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2015 APR 30 AM 11:46

AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Sean Whent

SUBJECT: Investigative Capacity of the
Oakland Police Department

DATE: April 29, 2015

City Administrator
Approval

Date

4/30/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the Public Safety Committee accept this Informational Report from the Oakland Police Department (OPD) on the Investigative Capacity of the Criminal Investigations Division (CID).

OUTCOME

This report will help facilitate discussion between the Oakland Police Department and the Public Safety Committee regarding the investigative capacity of the Criminal Investigation Division.

EXECUTIVE SUMMARY

As requested by Council Member Dan Kalb, this report will attempt to answer all of the following requests:

- What percentage of serious crimes are investigated by CID?
- What are actual staffing levels for sworn investigators and what would be ideal?
- How many Police Evidence Technicians (PETs) does OPD have? Are some investigations not possible due to an insufficient number of PETs?
- In what ways is crime lab staffing or the facility itself a factor in the success in investigations?
- What is the status of Bratton-Wasserman recommendations as they relate to investigations?
- What is relationship between CID and the Alameda County District Attorney's Office?

Item: _____
Public Safety Committee
May 12, 2015

As discussed in the Analysis section of this report, the Oakland Police Department has identified a need to add the following positions:

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- Twenty Sergeants of Police
 - One-hundred forty-nine Police Officers
 - Thirty-five Criminalists
 - Fifty-four Police Evidence Technicians
 - One Police Services Manager I
 - Two Management Assistants (or Supervising Crime Analysts, as a new classification)
 - Sixteen Administrative Analyst IIs (or Crime Analysts, as a new classification)

Of the above identified needs, two of the additional five Sergeant positions and eleven of the additional thirty-five Officer positions included in the city of Oakland FY 15-17 Proposed Budget are designated for CID. Four additional Police Evidence Technician (PET) positions are also included in the Proposed Budget as potentially funded items as Policy and Service Tradeoffs.

This report also recommends substantial expansion or replacement of the current Crime Lab to accommodate additional positions. A capital improvement project proposal for expansion has been submitted to the Budget Office and is currently unfunded.

BACKGROUND / LEGISLATIVE HISTORY

The Criminal Investigation Division (CID) of the Oakland Police Department is charged with conducting follow up investigations on major crimes in the City of Oakland. The Division is led by a Captain of Police, who supervises six Lieutenants of Police. Each Lieutenant oversees one of the following sections:

- Homicide
- Robbery and Burglary
- Theft/Misdemeanor Crimes and Field Support/Task Forces
- Special Victims
- Youth and Family Services
- Felony Assault and Gangs

The CID Captain reports to the Assistant Chief of Police.

ANALYSIS

Investigations of Serious Crimes

The following table provides the percentage of reported crimes assigned to investigators since 2009. Data is largely unavailable prior to 2009.

	2009	2010	2011	2012	2013	2014
Homicide	100%	100%	100%	100%	100%	100%
Robbery	18%	24%	34%	N/A	26%	20%
Burglary	N/A	N/A	N/A	N/A	4%	3%
Aggravated Assault	12%	28%	27%	N/A	N/A	66%
Domestic Violence	66%	26%	49%	92%	64%	68%
Sexual Assault and Child Abuse	100%	100%	100%	100%	100%	100%
Vice/Child Exploitation	100%	100%	90%	100%	100%	77%

Data identified as N/A (Not Available) in the above table is not available due to multiple reorganizations of CID over the last several years. The number of cases reported annually has been based on the structure of CID and not necessarily on the classification of the crimes. For example, burglary was assigned to the Theft Section in 2010 along with auto theft, identity theft, forgery, elder financial abuse, and grand and petty theft. No distinction was made as to how many of the 26,798 reports received (and 1,498 cases assigned) were burglary.

Staffing Levels of Sworn Investigators: Current and Ideal

There are 133 sworn and 19 civilian positions allocated to CID. As of the writing of this report, all 19 civilian positions are filled. The following table provides approved and actual staffing levels for sworn investigators as of December 31, 2014.

Section	Sergeants			Officers		
	Approved	Actual	Ideal	Approved	Actual	Ideal
Homicide	6	5	8	6	5	8
Robbery and Burglary	3	2	5	13	11	27
Theft/Misdemeanor Crimes and Field Support/Task Forces	2	1	Unk.	19	18	Unk.
Special Victims	4	4	18	27	25	140
Youth and School Services	3	1	Unk.	16	16	Unk.
Felony Assault and Gangs	3	3	5	18	18	38

HOMICIDE SECTION

A 2008 study by the Federal Bureau of Investigation (FBI) found that of 55 agencies with a minimum of 25 homicides per year for five years, homicide investigators handled an average of five cases annually. The study found that law enforcement agencies with smaller homicide investigator caseloads had a 5.4 percent higher clearance rate than those agencies with larger

homicide investigator caseloads.¹ The Oakland Police Department currently has 12 investigators. There were 86 homicides (including 80 murders) in 2014, resulting in an average of nearly seven homicide cases per investigator. Decreasing the caseload to meet the average from this study would require increasing the number of OPD homicide investigators to 16 in order to meet the demand generated by the current high crime rate.

SPECIAL VICTIMS SECTION

A 2014 survey was conducted by OPD concerning the investigator caseloads within the Special Victims Unit and the Domestic Violence Unit. Alameda County law enforcement agencies have an average caseload of 20 to 25 per investigator. At the time of the survey, OPD was averaging 147 cases per Special Victims investigator and 657 cases per Domestic Violence investigator. The Special Victims Unit investigates allegations of rape and child molest, abuse, endangerment, pornography, and neglect. In order to meet the countywide average, OPD would require six times the current number of Special Victims Unit investigators and 26 times the current number of Domestic Violence Unit investigators. There are currently seven investigators assigned to the Special Victims Unit and five assigned to the Domestic Violence Unit. To meet the average caseload of investigators in Alameda County law enforcement, the Special Victims Unit would require 42 investigators and the Domestic Violence Unit would require 130 investigators.

Human trafficking is also handled by the Special Victims Section. In order to have greater impact on human trafficking, OPD needs to add a significant number of personnel. Four additional Vice/Child Exploitation Unit investigators are needed to perform operations. Six additional Special Victims Unit investigators are needed to perform follow-up work resulting from these operations.

ROBBERY AND BURGLARY SECTION/FELONY ASSAULT AND GANGS SECTION

Concerning investigator caseloads for Robbery, Burglary, and Aggravated Assault, few guidelines exist. *Attachment A* provides a detailed comparison of the City of Oakland to five other large cities in California. By using 2014 FBI Uniform Crime Report (UCR) information and the current number of specialized investigators actually assigned for each city, the following ratios of reported offenses to investigator were determined:

Table 1: Ratio of Robbery, Burglary, and Aggravated Assault Investigators: Oakland Compared to Anaheim, Fresno, Long Beach, Sacramento, and San Jose

	Robbery	Burglary	Aggravated Assault
Oakland	419:1	735:1	443:1
Average including Oakland	206:1	1,332:1	292:1
Average excluding Oakland	164:1	1,451:1	262:1
Average excluding Oakland and San Jose		522:1	

Oakland and San Jose were both excluded from the burglary ratio because the San Jose Police Department currently has only one burglary investigator due to a severe staffing shortage.

¹ <http://leb.fbi.gov/2008-pdfs/leb-february-2008>

The Oakland Police Department had the highest ratio of offenses to investigators in all categories except for Burglary. If the average number of investigators actually assigned was applied to Oakland, OPD would have 16 Robbery investigators, three Burglary investigators, and nine Aggravated Assault investigators. Excluding Oakland from the averages increases the numbers, to 20 Robbery investigators and 10 Aggravated Assault investigators. Excluding Oakland and San Jose from the Burglary average would call for Oakland to have seven Burglary investigators. (The San Jose Police Department has only one Burglary investigator to handle over 5,000 burglaries per year.)

Concerning Gang investigations, OPD has experienced great success through using the Ceasefire strategy to reduce violent crime in Oakland. One critical component of this success is the ability to respond effectively to shootings through the deployment of a dedicated Crime Reduction Team (CRT). Adding two additional Ceasefire CRTs would greatly enhance violence reduction capabilities and further reduce aggravated assaults.

OTHER SECTIONS

Unfortunately, there is no known way to determine the ideal staffing number for the Theft/Misdemeanor Crimes and Field Support/Task Forces or Youth and Family Services sections of CID. This is due to the fact that both of these sections are so specialized and each one handles such a variety of services, it is unknown how many additional staff are needed. The below table demonstrates the workload of the Theft/Misdemeanor Crimes and Field Support/Task Forces Section for 2014:

Table 2: Theft/Misdemeanor Crimes and Field Support/Task Forces Workload 2014

Classification	Number of Reports
Grand and Petty Theft	10,404
Financial Crimes	2,668
Auto Thefts/Recoveries	9,403
Vandalism	7,564
Assaults/Batteries	3,964
Threats	1,267
Court Order Violations	259
Oakland Municipal Code and Other Crimes	128
Online Reports	20,522

