

**CITY OF OAKLAND  
AGENDA REPORT**

**FILED**  
OFFICE OF THE CITY CLERK  
OAKLAND

**2009 SEP - 3 PM 5:08**  
To: Office of the City Administrator  
Dan Lindheim  
From: Police Department  
Date: September 15, 2009

**Re: 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 Two Hundred Fifty Thousand Dollars (\$250,000) from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for Implementation of the Fiscal Year 2009 Forensic Casework DNA Backlog Reduction Grant Program in the Police Department**

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**SUMMARY**

This report and resolution authorizes the City Administrator, on behalf of the City of Oakland, to accept and appropriate grant funds in an amount not to exceed \$250,000 from the U.S. Department of Justice, National Institute of Justice (USDOJ/NIJ) for implementation of the Fiscal Year 2009 Forensic Casework DNA Backlog Reduction Program. The proposed program period is October 1, 2009 through September 30, 2010. The funds will be used to offset costs to the Police Department's Criminalistics Division Forensic Biology Unit relative to increased capabilities in analyzing biological evidence associated with criminal cases.

**FISCAL IMPACT**

Approval of the proposed resolution will authorize the application, acceptance and appropriation of U.S. Department of Justice, National Institute of Justice, grant program funds for the Police Department's Fiscal Year 2009 Forensic Casework DNA Backlog Reduction Program for the project term beginning October 1, 2009, in the estimated amount of \$250,000. Funding will be appropriated to the Federal Grant Fund (2112); Criminalistics Division Org. (102610); Criminalistics Division Program (PS05), in a Project Account to be determined. The funding agency does not require a matching funds component. Proposed expense allocations are as follows:

<b>Description and Use of Funds</b>	<b>Amount</b>
Criminalistics Division Staff	
Travel/Training	<b>\$23,625</b>
DNA Extract Robot	<b>\$53,590</b>
Digital Microscope	<b>\$55,075</b>
Real Time PCR and Thermal Cycler	<b>\$65,090</b>
DNA Supplies (Multiple)	<b>\$18,080</b>
LIMS Consultant	<b>\$34,540</b>
<b>Total</b>	<b>\$250,000</b>

Item: \_\_\_\_\_  
Public Safety Comte.  
September 15, 2009

## **BACKGROUND**

The Fiscal Year 2009 DNA Forensic Casework Backlog Program was created to assist laboratories that conduct DNA analysis to improve DNA laboratory infrastructure and analysis capacity so that DNA samples can be processed efficiently and cost effectively, as well as to analyze backlogged forensic DNA casework samples from Uniform Crime Report (UCR), Part 1 Violent Crimes. These improvements are critical to preventing future DNA backlogs and to helping the criminal justice system use the full potential of DNA technology. The improvements allow staff to process DNA samples in a more efficient and cost-effective manner. Grant funds will support the purchase of DNA typing equipment and supplies, training for laboratory scientists, improvement of the intranet structure, and enhancements to laboratory staffing.

The Forensic Biology Unit case completion time for the year 2008 was 213 business days from the date of request from the investigator to the publication of the report. This is higher than previous years due to the completion of several very old homicide cases. Upon implementation of the Laboratory Information Management System (LIMS), the DNA processing instrumentation and a fully trained staff, the turnaround time is expected to decrease to less than 100 business days. This decrease in turnaround time and the increase in the number of DNA samples analyzed will enable the lab to increase the number of cases completed annually.

The DNA profiles obtained from probative evidence will be entered into the Combined DNA Index System (CODIS). Based upon past experience with DNA profiles obtained from suspectless cases, staff anticipate a 35% 'Hit-Rate'<sup>1</sup>. This will assist not only Oakland Police Department investigators, but also the Alameda County District Attorney, and other law enforcement, prosecutorial, and judicial agencies in the surrounding area.

## **KEY ISSUES AND IMPACTS**

The advent of DNA technology has revolutionized law enforcement's ability to analyze biological evidence at a genetic level, 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 CODIS 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 violent individuals. Additionally, DNA typing may lead to the elimination of a particular individual as a crime suspect. The ability

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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.

of the laboratory to conduct the DNA analyses as a routine matter, with a shorter turn-around time, will ultimately lead to solving crimes.

## **PROJECT DESCRIPTION**

### **Objective #1**

#### Increase Current DNA Processing Capacity with Additional Instrumentation

The Laboratory will increase the number of cases and decrease the turnaround time for the completion of all cases in which biological material is to be subjected to DNA typing by reducing the potential bottleneck locations. This will be accomplished by adding redundancy to the instruments we currently are utilizing in the evidence examination and DNA processes.

