

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: January 24, 2012

CAO File No. 0220-03790-0033
Council File No. 11-1909-S1
Council District:

To: The Council

From: Miguel A. Santana, City Administrative Officer *MSK*

Reference: Board of Police Commissioners Transmittal dated January 11, 2012

Subject: **2011-12 FORENSIC DEOXYRIBONUCLEIC ACID (DNA) BACKLOG
REDUCTION PROGRAM**

SUMMARY

The Los Angeles Police Department (LAPD) is seeking retroactive approval to apply for and accept a \$1,570,465 grant award for the 2011 Forensic Deoxyribonucleic Acid (DNA) Backlog Reduction Program and to execute a Cooperative Agreement between the City of Los Angeles and the United States Department of Justice, National Institute of Justice (NIJ) for the period October 1, 2011 through March 31, 2013.

Under the cooperative agreement, the NIJ will reimburse the City for expenses incurred to reduce the DNA casework backlog as follows:

Contract Laboratory Services	\$678,000
Civilian Overtime	392,006
Travel	59,400
Training	18,900
Equipment	375,045
Department Administration and Support	<u>47,114</u>
Total	<u>\$1,570,465</u>

The major objective of the 2011 Forensic DNA Backlog Reduction Program Grant is to reduce the backlog of forensic cases in the LAPD's Scientific Investigation Division's Serology/DNA Unit (SDU) by 550 cases. The LAPD reports that the demand for DNA testing services has exceeded capacity for many years. Two recent developments are primarily responsible for the increased demand for DNA analyses: the success of solving property crimes through DNA and a greater ability to solve crimes through "touch" DNA. "Touch" DNA is DNA that is left behind in trace amounts when hands come into contact with an object. The LAPD intends to reduce the backlog using a combination of employee overtime, new technology equipment and contract laboratory services.

The LAPD will utilize \$392,006 to provide Criminalists with overtime to screen 250 cases at a rate of 7 hours per case; to perform DNA typing on approximately 125 cases at a rate of 15 hours per case; to screen and send out 300 cases to contract laboratories at a rate of 8 hours per case; and, to perform sub-contractor data review (SCR) on 120 cases (SCR is a mandatory FBI requirement prior to upload of unknown profiles into the Combined DNA Index System (CODIS) database) at a rate of 2 hours per case. The overtime amounts listed here include required technical and administrative reviews. Based on an average overtime wage rate of \$62.25 per hour, the LAPD intends to reduce its backlog by 550 cases.

To increase productivity, the LAPD will utilize \$59,400 to procure training for Criminalists. Staff will attend one or more of the following four major annual DNA training events: American Academy of Forensic Sciences annual meeting, the International Symposium on Human Identification, the California Association of Criminalists seminars, and courses given by the California Criminalistics Institute (CCI). These training events will provide DNA Criminalists with the annual DNA training required by the current version of the "FBI Quality Assurance Standards Audit for Forensic DNA Testing Laboratories" document or will provide trainees with additional background to prepare for independent DNA casework. In addition, the training events will allow Criminalists to remain current on salient topics in forensic science.

The LAPD intends to purchase one ABI 7500 Real Time high capacity quantitation instrument at \$35,000. This will be a second 7500 for their Piper Tech Center (PTC) facility. This instrument will increase their sample capacity and throughput. The Department will also purchase five high capacity automated robotic platforms in an effort to increase the casework output. The five robotic instruments are as follows:

- One Qiagen QIASymphony high capacity automated extraction and purification robot, with AS module, at \$180,045.30. This instrument will allow LAPD to go to the next level in automation, where extraction, purification, and set-up for quantitation will all be performed on one platform. It serves to increase the capacity for robotic extraction, purification, and quantitation set-up from the current M-48 robot, which performs only extraction and purification (with quantitation set-up being performed by hand pipetting) on 48 samples vs. 96 for the QIASymphony. The QIASymphony will be installed at their main facility, the Hertzberg Davis Forensic Science Center (HDFSC), and will at first augment and then replace their M-48, since Qiagen plans to no longer support the older platform. The discontinuation of the M-48 robot precludes purchasing a second M-48 to increase robotic capacity to 96 samples. The QIASymphony will increase their capacity to analyze DNA samples and improve their sample throughput.
- Two Qiagen QIAgility high capacity robots for normalization and amplification set-up, at \$55,000 per instrument. This will allow their laboratory to transfer the 96 well plates, produced from the extraction and purification process on the QIASymphony, to the QIAgility, have the quantitation values normalized, and the amplification set-up performed in one step. This will require no hand-pipetting or calculations by the analysts, which will be a significant time saving step that will improve their sample capacity and throughput.
- Two QIAcube high capacity, high throughput robots for differential extractions of samples from sexual assault cases, at \$25,000 per instrument. This will allow their analysts to perform

differential extractions on a large scale basis, without having to do the laborious and lengthy process by hand. This not only improves their capacity and throughput, but will complete the process in approximately four to five hours instead of two days, and greatly decreases the chance of sample mix-up due to the large number of tubes involved in performing the process by hand.