Police Evidence Technicians

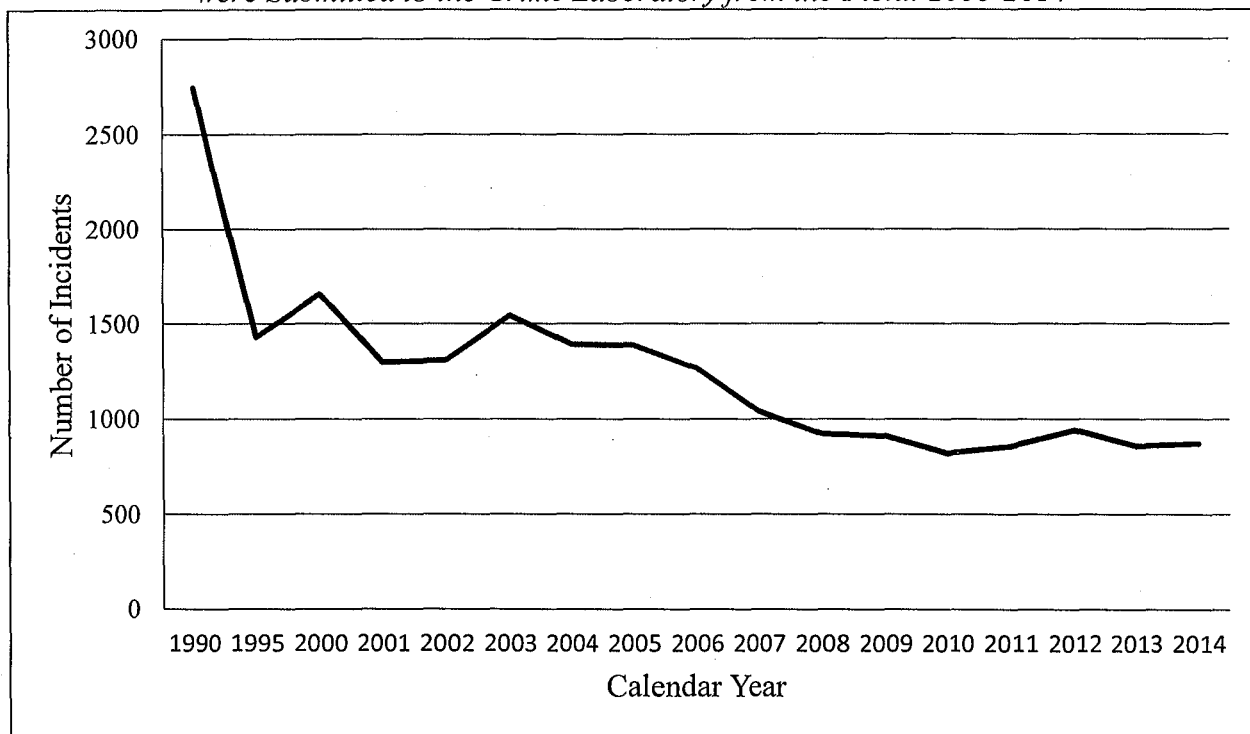
The Oakland Police Department has 18 civilian Police Evidence Technician (PET) positions allocated. All 18 positions are filled as of the writing of this report. In addition, there are four sworn PETs. Three of these sworn Technicians are assigned one to each Patrol shift and the fourth serves as the Evidence Technician Coordinator.

There is an insufficient number of PETs to respond adequately to every significant crime scene in the City of Oakland. Minimum staffing for PETs is two per shift. Each homicide scene requires a minimum of two PETs to process and should use three to four PETs to process well.

Each homicide scene requires a minimum of two hours to process and may take as long as ten hours. After processing the scene, several hours (up to two or three additional shifts) are required to process the evidence collected. With at least 80 homicides annually over the last few years, the availability of PETs to respond to other serious crimes is very limited.

Increasing the number of civilian PETs from 18 to 22 would reduce the number of shifts in which only two PETs are working. This increase would greatly enhance the opportunity for PETs to respond to every significant crime scene. In turn, the evidence collected and processed would provide further opportunity to investigate – and reduce – crime in Oakland. An additional 50 PETs are required to process property crimes for biological and latent fingerprint evidence in coordination with the Crime Lab. There has been a substantial decline in the collection of fingerprint evidence by OPD personnel during the last 25 years, as provided in the below chart:

Chart 1: Number of Incidents in Which Latent Prints were Submitted to the Crime Laboratory from the Field: 2000-2014



Crime Lab Staffing, Facility, and Success in Investigations

The Oakland Police Department has an authorized staff of 33 civilian positions. As of this report, 27 positions are filled. Two of the six vacancies cannot be filled because of inadequate laboratory space for the Firearms Unit. All other units are at capacity as well. Laboratory staffing is a major factor in the success of investigations – principally in latent prints, DNA evidence, and firearms casework. The size of the facility is the single greatest impediment to full staffing. Having an adequately-sized facility would assist in attracting and retaining staff as well as improving casework efficiency while leading to greater success in investigations.

With full staffing, the Forensic Biology Unit is well positioned to meet the demand for service at current levels. The expansion of DNA services to property crimes would certainly require additional analysts. Based on the experience in the United Kingdom (where property crimes are aggressively investigated and DNA testing is routinely used), approximately 10 percent of such crimes result in the collection of biological evidence and 77 percent of those with evidence result in the submission of DNA profiles to the DNA database. The current OPD hit rate in CODIS (Combined DNA Index System) to unknown offenders is on the order of 50 percent, meaning that half of the cases submitted to the DNA database now result in the identification of a previously unknown suspect.

Assuming the United Kingdom experience is predictive, it is estimated additional laboratory staffing ranging from seven to 35 analysts would be required. The number of additional crime laboratory personnel is dependent upon the type of crimes where testing was implemented. There are two choices: all property crimes with biological evidence or burglaries only. Further reductions may be possible if the number of evidence items submitted per case for testing was capped. Based on hit rate alone, there is a significant potential to solve crimes through DNA technology.

A survey of the nine largest police departments (*Attachment A*) in California provides an average of 1,951 reported Part I UCR Crimes per field evidence technician (Police Evidence Technician in OPD). Seven of the nine agencies have field evidence technicians. With 31,093 such crimes reported in the City of Oakland in 2014, sixteen field evidence technicians would be necessary to meet the average. Oakland presently has the third-highest ratio of large California cities, with only San Diego and San Francisco being more understaffed. A true comparison is difficult, as field evidence technicians in other jurisdictions are supplemented by crime laboratory personnel. The only other large jurisdiction in California that has a separation of labor similar to OPD is the San Francisco Police Department. SFPD has 1,994 Part I UCR Crimes per crime lab staff member while OPD has 942.

Chart 1, above, shows the known number of incidents led to the submission of latent prints to the laboratory for the years 1990 to 2014. It is not known how many crime scenes were processed for those years that did not give rise to the submission of latent prints. Thus, it is difficult to predict based on these data how many more cases would result in latent print submissions to the laboratory were all property crime scenes processed.

Based on historical data, 56 percent of all incidents that result in the collection of latent prints include computer searchable (AFIS) prints. If searched, OPD expects the AFIS database to return the source of the prints approximately 50 percent of the time. Based on the last four years of data, OPD receives approximately 500 AFIS quality cases per year. However, only about 72 of these are searched and most of those are associated with person crimes. On average, 428 cases per year are not searched. Those cases represent 214 lost opportunities to solve crime annually. In order to search all the AFIS prints the lab currently receives, OPD estimates a need for two additional examiners. However, those two additional staff members cannot be accommodated in the current facility.

There is no doubt that the expansion of crime scene latent print processing to all property crimes or even just to burglary will dramatically increase the numbers of AFIS searchable prints submitted to the Laboratory. This will require a commensurate increase in latent print staff to process. However, the dividends of collection and testing could be significant for public safety given the repetitious nature of these crimes and the fact that such offenses are a step stone to more serious crime.

Another important consideration in favor of further evidence collection, processing, and testing for property crimes with potential for DNA or latent print evidence is an increase in efficiency. With true intelligence-led policing, it is much more cost effective to use available technology (and accompanying civilian personnel) than to simply assign more sworn investigators who will not be able to make informed decisions based on science.

Based on space considerations alone, significant expansion or rebuilding of the Crime Laboratory is necessary to accommodate the staff currently allotted to the Crime Laboratory, much less any additional positions. Significant additional staff is necessary to process biological evidence and latent print evidence collected by additional Police Evidence Technicians in all property crime cases. Significant expansion or replacement of the Crime Lab is necessary to accommodate additional positions.

Any increase in the number of CID investigators would necessitate a corresponding increase in the number of Crime Laboratory personnel, as the demand for laboratory test results would increase. This, in turn, would necessitate additional space for the Crime Laboratory, which is already insufficient. While there are no established standards for caseload and staff size, there are standards/guidelines on space per staff. These standards/ guidelines provide 800 to 1,000 square feet per staff member. The Crime Laboratory currently provides about 200 square feet per staff member. Actual laboratory space is about 96 square feet per staff member.

A copy of the September 2013 Agenda Report concerning the follow-up to the Grand Jury Report on Crime Laboratory Services (**Attachment B**) provides additional information concerning the OPD Crime Laboratory staffing, facility, and investigation success. **Attachment C** provides further updates in response to the Grand Jury Report.

Bratton-Wasserman Recommendations on Investigations

In May 2013, the Bratton Group, LLC (Bill Bratton) produced a report for the City of Oakland. This report, Rapid and Effective Response to Robberies, Burglaries and Shootings, included a recommendation that each of the five OPD patrol areas be staffed with a District-Investigative Unit (DIU) made up of an investigative sergeant, three experience investigators, and three to five police officers. The recommendation was that the DIU would work staggered hours in the afternoons and evenings seven days a week. This would allow DIU personnel to respond to crime scenes to interview victims, canvass for witness, and gather evidence. The DIU sergeant would be responsible for coordinating with the Criminal Investigations Division (CID), evidence technicians, and the crime laboratory. The DIU sergeant would also report to the Area Captain and represent district investigations at CompStat meetings. The report provided a number of appendices that included detailed information on a district-level case-management system.

The Oakland Police Department attempted to implement the aforementioned recommendation with varying levels of completion over the past two years. Unfortunately, low staffing levels have plagued OPD and prevented full implementation. A previous attempt (in the early 2000s) to decentralize property crimes and some crimes against persons was unsuccessful. Identified problems included an inability to prioritize investigations across geographic areas and inconsistency of training and skill among decentralized staff located outside of the CID office.

What has been successful for CID is a limited implementation in which investigators physically located within CID are assigned to handle specific types of crime in designated patrol areas. In its limited implementation, DIU personnel are housed in CID so that they can report to their respective lieutenants more effectively. The designated personnel also maintain relationships and active communication with respective area captains.

The Oakland Police Department has begun to implement the recommendation from Bratton-Wasserman in Rapid and Effective Response to Robberies, Burglaries and Shootings that DIU personnel work staggered hours in the afternoons and evenings seven days a week to allow response to crime scenes to interview victims, canvass for witness, and gather evidence. As of the writing of this report, there are four investigators working daytime hours and four investigators working evening hours.