### **Objective #2**

#### Use of LIMS to Enhance Efficiency—Role of the LIMS Coordinator

The laboratory is currently in the process of developing a LIMS for which OPD has outside funding for the software and hardware. This laboratory has five major functional units, which do not operate independently from the overall Criminalistics Laboratory. Therefore, the laboratory's LIMS must be compatible with laboratory-wide current practices and yet still be unique for each unit. This is the main reason why an off-the-shelf system is not suitable for our laboratory needs.

Grant funds shall be used to hire a LIMS Coordinator on a part-time, contractual basis, and in keeping with the City's hiring practices. The LIMS Coordinator shall have the necessary knowledge of a working forensic science laboratory, knowledge of how LIMS systems operate in the forensic lab environment and, most importantly, be able to work with the vendor to bring forward a user friendly, comprehensive system for the laboratory. The LIMS coordinator would limit the involvement of analytical staff in the design and implementation of the system, thus increasing analyst time availability for casework. However, the coordinator would work closely with the scientists, laboratory supervisors and manager to achieve the best possible system with the least negative impact on staff time.

Item: \_\_\_\_\_  
Public Safety Committee.  
September 15, 2009

### **Objective #3**

#### Maintain the Ability to Enter DNA Profiles Obtained from Biological Evidence into CODIS by Meeting Continuing Education Requirements

During the grant period, 11 Forensic Biology Unit staff members (two are new to the Lab DNA procedures and three have less than three years of experience) will need to attend training and continuing education programs. The training requested will improve the quality of the Criminalistics Division's work product in that analysts will be informed on the most current research and technical information available. Additionally, the training will assist the Laboratory in meeting the requirements for continuing education. The proposed training venues are as follows:

- Promega International Human Identity Conference
- The American Academy of Forensic Sciences
- BODE Advanced DNA Workshop
- California Association of Criminalists Semi-Annual Conference
- DNA Quantitation and STR Analysis Courses
- Crime Scene Courses

### **SUSTAINABLE OPPORTUNITIES**

#### Economic

Whenever possible, supplies and equipment will be purchased locally.

#### Environmental

There are no environmental issues associated with this report.

#### Equity

Provisions for continuing education and supplies funded by this grant will enhance the Department's ability to analyze biological evidence in 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.

Item: \_\_\_\_\_  
Public Safety Committee.  
September 15, 2009

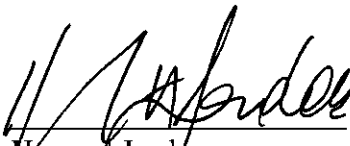
**RECOMMENDATION**

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept grant funds in an amount not to exceed \$250,000 from the U.S. Department of Justice, National Institute of Justice, Fiscal Year 2007 Forensic Casework DNA Backlog Reduction Grant Program and appropriate said funds to the Police Department.

**ACTION REQUESTED BY THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

  
Howard Jordan  
Acting Chief of Police

Prepared by: Jennifer Mihalovich  
Criminalistics Division  
Bureau of Investigation  
and  
Candice Jessie  
Budget and Grants Administrator  
Office of the Chief of Police

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:

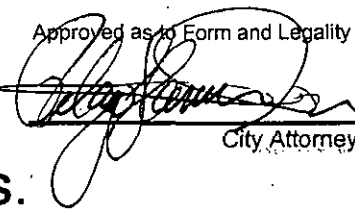
  
Office of the City Administrator

Item: \_\_\_\_\_  
Public Safety Committee.  
September 15, 2009

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OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2009 SEP -3 PM 5:06 RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) FROM THE U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE (USDOJ/NIJ) FOR IMPLEMENTATION OF THE FISCAL YEAR 2009 FORENSIC CASEWORK DNA BACKLOG REDUCTION GRANT PROGRAM IN THE POLICE DEPARTMENT**

**WHEREAS**, it is anticipated that grant funds in an amount not to exceed \$250,000 shall be awarded by the U.S. Department of Justice, National Institute of Justice to support the Police Department's fiscal year 2009 implementation of the 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, 2009 through September 30, 2010; and

**WHEREAS**, the City Council previously authorized acceptance of similar grant funds by Resolution No. 81624 C.M.S., dated October 21, 2008, Resolution No. 80869 C.M.S., dated October 2, 2007, Resolution No. 80129 C.M.S., dated September 19, 2006, Resolution No. 79534 C.M.S., dated October 18, 2005, and Resolution No. 78909 C.M.S., dated November 16, 2004; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to accept grant funds in an amount not to exceed \$250,000 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 Division Program (PS05), in a Project Number to be established; and be it

**FURTHER RESOLVED:** That the City Administrator or his 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, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California