The QIASymphony, QIAgility, and QIAcube instruments from Qiagen will be purchased with installation, training, and all analytical software necessary for LAPD analysts to complete analyses. These instruments from Qiagen will be purchased as sole source based upon existing training and validation using the Qiagen instrument platforms and chemistry, and the fact that Qiagen is the only manufacturer of these instruments.

Funding will also be utilized to obtain contract laboratory services at a cost of \$600,000. The LAPD will send approximately 300 cases to contract labs. The median price per case is approximately \$2,000 to perform DNA typing on the samples that may contain foreign DNA. LAPD will use the competitive bid process for establishing new contract labs, with the new contracts anticipated to be in place prior to funding of this grant (currently, outsourced DNA casework is being completed under letters of agreement with previous vendor laboratories under previously awarded competitive-bid contracts, continuing the provisions of those previous contracts). All existing DNA analysis contracts were acquired through a competitive bid process. Any contract laboratory services paid for by funds from this grant will have an approved Finding of No Significant Impact (FONSI) on file for the National Environmental Policy Act (NEPA).

The LAPD will spend approximately \$78,000 to hire contractors to perform internal validations on new analytical and robotic platforms. The new analytical platform can provide the potential for higher sensitivity and greater ease of handling through a redesigned, higher performance, robust amplification technology. Once validated, DNA analysts will be better equipped to handle degraded DNA and inhibited samples. In addition, the QIAcube high capacity, high throughput robotic platform will also be validated.

The LAPD will also use \$18,900 to pay registration fees for four training opportunities: American Academy of Forensic Sciences, California Association of Criminalists, International Symposium on Human Identification, and courses given by California Criminalistics Institute. These training opportunities are expected to help Criminalists meet the continuing education requirements and to provide training for new DNA analysts.

The LAPD intends to utilize \$47,113.95, the full 3 percent of the grant award amount allowed by the Federal Government, to cover Department administration and support.

The LAPD will continue to address its ongoing forensic cases workload with funds provided in the 2011-12 Budget. Any additional needs for the Crime Laboratory will be addressed in the context of the annual budget. Further details on the award and cooperative agreement are provided in the correspondence from the Board of Police Commissioners dated January 11, 2012.

RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Authorize the Chief of Police, or designee, to:
 - a. Retroactively apply for and accept the 2011 Forensic Deoxyribonucleic Acid (DNA) Backlog Reduction Program in the amount of \$1,570,465 from the United States Department of Justice, National Institute of Justice (NIJ) for the period October 1, 2011 through March 31, 2013;
 - b. Negotiate and execute the 2011 Forensic DNA Backlog Reduction Program Cooperative Agreement on behalf of the City and submit all necessary documents relative to the grant award and to negotiate, execute and submit any other necessary agreements and documents relative to the grant, subject to the approval of the City Attorney as to form and legality;
 - c. Negotiate, amend, and execute existing agreements with contract laboratory service providers, subject to the approval of the City Attorney;
2. Authorize the Controller to:
 - a. Establish a grant receivable in Fund 339 in the amount of \$1,570,465 and establish an appropriation account, account number to be determined, within Fund 339, Department 70 for the receipt and disbursement of grant funds;
 - b. Increase appropriations as needed from Fund 339, Department 70, account number to be determined, to Fund 100, Department 70, Account No. 1090 Civilian Overtime by an amount not to exceed \$65,334;
3. Authorize the Los Angeles Police Department (LAPD) to:
 - a. Submit grant reimbursement requests to the grantor and deposit grant receipts in the Police Department Grant Trust Fund No. 339, Department 70;
 - b. Spend up to the grant amount of \$1,570,465 in accordance with the grant award agreement; and
 - c. Prepare Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and authorize and instruct the Controller to implement the instructions.

FISCAL IMPACT STATEMENT

The Forensic Casework DNA Backlog Reduction Program costs are fully reimbursable and acceptance of the grant does not require matching funds. Therefore, there is no impact to the City's General Fund. The recommendations in this report comply with City's Financial Policies as one-time revenue is used for one-time expenses.