Dedicating sworn personnel to be able to immediately respond to robberies that have just occurred will greatly increase opportunities to obtain useful information from victims and witnesses as well as opportunities to arrest suspects. In addition to being able to immediately respond to robberies, officers would be able to perform necessary follow-up investigative work when not investigating a crime that just occurred. This follow-up investigative work would allow traditional CID Robbery Section Investigators to perform other investigative functions.

In October 2013, the Strategic Policy Partnership, LLC (Bill Bratton and Robert Wasserman) produced a report for the City of Oakland. This report, Best Practices Review, included recommendations that the Oakland Police Department:

- Decentralize investigations in the manner recommended by the Bratton Group, LLC.
- Significantly increase the camera monitoring capabilities of the OPD in commercial areas throughout the city to provide identifications and evidence in robbery, burglary, and some shooting cases.
- Establish a new protocol for the processing of fingerprints from burglary scenes so that prints in cases with other leads and/or in cases that have been linked a pattern of burglaries can be submitted for expeditious AFIS comparisons. Hire additional fingerprint analysts as needed to provide this service.

The first recommendation, concerning the decentralization of specific investigations, has been addressed earlier in this report. The second recommendation in the Best Practices Review further stated referred to the use of public cameras and their usefulness in solving crimes. At the December 16, 2014 Public Safety Committee meeting, a private video camera registration

program was discussed. This informational report was received and filed. The third recommendation, concerning the processing of latent fingerprints, does not adequately consider two dimensions: first, there is no more room in the current Crime Lab for the additional fingerprint analysts. Second, even if there was sufficient space and more fingerprint analysts, there is an insufficient number of investigators to follow up on any leads established by the evidence.

In December 2013, the Strategic Policy Partnership, LLC produced an additional report for the City of Oakland. This report, Zeroing Out Crime, expanded crime reduction responsibilities to other City departments. This report reinforced the recommendations of the previous two reports and did not provide any additional recommendations concerning investigations.

Relationship between Investigators and the Alameda County District Attorney's Office
The Oakland Police Department – particularly CID – has an excellent relationship with the Alameda County District Attorney's (District Attorney's) Office. The District Attorney's Office has provided OPD with two full-time Deputy District Attorneys to assist with criminal legal issues and case consultation. One is situated on-site in CID at the Police Administrative Building. The other is co-located with the Domestic Violence Unit and Special Victims Unit at the Family Violence Center.

The below table provides information about the percentage of cases presented to the Alameda County District Attorney's Office that result in the filing of charges for 2014.

Type of Crime	Cases Presented	Cases Charged	Percent Charged
Homicide	44	44	100%
Robbery	287	231	80%
Burglary	126	119	94%

Additional information about charging rates for other crimes is not maintained by OPD.

Crime Analysis

Though not part of the request by Council Member Kalb's Office, the importance of an effective Crime Analysis Section cannot be overstated. At present, OPD has four Administrative Analyst II positions that serve as Crime and Intelligence Analysts. There is currently no separate Crime and Intelligence Analyst classification within the City of Oakland, thus the minimum requirements for the position are no different than for any other Administrative Analyst II position within the City. In addition to a lack of specific credentials, there is a significant lack of capacity to perform Crime Analysis. As part of the forthcoming OPD Strategic Plan, it is recommended that a Crime Analysis Section be created in OPD. This section should include a Police Services Manager I, two Management Assistants (or Supervising Crime Analysts, as a new classification), and twenty Administrative Analyst IIs (or Crime Analysts, as a new classification).

A survey of the nine largest police departments (*Attachment A*) in California provides an average of 4,152 reported Part I UCR Crimes per crime analyst. With 31,093 such crimes

reported in the City of Oakland in 2014, eight crime analysts would be necessary to meet the average. Oakland presently has the second-highest ratio of large California cities, with only Fresno being more understaffed.

The return on investment in creating a Crime and Intelligence Analysis Section would be substantial in making the City of Oakland a safer community. The analysis performed by the section would provide CID, Ceasefire, and all other operational units with information that would allow sworn personnel to perform in a far more efficient manner. Due to caseload and other more appropriate duties, sworn investigators do not currently have the opportunity to perform adequate crime analysis to determine patterns or trends. Even with properly trained Administrative Analyst IIs in this role, the sheer volume of crime dictates much greater numbers of personnel. Having an effective Crime Analysis Section in place would greatly increase OPD efficiencies – particularly CID – and lead to lower crime throughout the City of Oakland.

PUBLIC OUTREACH/INTEREST

This is of public interest as it directly relates to safety within the Oakland community.

COORDINATION

The Office of the City Attorney was consulted in preparation of this report.

SUSTAINABLE OPPORTUNITIES


Economic: There are no economic opportunities identified in this report.

Environmental: No environmental opportunities have been identified.

Social Equity: This report provides valuable information to the Oakland community regarding social equity through criminal investigation and crime reduction.

For questions regarding this report, please contact Captain Kirk Coleman, Criminal Investigation Division, at (510) 238-4486 or Police Services Manager Mary Gibbons, Criminalistics Section, at (510) 238-3386.

Respectfully submitted,



Sean Whent
Chief of Police
Oakland Police Department

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Police Services Manager I
Research and Planning
Office of the Chief
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Attachment A: Investigators, Field Evidence Technicians, Crime Laboratory Personnel, and Crime Analysts in Large California Cities

Attachment B: September 5, 2013 Agenda Report:
Follow-Up to Grand Jury Report on Crime Lab Services

Attachment C: Progress Report Regarding the Grand Jury's Recommendations contained in their 2012 Report as of April 17, 2015

Ratio of Investigators to Selected Offenses for Six Large California Cities

City	Population	Sworn Personnel	Robbery			Burglary ¹			Aggravated Assault		
			Offenses	Investigators	Ratio	Offenses	Investigators	Ratio	Offenses	Investigators	Ratio
Anaheim ²	348,305	374	422	2	211:1	1,278	5	256:1	484	2	242:1
Fresno ²	515,609	717 ⁴	781	4	195:1	4,721	5	944:1	1,501	3	500:1
Long Beach	470,292	802	888	6	148:1	3,479	10	348:1	1,249	7	178:1
Oakland	404,355	722	3,349	8	419:1	3,673	5	735:1	2,657	6	443:1
Sacramento ³	475,122	724	999	9	111:1	3,232	6	539:1	1,860	15	124:1
San Jose	1,000,536	1,107	1,072	7	153:1	5,167	1	5,167:1	1,832	7	262:1
				Average including Oakland	206:1		Average including Oakland	1,332:1		Average including Oakland	292:1
				Average excluding Oakland	164:1		Average excluding Oakland	1,451:1		Average excluding Oakland	262:1
							Average excluding Oakland and San Jose	522:1			

¹ Burglary Offenses here include Residential and Commercial (only that Burglary that includes entry into a structure). Per FBI UCR definitions, the total provided here does not include Auto Burglary. Auto Burglary is included as Burglary in OPD Quarterly Crime Reports and broken out separately there.

² The Anaheim and Fresno Police Departments combine Robbery and Aggravated Assault investigation units. The Anaheim Police Department has seven sworn investigators assigned to Burglary and Auto Theft. Their respective unit totals have been split for this survey.

³ The Sacramento Police Department combines Robbery and Burglary investigation units. Unit totals have been split for this survey.

⁴ Total sworn personnel for the Fresno Police Department is authorized at 748 for Fiscal Year 2014-15. However, the city's approved budget states that 31 of these positions have been defunded, resulting in 717 funded authorized positions.

Los Angeles, San Diego, and San Francisco were excluded due to the use of decentralized (and mostly generalized) investigation models.



AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Sean Whent
Interim Chief of Police

SUBJECT: Follow-Up to Grand Jury Report
on Crime Lab Services

DATE: September 5, 2013

City Administrator Approval		Date	9/12/13
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COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that City Council accept the follow-up response to the 2011-2012 Alameda County Grand Jury Report entitled "Crime Labs in Alameda County: Funding, Forensics and Consolidation."

OUTCOME

This report constitutes the Oakland Police Department's (OPD) follow-up response to the three recommendations made by the Alameda County Grand Jury, with particular attention directed to Recommendations 2 and 3 which were assigned to OPD for response. Recommendation 2 calls on OPD to immediately clear its forensic case backlog; Recommendation 3 call on OPD to acquire a department-wide case management database that integrates OPD Criminalistics Division and county-wide criminal data bases. The report assesses various options available to meet the demand for service in an efficient manner and details impediments to efficiency.

EXECUTIVE SUMMARY

The Alameda County Grand Jury published a report on June 25, 2012 entitled "Crime Labs in Alameda County: Funding, Forensics and Consolidation" reviewing the status of forensic science service delivery in Alameda County. The Grand Jury report contains three recommendations, two of which were specifically directed to OPD regarding crime laboratory operations under its control. This agenda report outlines the Department's follow-up response to its initial report of September 11, 2012 regarding the findings and recommendations in compliance with California Penal Code section 933 requirements as detailed in the following section.

Item: _____
Public Safety Committee
September 24, 2013

BACKGROUND/LEGISLATIVE HISTORY

During the term of 2011-2012, the Alameda County Grand Jury undertook a study of the forensic service delivery systems in the county. The study focused on two, full service crime laboratories in the county—the Alameda County Sheriff's Department Crime Laboratory and the OPD's Criminahstics Laboratory. The Grand Jury published a report on June 25, 2012, entitled "Crime Labs in Alameda County: Funding, Forensics and Consolidation," hereafter referred to as "the Report."

By California Penal Code section 933, the Department is required and did respond to the Presiding Judge of the Alameda County Superior Court within 90 days of the issuance of the Report on the findings and recommendations pertaining to matters under control of the governing body. The same California Code, Section 933.05 contains guidelines for responses requiring OPD to state one of the following in response to the Grand Jury's findings:

- It agrees with the finding.
- It agrees partially with the finding and provides explanation.
- It disagrees wholly with the finding and provides explanation.

In addition, for each Grand Jury recommendation, OPD is required to report one of the following actions:

- The recommendation has been implemented, with a summary regarding the implemented action.
- The recommendation has not yet been implemented, but will be implemented in the future with an implementation timeframe.
- The recommendation requires further analysis, with an explanation and the scope of the parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion, which shall not exceed six months from the date of publication of the Grand Jury Report.
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation.

