

LOS ANGELES POLICE COMMISSION

BOARD OF
POLICE COMMISSIONERS

ANDREA SHERIDAN ORDIN
PRESIDENT

JOHN W. MACK
VICE PRESIDENT

RAFAEL BERNARDINO, JR.
RICHARD DROOYAN
ROBERT M. SALTZMAN

MARIA SILVA
COMMISSION EXECUTIVE ASSISTANT I



ANTONIO R. VILLARAIGOSA
MAYOR

RICHARD M. TEFANK
EXECUTIVE DIRECTOR

ALEXANDER A. BUSTAMANTE
INSPECTOR GENERAL

EXECUTIVE OFFICE
POLICE ADMINISTRATION BUILDING
100 WEST FIRST STREET, SUITE 134
LOS ANGELES, CA 90012-4112

(213) 236-1400 PHONE
(213) 236-1410 FAX
(213) 236-1440 TDD

September 26, 2012

BPC #12-0389

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

Dear Honorable Members:

RE: DNA MONTHLY REPORT FOR AUGUST 2012

At the regular meeting of the Board of Police Commissioners held Tuesday, September 26, 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

A handwritten signature in cursive script that reads "Maria Silva".

MARIA SILVA
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADPARTMENTAL CORRESPONDENCE

BPC #12-0389 8F
RECEIVED

SEP 19 2012

POLICE COMMISSION

September 20, 2012
8.6

REVIEWED

TO: Honorable Board of Police Commissioners

FROM: Chief of Police

Richard M. DeFank
RICHARD M. DEFANK
EXECUTIVE DIRECTOR
9/19/12
DATE

SUBJECT: DNA MONTHLY REPORT FOR AUGUST 2012

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached DNA Monthly Report for August 2012, and the Progress Report on the City Controller's Office audit recommendations, to the Los Angeles City Council.

DISCUSSION

At the request of the Los Angeles City Council and the Public Safety Committee, this is the DNA Monthly Report for August 2012, and a progress report on the City Controller's Audit recommendations as it relates to the reduction of the backlog of the Sexual Assault Evidence Kits.

Should you have any questions, please contact Captain William P. Hayes, Commanding Officer, Robbery-Homicide Division, at (213) 486-6850.

Respectfully,



CHARLIE BECK
Chief of Police

Attachments

BOARD OF
POLICE COMMISSIONERS
Approved *September 20, 2012*
Secretary *Maria Selia*

Overview of August 2012 Sexual Assault Evidence Kit Activities
September 5, 2012

The Los Angeles Police Department Serology/DNA Unit (SDU) is responsible for the analysis of biological evidence on all types of evidence and cases. This report represents the efforts of the SDU as it relates to the analysis of Sexual Assault Evidence Kits (SAEKs).

The August 2012 progress report indicates 318 SAEKs are either in analysis or pending a request for analysis to Robbery-Homicide Division (RHD). A review of those numbers determined that 289 kits are currently being analyzed by in-house resources or a contract laboratory. The remaining 29 cases are pending the submission of a request for analysis to RHD. Of those, only one (1) is for a kit that was booked into evidence more than 30 days prior.

To better address the Department's goal of testing all SAEKs in-house, the SDU has been developing an innovative High Throughput Male DNA Screening program. An important milestone was reached in August 2012: after completing a rigorous validation study and authoring a written procedure for the process, 53 SAEKs were selected to be tested in a pilot program.

The pilot program was effective as it allowed the SDU to determine staffing requirements and assess the process so that refinements can be implemented prior to full utilization of this method. The SAEKs processed under the pilot program were completed in less than 90 days and brought insight for the needed adjustments. This new technology, once properly optimized and tailored to suit the operations of the SDU, will expedite analysis of all SAEKs in 2013 and beyond. From September through November 2012, the program will undergo revisions to optimize these operational variables and maximize usefulness. This new method is expected to replace the current analysis process by 2013.

