

**TO THE COUNCIL OF THE
CITY OF LOS ANGELES**

File No. 07-2878-S5

Your PUBLIC SAFETY COMMITTEE

reports as follows:

PUBLIC SAFETY COMMITTEE REPORT relative to reducing the backlog of untested DNA evidence kits and related matters.

Recommendation for Council action:

RECEIVE and FILE Motion (Garcetti – Koretz) instructing the Police Department to report relative to reconciling the DNA database inventory, FBI requirement that out-sourced kits be tested again in-house, and creating a notification procedure for alerting rape victims of changes in status of their cases.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

SUMMARY

On November 6, 2009, Council considered Motion (Garcetti – Koretz) instructing the Police Department to report relative to reconciling the DNA database inventory, FBI requirement that out-sourced kits be tested again in-house, and creating a notification procedure for alerting rape victims of changes in status of their cases. Motion states that the City Controller has released a follow-up audit to evaluate the Police Department's progress reducing the backlog of untested DNA evidence kits in sexual assault cases. According to the audit, the backlog has been reduced from over 7,000 untested kits to 2,527. Despite this progress, motion makers believe that several areas of concern must still be addressed to permanently reduce the backlog.

The audit found that there may be discrepancies in the backlog data as reported previously by the Police Department. As the Controller indicated, although the Police Department is currently reconciling these differences, it is difficult to determine how much progress has been made if there is no accurate accounting of the backlog.

Motion makers go on to state that a secondary backlog also exists based on the FBI's policy that all out-sourced kits be tested again by an in-house DNA analyst. Records indicate that 1,102 cases have been tested by outside contractors and are awaiting this review, which takes approximately 72 additional days to complete. These figures have not been reported as part of the total backlog data.

It is further reported that the required notifications may not be occurring to victims when DNA evidence is not analyzed within specified timeframes, as required by state law. Further, there does not appear to be a consistent notification policy that applies to all sexual assault victims. Motion makers recommend that Council instruct the Police Department to report relative to reconciling the DNA database inventory, FBI requirement that out-sourced kits be tested again in-house, and creating a notification procedure for alerting rape victims of changes in status of their cases. Council referred Motion to the Public Safety Committee for consideration.

At its meeting held April 26, 2010, the Public Safety Committee discussed this matter with representatives of the Police Department. The Department continues to make progress in its efforts to reduce the backlog of untested DNA evidence kits. Department representatives also reported that the hiring of additional staff is progressing. It was also explained that outsourced kits are not completely retested. Department criminologists perform a review of outsourced kits. The Public Safety Committee recommended that Council receive and file Motion.

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

- NOT OFFICIAL UNTIL COUNCIL ACTS -

<u>MEMBER</u>	<u>VOTE</u>
SMITH:	YES
CARDENAS:	YES
PERRY:	YES
REYES:	ABSENT
ZINE:	ABSENT

JAW
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