As directed, this report is a follow-up to the report presented to the Public Safety Committee (PSC) on September 11, 2012 responding to the recommendations in the 2012 Grand Jury Report regarding Crime Laboratory Services. At that meeting, PSC members requested information on current laboratory staffing which is included in this report. They also requested information on three additional topics which is provided: (1) how fingerprints are prioritized, (2) the number of cases at the court level, and (3) the current policy on examining videotape evidence.

Item: _____
Public Safety Committee
September 24, 2013

ANALYSIS

This report is a follow-up report and represents OPD's analysis of the Grand Jury's findings and response to their recommendations.

Recommendation 12-1:

"The Alameda County Chiefs of Police and Sheriff's Association must meet, confer and develop a written proposal to establish one consolidated Crime Lab in Alameda County."

RESPONSE: The Department respectfully disagrees with this recommendation.

The Grand Jury directed this recommendation to the Alameda County Chiefs of Police and Sheriff's Association (ALCO CSA). Last September, the association issued its response in a letter to the presiding judge of Alameda County Superior Court. In its letter the Association disagreed with the Grand Jury's view that they were the appropriate group to develop a written proposal to establish one consolidated Crime Lab in Alameda County. They cited costs that would be "...vast and prohibitive in the current financial environment" and stated that the decision whether to consolidate rested with the organizations who operate the laboratories in the county.

The Alameda County Sheriff's Office is moving its crime laboratory to a county owned location in East Oakland. The facility, which will also house the Coroner's Office, does not have the capacity for crime laboratory expansion.

As noted in the first report in response to the Grand Jury recommendations, the OPD Crime Laboratory provides forensic services in five forensic areas to OPD and the Alameda County District Attorney's Office; at no cost, in cases arising from crimes committed in the Oakland jurisdiction. The services areas include:

- Solid Dosage Drug Analysis
- Forensic Biology/DNA analysis
- Latent Print Analysis (including computer searching, comparison and development)
- Forensic Firearms Analysis
- Crime Scene Processing/Reconstruction, including officer involved shooting reconstruction incidents

Item: _____
Public Safety Committee
September 24, 2013

It was noted in the report that maintaining these forensic services would provide significant benefit to OPD including:

- Unrestricted ability to determine the priority of its forensic service requests and to adjust those priorities as necessary to meet investigative objectives and urgent need;
- Alignment of laboratory work with investigative priorities and primary focus on violent crimes against persons;
- Access to core forensic services of greatest benefit to the Department's mission;
- Innovation and adoption of new technological advances and best practices;
- Strict control of the quality of the work product, thereby reducing risk to the City.

Oakland's crime rate is the highest in the state. The City represents approximately 26% of the population of the country, but accounts for 60% of the violent crime, including 75% of homicides.

Additionally, if staffing of the two laboratories were combined, it would still be insufficient to address Oakland's demands for service.

OPD considers it is in its best interests to retain and expand the forensic assets at its disposal and direct them exclusively at its own investigative priorities for the benefit of the citizens of the City.

Recommendation 12-2:

"OPD's Criminalistics Division must immediately clear its forensics-testing backlog."

RESPONSE: The Department agrees partially with this finding. There is no question that the demand for OPD Crime Lab services exceeds the casework capacity of laboratory staff in all areas except drug analysis. All units, regardless of backlog status, could provide enhanced service to OPD and the citizens of the city with additional resources, which will be required, as the sworn ranks increase and investigative capacity increases. For the reasons detailed below, we disagree that there is an immediate solution to this issue.

Background

The first report identified a significant gap between the demand for service and staff available to provide the services. That gap remains as reflected by backlog—which should be viewed as an indicator of the imbalance between service demand and capacity.

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Current Backlogs by Unit (as of 31 Dec 2012)

	Homicides	Sexual Assault	Other Person Crimes	Property Crimes	Other	Total
All Sources	659	335	1382	415	154	2945
By Unit:						
Firearms	296	2	1135	3	64	1500
IBIS	4	0	24	0	15	43
Forensic Biology	118	301	70	6	11	506
Latent Prints	240	32	153	406	64	895
Crime Scenes	1	0	0	0	0	1

The Laboratory defines backlog as any request in its system that has not been completed. "Completed" means a report of analysis has been published. Requests that are in progress are counted as part of the backlog. There is no standardized definition of backlog in the forensic science industry. However, this approach is fairly common.

Many factors contribute to backlog, including:

- Rise in crime
- Increase in demand for service
- Inherent complexity of casework in Oakland
- Loss of trained staff due to retirement or employment elsewhere
- Closure of certain casework units due to loss of staff and subsequent rebuilding of the unit from scratch
- Chronic shortage of experienced examiners nationwide to fill vacancies in certain forensic fields
- Lengthy delays in recruiting and filling vacancies
- Personnel resources diverted from casework in order to train new staff to competency
- 12-20 furlough days per year per person for the last five years
- Performance of ancillary casework support duties by casework staff that could be done by less costly technical support staff
- Performance of drug and latent print evidence custodial responsibilities by casework staff that could be done by less costly laboratory support staff

The largest backlogs are in the Firearms and Latent Print Units. In the Firearms Unit, the increase was due to four coincident factors: (1) the loss, by the end of 2006, of all but one qualified firearms examiner, (2) the shortage of experienced examiners in the field generally to fill available vacancies, (3) the lengthy training period—typically two years—required to develop competent examiners, and (4) an increase in demand for this kind of service year on year as a result of the increase in gun-related violent crime in Oakland. To highlight the last point,

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the number of firearm requests received in 2012 (794) represents a 30% increase over the previous year and a doubling of submissions compared to 2010.

Backlogs in the Latent Print Unit are a lingering consequence of the closure of the Unit in 2006 to latent print comparison and computer searching casework due to the loss of all but one examiner. A remaining staff member who conducted all the latent print development casework retired in 2009. That position was frozen and ultimately cut to reduce the budget. It has not been restored. The Latent Print Unit reopened to comparison casework in 2008 when two examiners were hired. This is bare minimum number of staff required to keep the unit open. A third examiner was hired in 2010 by converting a criminalist vacancy in the Forensic Biology Unit to a Latent Print Examiner II position. The position lost to the Biology Unit has not been restored. Until recently, staffing in the Latent Print Unit (3 FTE) was lower than it was in 2006 (4 FTE) and even at the 2006 level, was inadequate to meet service demands.

It is also the case that while investigators are effective at submitting laboratory service requests, they rarely cancel these requests, even after a case is adjudicated. Thus, some portion of requests in our backlog may actually represent work that is no longer needed, and as such they over-inflating the backlog. Analytical staff does check on case status before starting an older case. However, identifying all requests that are no longer necessary so that they can be canceled is a time-consuming process requiring resources the laboratory does not have.

In the first report, staff identified a need for 13 additional laboratory positions at a cost of \$1,337,996. Staff was asked to evaluate options to improve service delivery without requiring additional staff in the order of magnitude expressed in the first report.

To this end, the laboratory director consulted with the directors of other crime laboratories in California who offer the same types of services and are accredited by the American Society of Crime Laboratory Directors Laboratory Accreditation Board International Program (ASCLD/LAB-International). The ASCLD/LAB-International program is based on International Standards Organization (ISO) 17025 standards—standards recognized worldwide as applicable to testing and calibration laboratories. Accreditation status is an important benchmark as accreditation standards impose strict conditions on the way laboratories must operate and the manner in which they must conduct, document, and report results.

Impediments to Efficiency

As the table on page 4 reflects, the largest backlogs are in the firearms and latent prints areas. Unfortunately, these are areas which have not been the beneficiary of significant technological change aimed at speeding the work. The only significant technological changes in these two areas have served to slow the work, as a consequence of requiring database searching that has the potential to make associations between the fired cartridge case or latent print evidence to other evidence or individuals enrolled in these respective databases. Any associations made must then

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be confirmed by traditional manual methods by trained examiners. As such, these databases expand the work, without offering expediency.

Discussions with laboratory directors regarding latent prints did not identify any break-through change in process that would significantly impact efficiency. Latent Print work relies on exacting comparison of friction ridge minutiae under magnification between a latent print and a possible source. Firearms related examinations rely primarily on time consuming, side-by-side microscopic comparisons of striae imparted from the firearm to fired cartridge cases or bullets. The techniques used in both disciplines are virtually unchanged over the course of the last 60 years. Efficiency in both disciplines is a function of having a sufficient number of staff to do the work requested in a timely manner and appropriate workspaces to accommodate and facilitate that work.

In the Latent Print Unit, the chief impediments to efficiency are inadequate staffing to meet demand, location of the comparison and computer searching unit on a noisy floor adjacent to a frequently used classroom, and inadequate laboratory workspace for latent print development (processing) work. As an example, when certain latent print development processes are underway, the examiner must vacate the room due to the use of chemicals that emit noxious fumes, thus preventing other work from proceeding in this space. While an appropriate fuming chamber would make this process more efficient by allowing other work to continue in the space, the space itself, at 140 square feet, is not large enough to allow its use by more than one examiner at the same time. There is no other space in the laboratory available to house this function. As detailed in the section on Accommodation beginning on page 15, the laboratory does not have sufficient space for its various functions and current staffing.

In Firearms, the situation is similar and is primarily a consequence of not having more personnel to address the caseload and the additional space to house them. Consultation with other laboratories indicated that firearms casework through put expectations of 100-125 requests per examiner per year was comparable to others in the industry.

By contrast, technology advances have been significant in the area of Forensic Biology/DNA and the Laboratory has availed itself that technology. Our program is among the most advanced in the state, relying heavily on the use of robots to automate many processes previously carried out by hand, a laboratory information management system that streamlines the production of casework documentation, and expert systems that aide in DNA interpretation. While there is a backlog currently, with full staffing the laboratory is on course to meet the demand for service within the next two years and, barring a significant increase in service demand, should be able to stay current.

Drug Unit staffing is currently sufficient to meet the service demand. The Unit consistently carries no backlog and conducts more than 95% of its analyses within 24 hours of request. This is done to support the charging function which must be concluded within 48 hours. Drug

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submissions declined in 2012 compared to 2011, however we expect this to be a temporary condition. It is expected that submissions will again rise as the number of police officers increases as a result of the planned academies.

