 \$145,547 from the U.S. Department of Justice, National Institute of Justice, 2007 Forensic Casework DNA Backlog Reduction Grant Program and appropriate said funds to the Police Department.

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**ACTION REQUESTED BY THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

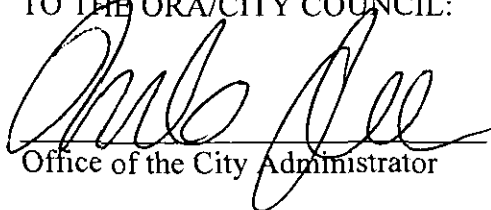
Respectfully submitted,



Wayne G. Tucker  
Chief of Police

Prepared by: Mary Gibbons  
Manager, Criminalistics Division  
Bureau of Investigation  
And  
Candice Jessie  
Budget and Grants Administrator  
Bureau of Administration

APPROVED AND FORWARDED  
TO THE ORA/CITY COUNCIL:

  
Office of the City Administrator

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