MAS:JLK:04120066c

Attachment

LC ANGELES POLICE COMMISSION

BOARD OF
POLICE COMMISSIONERS

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JOHN W. MACK
VICE PRESIDENT

ROBERT M. SALTZMAN
ALAN J. SKOBIN
DEBRA WONG YANG

MARIA SILVA
COMMISSION EXECUTIVE ASSISTANT I



ANTONIO R. VILLARAIGOSA
MAYOR

WVA
2012 JAN 10
ASSIGNED
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(DUE 2 WEEKS)
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OFFICE
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(213) 236-1410 FAX
(213) 236-1440 TDD

January 11, 2012

BPC #12-0005

The Honorable Antonio Villaraigosa
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012

The Honorable City Council
City of Los Angeles
c/o City Clerk's Office

Dear Honorable Members:

RE: TRANSMITTAL OF THE GRANT APPLICATION FOR THE 2011 FORENSIC
DEOXYRIBONUCLEIC ACID (DNA) BACKLOG REDUCTION PROGRAM

At the regular meeting of the Board of Police Commissioners held Tuesday, January 10, 2012, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

MARIA SILVA
Commission Executive Assistant

Attachment

c: Chief of Police

0220-03790-0033

CF 11-1909-51

BPC # 12-0005

INTR. DEPARTMENTAL CORRESPONDENCE

RECEIVED

DEC 21 2011

POLICE COMMISSION

December 14, 2011
1.17

REVIEWED

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

Richard M. Tefank
RICHARD M. TEFANK
EXECUTIVE DIRECTOR

12/22/11
DATE

SUBJECT: TRANSMITTAL OF THE GRANT APPLICATION FOR THE 2011 FORENSIC DEOXYRIBONUCLEIC ACID (DNA) BACKLOG REDUCTION PROGRAM

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached grant application, pursuant to Administrative Code Section 14.6(a), to the Mayor, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst and to the City Clerk for committee and City Council consideration.
3. That the Board REQUEST the Mayor and City Council to:
 - A. AUTHORIZE the Chief of Police to ACCEPT the grant award for the 2011 Forensic DNA Backlog Reduction Program in the amount of \$1,570,465 for the period of October 1, 2011, through March 31, 2013, from the National Institute of Justice, United States Department of Justice;
 - B. AUTHORIZE the Chief of Police to negotiate and execute the Cooperative Agreement, subject to City Attorney's approval as to form and legality;
 - C. AUTHORIZE the Los Angeles Police Department (LAPD) to submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339, Department No. 70;
 - D. AUTHORIZE the Controller to establish a grant receivable in Fund No. 339 in the amount of \$1,570,465;
 - E. AUTHORIZE the LAPD to establish an appropriations account to be determined within Fund No. 339, Department No. 70, for disbursement of the 2011 Forensic DNA Backlog Reduction Program;
 - F. AUTHORIZE the LAPD to spend up to the grant amount of \$1,570,465 in accordance with the grant award agreement;

BPC # 12-0005 86

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DEC 21 2011

POLICE COMMISSION

December 14, 2011

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TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

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EXECUTIVE DIRECTOR
12/22/11
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 - A. AUTHORIZE the Chief of Police to ACCEPT the grant award for the 2011 Forensic DNA Backlog Reduction Program in the amount of \$1,570,465 for the period of October 1, 2011, through March 31, 2013, from the National Institute of Justice, United States Department of Justice;
 - B. AUTHORIZE the Chief of Police to negotiate and execute the Cooperative Agreement, subject to City Attorney's approval as to form and legality;
 - C. AUTHORIZE the Los Angeles Police Department (LAPD) to submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339, Department No. 70;
 - D. AUTHORIZE the Controller to establish a grant receivable in Fund No. 339 in the amount of \$1,570,465;
 - E. AUTHORIZE the LAPD to establish an appropriations account to be determined within Fund No. 339, Department No. 70, for disbursement of the 2011 Forensic DNA Backlog Reduction Program;
 - F. AUTHORIZE the LAPD to spend up to the grant amount of \$1,570,465 in accordance with the grant award agreement;

- G. AUTHORIZE the Controller to increase appropriations for 2011 Forensic DNA Backlog Reduction Program as needed from appropriation account number to be determined in Fund No. 339, Department No. 70, to Fund No. 100, Department No. 70, account number and amount as follows:

Account No. 001090, Civilian Overtime: \$65,334

- H. AUTHORIZE the Chief of Police or his designee to negotiate and execute either new agreements or to amend any agreements with contract laboratory service providers, subject to the approval of the City Attorney; and
- I. AUTHORIZE the LAPD to prepare Controller Instructions for any technical adjustments, subject to the approval of the CAO, and AUTHORIZE and INSTRUCT the Controller to implement the instructions.

DISCUSSION

Funding from this grant will allow the LAPD to reduce its backlog by 550 cases and increase its laboratory capacity to meet existing and future demand for DNA screening and testing. To accomplish its objectives, the LAPD will provide training, purchase equipment, and procure contract laboratory services. Moreover, this strategy reduces bottlenecks that have in the past prevented the LAPD from meeting all of its goals.

If you have any questions, please have a member of your staff contact Senior Management Analyst Nancy Cammarata, Officer in Charge, Contracts and Grants Section, at (213) 486-0380.

Respectfully,



CHARLIE BECK
Chief of Police

Attachments

BOARD OF
POLICE COMMISSIONERS

Approved *January 10, 2012*
Secretary *María Silva*