Mandated furloughs have significantly reduced the time available for casework. Laboratory staff is not exempted from furloughs and mandatory business shutdown days which have varied from 12 to 20 days per staff per year depending on representation unit. By the end of FY 12-13, we estimate that furloughs will have accounted for approximately 1,700 lost work days—the equivalent of 4.65 work years—since they were instituted in FY 08-09.

Hiring Status

As reported in the first report, the Administration authorized the filling of existing vacancies in the Crime Laboratory. The tables below show staff and vacancies as of July 23, 2013 by classification and by unit.

Staffing by Classification (as of July 23, 2013)

Classification	Authorized	Vacancies	Affected Units
Forensic Technician	1	0	Grant funded
Latent Print Examiner III	1	1	New position approved Jan 2013
Latent Print Examiners II	3	0	1 under filled as LPE I
Criminalist I	3	2	1 Grant funded
Criminalist II	13	3	
Criminalist III	3	0	
Office Assistant II	1	0	
Crime Lab Manager	1	0	
Total	26	6	

Staffing by Unit (as of July 23, 2013)

Classification	Authorized	Vacancies	Positions Vacant
Forensic Biology/DNA Unit	12*	2	2 Criminalist I
Latent Print Unit	4	1	New LPE III position added January 2013
Drug Analysis Unit	4*	2	2 Criminalist II
Firearms Unit	4*	1	1 Criminalist II
Clerical Staff	1	0	
Management	1	0	
Total	26	6	

*staffing includes a Criminalist III supervisor position conducting casework at not greater than 50%.

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In January 2013, City Council authorized a new Latent Print III (supervisor) position for the Latent Print Unit. This addition increases staffing in the Latent Print Unit to four FTE and total staffing in the laboratory to twenty-six. We currently have six vacancies.

As of December 2012, the laboratory recruited and filled a grant funded Criminalist I position and a grant funded Forensic Technician position. Both are assigned to the Forensic Biology Unit. The Forensic Biology Unit is in the process of converting two Criminalist I positions to Criminalist II positions to enable flexible staffing. Once converted, the Unit expects to under fill these vacancies by means of the certified list resulting from the Criminalist I recruitment and thereby avoid another protracted recruitment process.

Recruitments for Criminalist II vacancies in the Drug and Firearms units were slated to open in early March, but were delayed until May in order to comply with various Department of Human Resource Management (DHRM) requirements. These included necessary revisions to the classification description which triggered requirements to notify the union representing the affected classification and to meet and confer, and to schedule the item with the Civil Service Board to approve the classification descriptions. We hope to have these positions filled by October 2013.

Recruitment for the Latent Print Examiner III position opened on July 15, 2013 and is in progress.

Outsourcing

There are effectively two ways to meet the demand for service in the laboratory:

- 1) Artificially lower it by restricting the acceptance of requests to certain classes of cases—a form of rationing, or
- 2) Increase staffing to meet the demand.

For the reasons cited below, outsourcing is not a realistic alternative.

Forensic Science is a niche industry. The vast majority of forensic science practitioners are employed in government laboratories. Most of these labs have experienced backlogs and reductions in staffing during this recession and few have excess capacity. In addition, significant numbers of older staff members are retiring and laboratories face considerable challenges to replace these lost skills.

Private forensic laboratories, where they exist, tend to focus on volume testing such as DNA and controlled substances testing—areas in which OPD backlogs are manageable or nonexistent. Few offer services in firearms analysis or latent print analysis and those that do have very few staff performing the work. Hourly rates are typically in the \$150-\$250 per hour range. Some

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laboratory services are billed at a cost per sample rate which can range from \$75 to \$1,000 depending of the analysis sought.

It should be mentioned that were vendor laboratories available, outsourcing would impose significant additional burdens and obligations on the laboratory. This work includes establishing contracts with vendor laboratories, selection and triaging of requests, decision making as to which evidence should be analyzed, transfer of the evidence to the vendor laboratory, chain of custody documentation, return and disposition of evidence, routing of reports, and review and approval of invoices for service. Testimony resulting from the outsourced work would be subject to additional, significant charges and it is unclear who—the City or the District Attorney—would pay for these charges.

As an accredited laboratory, the OPD Crime Lab would be required to place the work with a “competent” subcontractor who can perform the work to the same quality standards as OPD. Subcontractors who are accredited to the same standards as OPD may be presumed to be competent, but OPD would be responsible for maintaining documentation of their continued compliance with accreditation standards. If work is placed with contractors who are not accredited, competence cannot be presumed and OPD would be responsible for proving to its accreditor’s satisfaction that the subcontractor is indeed competent. OPD Laboratory would be responsible for documenting competence through such measures as external audits, review of internal audits, site visits, technical review by OPD laboratory staff of at least a sampling of the casework produced by the subcontractor, and blind proficiency testing.

In the area of DNA testing, in order to comply with quality assurance regulations established by the Federal Bureau of Investigation, DNA results produced by private subcontractors would have to undergo a thorough technical review by OPD Crime Lab DNA staff before those results could be uploaded to the DNA database. Other obligations attached to outsourced work under the FBI regulations, as well.

These requirements would greatly extend the responsibilities of OPD laboratory management and supervisory staff and divert existing resources away from casework conducted in-house. This would require additional personnel resources and funding. OPD believes it makes more sense to acquire the resources necessary to conduct the work in-house where it can ensure the quality, thereby reducing risk to the City.

Staffing of OPD Crime Lab to Meet Service Demands

Based on the demand for service in the last three years we previously identified the need for 13 additional staff as shown below. A Latent Print Examiner III position was authorized by City Council in January 2013 with funding beginning in FY 13-14. This was one of the 13 positions referenced in the first report and has now been removed from the list.

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Unit	# FTE	Classification
Drug Analysis Unit	1	Police Property Specialist
Firearms Unit	2	Criminalist II Firearms Examiners
	2	Forensic Technicians
Latent Print Unit	2	Latent Print Examiner II
	2	Forensic Technicians
Forensic Biology Unit	1	Criminalist II (at end of current grant funding)
	1	Forensic Technician (at end of current grant funding)
Quality Assurance	1	Criminalist III/ Quality Assurance Program Supervisor

Drug Analysis Unit

The Drug Analysis Unit is responsible for the intake, storage, analysis and eventual destruction of all drug evidence collected by the department. More than 95% of casework is completed within 24 hours and there is no backlog. The Unit has 4 FTE Criminalist positions, two of which are currently vacant.

Drug Analysis Unit Activity

Description	2009	2010	2011	2012	% Change
Cases Received	5,623	4,424	2,864	2,208	-23%
Cases Analyzed	2,810	2,473	1,418	948	-33%
Exhibits Analyzed (Casework)	3,683	3,485	1,938	1,382	-29%
Exhibits Analyzed per Case	1.31	1.41	1.37	1.46	+6.6%

Submissions of evidence and requests for analysis have declined as a result of the reduced number of sworn personnel available for drug enforcement actions. The 4 PTEs represent an adequate number of staff to meet the caseload and maintain 24 hour turnaround even if demand increases significantly. A Police Property Specialist could assume the routine custodial duties associated with drug evidence receipt, storage, and destruction. This would maximize the number of scientific staff available for casework and accomplish the custodial functions in a less expensive manner than the current method that relies on criminalists. This individual could also determine the status of older, pending laboratory requests in other disciplines as described under Recommendation 12-3.

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Firearms Analysis Unit

Four criminalist positions are allocated to the Firearms Unit. Three positions are filled. One of them is the unit supervisor who also conducts casework approximately half time. The significant increase in backlog is due to the loss of trained staff to retirements or employment elsewhere in 2005 and 2006. As a result, from 2007 to 2010, the unit had only one fully qualified examiner who was responsible for casework and the training of two trainees. Efforts to hire fully fledged firearms examiners were unsuccessful. As of 2011, the unit has three fully qualified examiners and one vacancy. The table below documents the impact additional examiners have had on the number of requests completed.

Firearms Unit Activity

Description	2009	2010	2011	2012	% Change
Received	434	400	609	794	+30%
Reported	66	149	230	230	No change

Since 2010, requests in this unit have nearly doubled. In the last year alone they were up 30%. The average number of requests received in 2010, 2011 and 2012 was 601 per year. The complexity of case requests processed by the unit is considerable. The number of exhibits examined per request in 2012 ranged from 1 to 166 separate items and totaled almost 3,000 individual items. Oakland cases tend to involve multiple semi-automatic weapons and high capacity magazines. The firearms examiners also provide trajectory determinations and other reconstructive services in officer involved shooting incidents. These examinations are normally quite time consuming and must take a number of variable into consideration for testing.

A fully qualified examiner can be expected to complete 100-125 requests per year depending on complexity. To keep pace with the current rate of submission would require five full time examiners, in addition to the unit supervisor. This can be achieved as follows:

- Fill existing 1 FTE Criminalist II vacancy
- Add 2 FTE Criminalist II positions

In addition, two FTE Forensic Technician positions would be needed to make full use of the firearms database known as the Integrated Ballistics Imaging System (IBIS). The Forensic Technicians would be responsible for test firing and imaging fired cartridge casings from the 1,200-1,500 seized weapons the department recovers annually and at a lower cost than criminalists. They would also assist criminalists in other casework support activities.

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Latent Print Unit

Similar data were provided to the Public Safety Committee and City Council in a report entitled "Latent Print Unit Status" dated June 26, 2012. They have been updated for the entire year of 2012. The caseload for the three year period ending December 31, 2012 is provided below.

Latent Print Unit Activity

Requests Received	Requests Completed	Requests Cancelled
832	315	138

Based on the statistics for the last three years, the Unit receives approximately 277 requests for service annually and completed approximately 100 annually. These requests include latent print comparison, computer searching of latent prints in automated fingerprint identification systems (APIS), and latent print development. In addition, Unit staff also evaluates the quality of latent prints collected in over 900 crime incidents per year and serves as Department custodian for this type of evidence. Demand clearly exceeds current capacity.

The Unit currently has 3 FTE casework qualified Latent Print Examiners. The third examiner completed casework training requirements and advanced to independent Latent Print comparison and APIS casework status in January 2013. Additionally, as was mentioned previously, the City Council authorized a new Latent Print Examiner III (supervisor) position in January 2013, bringing the staffing to 4 authorized FTE. The Latent Print Examiner III will provide much needed technical and supervisory oversight of the Unit, case management, insure adherence to quality standards, and engage in casework.

To improve turnaround time, make better use of APIS, address the current backlog and prevent it from re-establishing itself, and achieve the kind of efficiency that results from having adequate staff to meet service demands, staff has identified the need for the following additional positions:

- 2 FTE Latent Print Examiner II
- 2 FTE Forensic Technicians

The Forensic Technicians would provide casework support to Latent Print Examiners by conducting latent print quality assessments, initial APIS searches on all APIS quality submissions, latent print processing casework, and evidence custodial assistance. This approach would maximize the amount of time Latent Print Examiners devote to comparison casework and would improve the unit's ability to provide investigative lead information based on identifications produced via APIS.

The Latent Print Examiner IPs would be responsible for latent print comparison casework, confirming APIS search results, and conducting verifications of identifications.

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Forensic Biology Unit

The Forensic Biology Unit is an example of what can be achieved by staffing to meet demand. Productivity in the Unit has increased significantly since 2008 for several reasons: 1) changes in typing technology, 2) the use of robots and liquid handlers, 3) hiring of a Forensic Technician who provides casework support to analysts, 4) deployment of analysts in teams with staggered rotations to make the most efficient use of the limited examination areas in the laboratory and full staffing. In 2011, when fully staffed, the nine analysts averaged 74 complex requests per year; seven full time analysts averaged 52 cases per analyst in 2012. The downturn was due to vacancies and time invested in beneficial technology validation and upgrades. The current backlog of 506 cases represents approximately 1 year's work for 6.5 analysts under current analytical conditions. When the vacancies are filled, staff expect to return to higher rates of throughput such as were seen in 2011.

Forensic Biology Casework

Description	2008	2009	2010	2011	2012	% Change
Received	432	1036	399	394	524	+33%
Completed	201	415	450	666	362	-46%

Eliminating the remaining backlog and sustaining success require that OPD

- Fill the two vacancies in the unit;
- Retain the grant funded FTE Criminalist position at the end of the grant period;
- Retain the grant funded Forensic Technician at the end of the grant period.

Quality Assurance Unit

The Laboratory has no dedicated quality assurance supervisor position. The laboratory manager currently serves in this role in addition to other duties. The size of the laboratory and the amount and complexity of casework have long justified a dedicated position. The new accreditation program based on ISO requirements to which the laboratory is transitioning increases the responsibilities that accrue to the quality assurance supervisor. The quality assurance supervisor should serve as the laboratory's independent internal investigator and overseer for all things quality related, providing unbiased factual data about the health of the quality assurance system to the manager.

The trend in the industry has long been to separate the quality assurance function from top laboratory management and Oakland is clearly out of step with this trend. A recent survey was conducted of 106 local crime laboratories throughout the country to determine how many laboratories relied on the laboratory manager to serve the role of quality assurance manager.

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Among the 79 respondents which included Oakland, only 11 laboratories (14%) operated in this manner.¹ A Criminalist III position should be added to serve as Quality Assurance Supervisor.

Accommodation

The additional staff identified is greater than can be accommodated in the current laboratory facilities. Additional space would be required. Space in the laboratory has been an issue for well over ten years and was the subject of significant external and internal studies.^{2,3,4,5,6} It was noted by several statewide studies of crime laboratories in California and in the 2012 Grand Jury Report. These studies confirmed the need for more space for the OPD Crime Laboratory operation. That need has only increased in the intervening 10 years.

Options in the Police Administration Building

The laboratory currently occupies 5,434 square feet of space on the 6th floor and 985 square feet of space on the 5th floor of the Police Administration Building (PAB) for a total of 6,419 square feet. The lab spaces are on the North Wing of the L-shaped building. Expansion space is available on the 6th floor West Wing of the PAB that could add 7,150 square feet of space to the laboratory, effectively doubling the size of the laboratory. On the West Wing side of the building, the 6th floor is the top floor of the building and thus could more readily accommodate the installation of chemical hoods and other heating, ventilation, and air handling requirements. The cost to remodel this space was very roughly estimated in 2009 at \$5.65 million. The current cost is unknown at this time.

Options Outside of the Police Administration Building

An alternative is to build new or acquire and remodel space outside of the existing Police Administration Building (PAB). If this path is taken, it would be advisable to co-locate the Property and Evidence Unit within such a building to facilitate access to physical evidence and to provide staff the space needed. Likewise, it would be beneficial to provide space for the Police Evidence Technicians in such a facility. It is also typically advised that the space program anticipate and provide for growth over a 20 year interval. This option would ease the pressure on the existing space in the PAB and Eastmont Substation and provide more suitable resources to

¹ Survey of local crime laboratory directors in accredited laboratories conducted by a local crime laboratory director in Columbus, OH (personal communication).

² "Forensic Laboratories: Many Face Challenges Beyond Accreditation to assure the Highest Quality Services", California State Auditor, (1998), pages 19-23.

³ "Under the Microscope: California Attorney General Bill Lockyer's Task Force Report on Forensic Science", (2003) pages 48 and 75.

⁴ "An Examination of Forensic Science in California", The California Crime Laboratory Review Task Force, (2009), pages 68-72.

⁵ City of Oakland, Police Department Forensic Sciences Laboratory Facility Needs Assessment (2000).

⁶ Oakland Police Department Forensic Science Laboratory Space Program, by McLaren Wilson and Lawrie, Inc. (2002).

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both laboratory, property and evidence technician personnel. Costs are unknown and depend on many undetermined variables.

Space Needs Study Recommended

Generally speaking, space recommendations for forensic laboratory personnel call for 700-1,000 square feet per technical staff, depending upon the multidisciplinary nature of the examiner's work and other variables.⁷ In addition there are common spaces that every crime lab must have regardless of size such as reception space, evidence storage and accessioning, records storage, test firing facility, etc. Additional square footage must be factored in for circulation and required mechanical spaces. These factors can increase square footage by roughly one third.

Space in the current laboratory for 26 FTE corresponds to 247 square feet per staff—far below the 700-1,000 square feet norm for modern forensic laboratory construction. In addition, when office space is factored out, the actual laboratory examination space corresponds to roughly 3,000 square feet. It is no larger now than when the laboratory was constructed in the 1950's. In the intervening years, staff has grown from 4 FTE to 26 FTE.

The last needs study on this topic—now over 10 years old—documented numerous deficiencies in this facility and identified a need for significant increases in staff and space. We recommend a new needs study be undertaken by consultants familiar with forensic laboratory design requirements. The study should be based on an agreed service delivery model that identifies the scope of services offered, the number of staff needed to meet service demands, and the timeframe within which the client requires results. The model should also consider whether new forensic services are anticipated or should be added, such as computer forensics and mitochondrial DNA typing capability, as examples. It should also anticipate future growth and identify the expansion space needs such growth will require. Such a study will provide the information necessary to evaluate the suitability of potential properties where a new laboratory might be situated.

Cost of a needs study is estimated at \$150,000. Funding would need to be identified to cover the cost of the study.

Recommendation 12-3:

“OPD must immediately acquire a department-wide case management database that integrates OPD Criminalistics Division and county-wide criminal data bases.”

⁷ “Forensic Science Laboratories: Handbook for Facility Planning, Design, Construction, and Relocation”, U.S. Department of Commerce (2013) NISTIR 7941 p14.

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RESPONSE: The Department agrees that a more streamlined, comprehensive method is needed to identify laboratory requests that are no longer required. However, success rests on developing and deploying an effective, integrated department-wide solution.

Background Information

As previously reported, the OPD Laboratory relies on a Laboratory Information Management System (LIMS)—a relational database that tracks receipt, assignment, completion and or cancellation of laboratory requests among other functionalities. The system is capable of producing statistical reports that are useful to laboratory management. The LIMS is a sophisticated system which includes functionalities that integrate quality assurance tracking, laboratory examination documentation, and streamline the analytical process in units where it has been fully deployed. LIMS is a stand-alone system and is not linked to databases outside of the laboratory environment. It was not designed to query or import data from other databases.

As was stated under the response to Recommendation 12-2, while the OPD Lab receives many requests from investigators, it is seldom informed of requests that are no longer needed or of cases that have been adjudicated. This lack of easily accessible information results in a constant accumulation of case requests. A real time mechanism for knowing when requests can be cancelled or when cases are adjudicated would be extremely useful, but is not currently available. There is no database at OPD or available through the county that can currently provide this information in a comprehensive manner. Each database has its own inherent limitations based on the fundamental design and objectives as will be described. Direct communication with the investigator is the only way to determine case status.

Limitations of LRMS

OPD has a Law Records Management System (LRMS) which was established circa 2004. LRMS contains information about all crime incidents that occur in the Oakland jurisdiction. It also contains disposition information based on 18 different disposition categories used by OPD. The investigator in the case is expected to provide disposition data on cases. One of the categories is "arrest and prosecution." However, this disposition does not necessarily mean that the case has been adjudicated, or that it has been adjudicated for all suspects in the case. As such the information it contains is incomplete and of little real value on its own. LRMS is not integrated with any Alameda County databases.

Limitations of County Databases

The report recommended accessing countywide databases to assist with laboratory case management. One of those databases is the Consolidated Records Information Management System (CRIMS). CRIMS may be useful in determining some information about the status of cases. However, as with LRMS, the data cannot be relied on alone for all cases without

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confirmation of status by the investigator. This is particularly true for homicide, sexual assaults, and certain kidnapping charges and for cases where there may be multiple defendants. CRIMS contains data on incidents in which there has been an arrest. It is not helpful for those incidents in which no arrest has been made—a category of cases that gives rise to a significant number of laboratory requests. CRIMS also does not contain the information needed in cases involving juvenile defendants.

Based on communication with staff in the Alameda County Department of Information Technology, it may be possible to integrate CRIMS with OPD databases, including our LIMS, so that data may be pushed to these databases, but doing so would require further study and collaboration. The City Department of Information Technology is working with OPD on the replacement of its current system with one that would integrate existing databases. This enterprise has the potential of offering a mechanism whereby county database information could be integrated with OPD databases. Obviously, the scope of such undertakings and integrations goes well beyond the needs and management purview of the Laboratory.

The Laboratory has also worked with a consultant to develop a set of requirements that would serve as the basis for a Request For Proposal (RFP) for an expanded LIMS system. Integration with County databases can be added to this set of requirements.

Utility of Case Status Reports Received from the District Attorney's Office

As reported in our first response, the District Attorney's Office agreed to provide laboratory staff with reports on a bi-weekly basis, regarding case status of OPD cases including adjudications. Between July 2012 and March 2013, we received 14 such reports and had the opportunity to evaluate the utility of these reports.

The table below illustrates the format of the report. The majority of the cases listed on the report do not have information with regards to the case disposition. While some state "acquittal" or "convicted" as illustrated below, the majority of cases have no information in this column and it must be assumed the case is still in the course of litigation. Laboratory requests for these cases cannot be cancelled based on this report.

AGENCY	CASE #	DEFENDANT NAME		BIRTH D	EVENT #	CHARGE	
CA00109	04-243###	Smith	Timothy	82670	4251783	M273.6 PC	ACQUITTAL
CA00109	12-004###	Smith	Thomas	32170	2308935	M148(A)(1) PC	ACQUITTAL
CA00109	12-031###	Smith	John	62770	2332050	M23152(A) VC	CONVICTED
CA00109	12-061###4	Smith	Frank	51070	2355001	M23152(A) RVC	CONVICTED

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If there is more than one defendant in a case in which one defendant has been acquitted, convicted or certified convicted, pending laboratory requests may not be cancelled.

The fourteen reports contained 5,894 records related to OPD case. The following table illustrates the breakdown of cases, adjudications and requests in the laboratory.

Number of OPD cases (July 30, 2012 – February 9, 2013)	Number of Adjudicated cases*	Number of Lab Requests Involved
5,894	462	47

*Not all adjudicated cases have laboratory requests for analyses.

Of the 47 laboratory requests associated with the set of adjudicated cases, many were either already completed or already cancelled. The remainder cannot be canceled based solely upon the reports because it is not clear whether there are other defendants or suspects associated with the case.

As with LRMS and CRIMS, this set of data has limitations and has not proven beneficial in unequivocally identifying a significant number of backlogged cases eligible for cancellation.

Feasibility of Case-by-Case Status Checks

Checking status of each case individually is time consuming, exceeds the clerical resources of 1 PTE Office Assistant II, and frequently fails to produce the information needed when this course is pursued. As a consequence, with the exception of requests in homicides, sexual assault, and certain kidnappings—crimes which have either no or very lengthy statutes of limitation—the laboratory has cancelled and returned to the investigative units pending cases that appear to have exceeded statutes of limitation. Units are advised that requests can be resubmitted in active cases if the laboratory work is still needed. This procedure has helped the laboratory identify those cases that are still active and places the onus for determining case status on the investigative units.

It would be useful to be advised routinely by the Property and Evidence Unit (PEU) at the time in time when they destroy evidence in a case. OPD Laboratory could then use this information to query and cancel any pending laboratory requests. An electronic solution that governs destruction notice production, distribution to interested parties, and follow up is recommended and should be incorporated in a Department-wide solution.

The Police Property Specialist position identified under Recommendation 12-2 would be assigned responsibilities for querying available databases, liaising with investigative units and processing evidence destruction notifications received from the PEU to determine the status of cases for which the laboratory is holding requests.

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RESPONSES TO ADDITIONAL QUESTIONS ASKED BY COUNCIL MEMBERS AT THE
SEPTEMBER 11, 2012 PUBLIC SAFETY COMMITTEE MEETING

- 1) Response to the question regarding the number of pending latent print requests in cases at the court level.

Between January 1, 2010 and June 13, 2013, the LP Unit has received 51 requests from District Attorneys and OPD investigators to meet court dates. Of those, 39 requests have been completed and 7 requests have been cancelled. The remaining 5 cases have not been assigned.

- 2) Response to the question regarding how latent print requests are prioritized.

This information was provided in detail in a report to the Public Safety Committee on June 26, 2012 regarding the status of the Latent Print Unit. Prioritization of casework is extremely difficult under current conditions where the demand for service far exceeds the capacity of the unit, where extremely violent crimes continue to occur, and resulting priorities are in constant flux. Laboratory policy regarding prioritization of requests for service is as follows:

- Homicides receive the highest priority
- Other crimes against persons take precedence over crimes against property
- Crimes against property have the lowest priority

Other factors

- Cases with court dates are prioritized over those without
- Crimes representing an immediate threat to public safety in which the evidence is highly probative and investigative leads are needed receive a very high priority
- Crimes for which a suspect is in custody who cannot be held without the analytical results are prioritized over routine requests.

- 3) Response to questions regarding OPD Video Analysis

The Criminalistics Laboratory has no involvement in the analysis of video evidence. The Oakland Police Department does not have a policy pertaining to video analysis and has never had a Video Analysis Unit (VAU). VAU utilizes the standards of the Scientific Working Group on Imaging Technology (SWGIT) and, on average, receives at least three to four requests a week for some type of video assistance. These requests come from Internal Affairs Division (IAD), Criminal Investigation Division (CID) and the Public Information Officer (PIO). The amount of time required to complete a request

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varies and ranges from 15 minutes to 80 hours, depending on the amount of video and what has to be done with it: Most requests from CID/IAD investigators take on average one hour of time. If a report is required, this takes a considerable amount of time. On average, a report for an officer-involved shooting can take 40-80 hours.

PUBLIC OUTREACH/INTEREST

No public outreach was necessary at this time.

COORDINATION

The Budget Office and the City Attorney's Office were consulted in preparation of this report.

COST SUMMARY/IMPLICATIONS

Demand for services exceeds current staffing. To increase service and reduce turnaround times as described under additional staff is need. The total burdened cost of additional staff described above is shown below.

Classification	Annual Base Pay per FTE	Burdened Cost per FTE*	# FTE	Total
Criminalist III	\$86,992.80	\$140,328.09	1	\$140,328.09
Latent Print Examiner II	\$71,588.04	\$115,478.67	2	\$230,957.34
Criminalist II	\$75,168.24	\$121,253.89	2	\$242,507.78
Criminalist I	\$63,589.50	\$102,576.22	1	\$102,576.22
Forensic Technician	\$51,441.00	\$82,979.48	5	\$414,897.40
Police Property Specialist	\$45,302.40	\$73,077.30	1	\$73,077.30
Total			12	\$1,204,344.13

* Burdening rate of 61.31%

The cost of additional laboratory space is unknown at this time, would depend on many factors, and would require further study. The cost of a needs study to identify space needs and an estimate of construction costs associated with a new crime laboratory is estimated at \$150,000. Funding would need to be identified.

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The cost of an integrated department-wide database that would provide reliable, concise case status information and push that data to users automatically is unknown, but the concept deserves more study.

RECOMMENDATIONS

1. Staff the laboratory to meet demand for service and ensure the quality of the work.
2. Provide additional laboratory space to accommodate increased staff in expanded or new facilities. Conduct a needs study to identify space needs and obtain an estimate of construction costs.
3. Provide funding and subject matter expertise to guide the creation of an integrated department-wide database that provides reliable case status information to stakeholders.

SUSTAINABLE OPPORTUNITIES

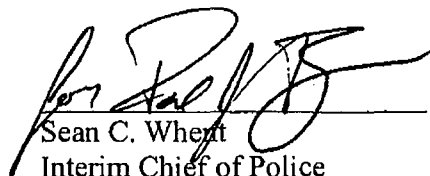
Economic: Effective and timely analysis of latent print evidence will assist the Police Department in conducting effective investigations and lead to the apprehension and prosecution of offenders, with resulting improvements in public safety. Great public safety will enhance Oakland's reputation as a place to live and to engage in business, affording the City an opportunity for further economic growth.

Environmental: There are no environmental opportunities identified with this report.

Social Equity: Apprehending and prosecuting offenders will improve public safety for the citizens of Oakland. Timely evidence analysis may also result in the elimination of falsely accused suspects thereby reducing potential liability to the City.

For questions regarding this report, please contact Mary M. Gibbons, Crime Laboratory Manager at (510) 238-2108.

Respectfully submitted,


Sean C. Wheat
Interim Chief of Police
Oakland Police Department

Prepared by:
Mary M. Gibbons, Manager
Criminalistics Division

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Progress Report Regarding the Grand Jury's Recommendations contained in their 2012 Report

The Alameda County Grand Jury's 2012 Report entitled "Crime Labs in Alameda County: Funding, Forensics and Consolidation" made three recommendations with respect to the Oakland Police Department's Crime Laboratory. As listed below, the Oakland Police Department agreed fully or partially with two of the recommendations and disagreed with one of them. Since the OPD's last response to the City Council on this matter in September 2013 (as presented to the Public Safety Committee), the following further steps have been taken to address these concerns.

Recommendation 12-1

"The Alameda County Chiefs of Police and Sheriff's Association must meet, confer and develop a written proposal to establish one consolidated Crime Lab in Alameda County."

RESPONSE: The Department respectfully disagrees with this recommendation.

FOLLOW UP: Concluded.

Recommendation 12-2

"OPD's Criminalistics Division must immediately clear its forensics-testing backlog."

RESPONSE: The Department agrees partially with this finding. There is no question that the demand for OPD Crime Lab services exceeds the casework capacity of laboratory staff in all areas except drug analysis. All units, regardless of backlog status, could provide enhanced service to OPD and the citizens of Oakland with additional resources. Additional resources will definitely be required as the sworn ranks increase and investigative capacity increases.

FOLLOW UP: As detailed in the department's report of September 2013, our ability to address the demand for service is a function of adequate staffing and a facility able to accommodate the additional staff needed. Demand was based on the average requests for service in the various units over a three year period. We identified a need for thirteen additional staff to meet the demand for services, but made it clear that the current facility could not accommodate such an increase.

Our follow-up efforts have largely been devoted to filling existing vacancies and those additional positions authorized by City Council in 2013 that could be accommodated in the current facility. A total of seven new positions were funded for the laboratory in 2013 by Council action. These positions were assigned to the units and activities listed below based on greatest need as detailed in the September 2013 report.

New Positions Added in 2013

Classification	Unit Assigned	FTEs Authorized	Status
Criminalist III Supervisor	Forensic Biology Unit	1	Filled
Criminalist III Supervisor	Quality Assurance Unit	1	Filled
Criminalist II	Firearms Unit	2	Deferred due to insufficient space
Latent Print III Supervisor	Latent Prints Unit	1	Filled
Latent Print II	Latent Prints Unit	2	1 filled; 1 in recruitment
Total		7	

Crime Laboratory Staffing as of March 31, 2015

Classification	Authorized	Vacancies	Affected Units
Forensic Technician	1	0	Grant funded Biology Unit
IBIS Technician	1	0	
Latent Print Examiner III	1	0	
Latent Print Examiner II	5	1	
Criminalist I	1	1	Biology Unit (grant funded position)
Criminalist II	19	4	Firearms (3)* Forensic Biology (1)**
Criminalist III	5	0	
Office Assistant II	1	0	
Crime Lab Manager	1	0	
Total	33	6	

* 1 candidate is scheduled to interview

** 1 candidate has accepted a conditional job offer and is undergoing a background investigation

The Laboratory has made the following progress toward filling the seven new positions:

- Four have been filled, two by internal promotion.
- A second recruitment to fill the remaining Latent Print Examiner II position recently closed and applications will be reviewed as soon as they are made available by DHR.
- We are unable to fill the two Criminalist IIs in the Firearms Unit due to no space in the current facility to accommodate them.

With the additional staff assigned to the Forensic Biology and Latent Prints Units, we have made significant increases in throughput. The addition of an IBIS Technician to the Firearms Unit and a re-design of the workflow with IBIS as its centerpiece have paid significant dividends. The Latent Print Unit is beginning to see upticks in the number of cases completed and this will improve with time as they complete filling positions and training staff to competency.

Forensic Biology/DNA Unit: As detailed in the report, unlike the latent print and firearms disciplines, the forensic biology discipline has been the beneficiary of considerable technological advances aimed at speeding the analysis—most notably the proliferation of robots to automate processes that had historically been conducted manually. This has enabled scientists to devote more time to those aspects of the work that cannot be automated—initial evidence examination and sampling on the front end and data interpretation on the backend. Additionally, the Forensic Technician position—a grant funded position—is critical to this workflow and further frees analysts to work more cases.

The Unit has made stunning progress in reducing its backlog.

- As of September 2014, the Unit eliminated a standing backlog of 274 untested victim sexual assault kits that existed as of the end of 2013.
- Effective May 1, 2014, the Unit established and has maintained a Contemporary Victim Sexual Assault Kit Analysis Program. Key deliverables of the program are:
 - - Weekly collection and analysis of newly acquired victim SAKs from the Property and Evidence Unit (PEU);
 - Complete examination of all available evidence in the kit;
 - Development of DNA profiles for submission to CODIS within 10 business days of the start of the analysis;
 - Publication of reports within 20 business days of the start of the analysis.
- There is no longer a backlog of untested victim sexual assault kits
- We have been able to bring more resources and attention to non-sexual assault requests. With full staffing and capacity enhancements, we expect to eliminate the current backlog of 294 non-victim SAK requests by the end of the year. Ninety-six of these are already in progress.
- The Unit completed 697 requests for service in 2014—a 62% increase over 2013
- In 2014, the number of requests completed exceeded the number of requests for service received (526) for the first time ever.
- This achievement was the predicted outcome of several years of work the unit devoted to adopting technology enhancements to expand capacity and the hiring and training of casework support staff to oversee the critical robotic instrumentation.

Firearms Unit: The unit currently has three vacancies. A recruitment to fill one of the positions was completed and interviews are scheduled. The remaining two positions cannot be accommodated in the current facility.

In April 2014, OPD assigned a Police Services Technician II to serve as an IBIS technician. IBIS is an automated database containing images of fired cartridge casings which can be inter-compared via the computer. The system is designed as a pointer system signaling which casings may have been fired from the same weapon. The suggested associations must be vetted by a firearms examiner who is responsible for reporting high confidence associations between shooting incidents or between crime scene evidence and recovered firearms that have been test fired and included in the system.

The Crime Laboratory has had this technology for years, but has never had the additional staff necessary to make full, efficient use of the system. The addition of the IBIS Technician has allowed increased use of the system. It has also enabled the unit to redesign its approach to casework, using the relatively speedy IBIS inquiry first, rather than the more complex and time consuming traditional firearms analytical approach. The new workflow is as described below.

- The initial approach to firearms casework is to search fired casings in IBIS
- The technician recovers the evidence from PEU
- The technician organizes the evidence for the firearms examiner's assessment
- The firearms examiner determines which casings should be added to the database
- The technician images the casings and returns evidence to PEU
- The firearms examiner vets potential associations returned by IBIS
- The firearms examiner reports on high confidence hits by means of a simplified report
- While an IBIS hit is not a confirmed identification, because the high confidence status is determined by a trained, experienced firearms examiner, the likelihood of a false association is extremely low
- Confirmation of identifications is conducted upon request by traditional techniques.

This change of approach has yielded a number of significant benefits in throughput.

- Requests are approached as IBIS only cases unless there is a compelling need to do otherwise.
- 68% of requests reported (465 of 682) were worked as IBIS Only cases
- There was a 300% increase in the number of evidence items added to IBIS in 2014 (2,436 items versus 637)
- Similar numbers of requests were reported by the traditional casework approach in 2014 compared to 2013 (217 versus 245).
- IBIS Only casework reported increased 45 fold in 2014 compared to 2013 (465 verses 10)
- Evidence is entered timely and investigative leads are returned rapidly to investigators to aid their work.
- The "hit rate" jumped in 2014 from 13% the previous year to 30% due to the expanded increase of crime scene evidence
- 274 hits were determined in 2014 compared to 21 in 2013—almost a 100 fold increase.
- IBIS has revealed an astounding inter-relatedness among shooting incidents in Oakland and, in some cases, to outlying jurisdictions. The connections can be extremely complex.
- FAU received 856 requests for service and completed 682.

- The Unit is better able to keep up with demand, but still requires the increased staffing allocated in 2013 not permitted by space restrictions in order to meet current demand and make inroads into backlogged cases.

This approach comes at the expense of testing other firearms evidence apart from casings and at the expense of automatically confirming identifications on all high confidence IBIS hits. While we are closing the gap between the demand for service and the delivery of service on current requests, we are not fully there yet. Further, we are not making significant inroads where older backlogged case requests are concerned. These include 300+ requests in homicides. To do so requires that we be able to accommodate and fill all firearms positions allocated to us and add another IBIS technician.

Latent Prints:

Three new positions were allocated to the Unit in 2013. One was a supervisor who oversees the unit and does limited casework. The Unit space was remodeled in 2014 to provide additional cubicles for the two additional Latent Print Examiners. Further expansion in the current facility is not possible.

Since the staffing increase, considerable time has been spent training to competency the individuals hired as Latent Print Examiners. Training has been conducted by journey level examiners and has had a predictable negative impact on casework. We expect to reap the full benefits of these additional staff once all positions are filled and staff trained.

However, casework completed is up 200% in 2014 over the previous year. Demand continues to outpace services in that we were able to complete 43% of the number of requests that we receive. The biggest gap is the response to requests to search computer quality latent prints where we were able to address 33% of the number of requests received for this service. We have not been able to make significant inroads on the backlog.

We expect to make up some of the difference between demand and service once full staffing is achieved and training is completed. However, in order to search all AFIS quality prints received as a matter of routine we estimate the need for two additional examiners.

Laboratory Space:

As detailed in the Grand Jury Report response, the laboratory is extremely overcrowded, which has significant impacts on efficiency. The laboratory cannot accommodate further increases in personnel. We identified 7,220 square feet of space on the 6th Floor Police Administration Building, county side which could be used to ease the current overcrowding in the laboratory and allow for modest increases in staff. In November 2014, the Laboratory Manager worked with Public Works Agency staff to develop an estimate of the costs to remodel the county side space into laboratory space to be used for all Forensic Biology analytical operations and the Latent Print Unit. Relocation of the Forensic Biology Unit would free up space in the current facility to expand the Firearms Unit and the Latent Print Unit processing lab—the most severely constrained groups. These remodels would accommodate the two additional allocated examiner positions in Firearms, accommodate additional staff in the Latent Print Unit, and would allow

more efficient processing of latent print development casework. The cost of the remodel is estimated at \$11,275,000 and was developed for budgeting purposes.

Recommendation 12-3

“The Oakland Police Department must immediately acquire a department-wide case management database that integrates the Oakland Police Department Criminalistics Division and county-wide criminal data bases.”

RESPONSE: The Department agrees that a more streamlined, comprehensive method is needed to identify laboratory requests that are no longer required. However, success rests on developing and deploying an effective, integrated department-wide solution.

FOLLOW-UP: The Crime Laboratory has a sophisticated Laboratory Information Management System (LIMS) developed and supported in-house. It serves many functions including tracking of service requests and their laboratory status, tracking latent print evidence submitted to the lab, providing functionalities that integrate with casework in the Forensic Biology and Firearms Units, tracking chemical inventories, and tracking equipment QA/QC events and outcomes, and providing statistical reports. The system is being expanded to include Drug Analysis Unit functions including drug evidence management. This system enables the Laboratory to meet many accreditation requirements. LIMS is a stand-alone system.

As reported previously, we do not have a ready means of determining whether a request on hand is still needed. We must rely on CID for this information. Investigators seldom cancel requests they submit and getting information on the status of litigation is complex and time consuming.

City IT is preparing an RFP for a new Department information system. The Laboratory Manager recommended that the new system be integrated with County and District Attorney's Office databases to facilitate providing real time case status which would aid the Laboratory and the PEU in identifying requests and evidence that are no longer needed. The Crime Laboratory has also requested that the new system enable electronic submission of laboratory service requests by investigators in a manner that integrates with LIMS.