The influx of 228 SAEK re-tests in April, May and June 2012, increased the number of SAEKs in the late (over 90 days) categories. Specifically, there are 120 SAEKs over 90 days listed in the report, 88 (73%) are from the SAEK re-test casework. Likewise, 83 of the 93 SAEKs (89%) that are over 120 days are the re-test casework. The remaining 140 SAEK re-tests are completed.

**Report on the Controller's Office, 2nd Follow-Up Audit of the
Forensic DNA Backlog Reduction Grant Program Recommendations**
August 31, 2012

BACKGROUND

On November 10, 2011, the Office of the Controller issued the 2nd Follow-Up Audit of the Forensic DNA Backlog Reduction Grant Program. The Audit identified several findings and recommendations. The Los Angeles Police Department (Department) was asked to prepare a response and include information regarding the steps the Department has taken or intends to take to address the recommendations and to clarify information.

The following numbered items have been completed from the Controller's Office 2nd Follow Up Audit Recommendations.

Recommendation No. 1

Ensure that any sexual assault evidence kits that will be analyzed or that require a technical review are included in the SAEK Progress Reports.

Recommendation No. 3

Ensure reconciling differences between Departmental records are properly accounted for and explained in the SAEK Progress Report in order to accurately reflect the number and processing status of SAEKs.

Recommendation No. 4

Review those DNA cases where a request for testing is pending and determine the proper disposition.

Recommendation No. 5

Formalize follow-up procedures to ensure DNA testing requests are made within 30 days of the date of the offense.

Recommendation No. 6

Ensure the protocol for requesting DNA testing is followed in order to accurately track the status of rape kits.

Recommendation No. 7

The LAPD should implement protocols to review the unfounded cases received subsequent to December 8, 2008, to ensure that any cases where DNA analysis should be performed are identified.

Recommendation No. 8

The LAPD should verify the data queries used to compile the SAEK Progress Reports to minimize any reporting differences.

Report on the Controller's Office, 2nd Follow-Up Audit of the
Forensic DNA Backlog Reduction Grant Program Recommendations
August 31, 2012

Recommendation No. 9

The LAPD should re-assess its resource needs (staffing and funding) to ensure the appropriate level of resources is available and maintained to prevent any future rape kit backlogs from occurring.

Recommendation No. 10

Communicate to Policymakers any change to originally estimated funding levels that were designated for a specific purpose.

The following numbered items remain and are an ongoing effort to reconcile from the Controller's Office 2nd Follow-Up Audit Recommendations.

Recommendation No. 2

Identify revisions that are necessary to various Departmental records (e.g., APIMS or SAEK Master List, etc.) to ensure the reported number and status of SAEKs is accurate.

Response:

The completion of this recommendation involves the development of a master database (Recommendation #11) and the ongoing development of the interim system Robbery-Homicide Division (RHD)/ Incident Tracking System (ITS).

Recommendation No. 11

The LAPD should establish a formalized plan or timeline with interim milestones to track its progress in developing a comprehensive master database for sexual assault evidence kits.

Response:

The Request for Proposal (RFP) for the new Evidence and Property Information Management System (EPIMS) was reviewed by the City Attorney's Office and revisions completed. The RFP is anticipated to be presented to the Police Commission in September 2012. Upon the Police Commission's approval, the RFP can be released. Information Technology Bureau reviewed the timeline previously provided and updated the time frames for realistic planning. The time frame estimates for the proposal process, vendor selection and contract negotiations has been extended to require at least eight to 12 months for completion, changed from the six months. From this point, the implementation of such a complex management system would be expected to progress in phases and require 18 to 24 months for completion, changed from the time frame of 12 months. The early cost estimates for such a comprehensive system easily exceed one-million dollars for which there is not an identified source of funding.

Los Angeles Police Department

Sexual Assault Evidence Kit (SAEK)

Progress Report: August 31, 2012

Category	2011 YTD	2011 August	2012 YTD	2012 August
----------	-------------	----------------	-------------	----------------

SAEK RECEIVED

Total SAEK, Analysis In-Process or Pending a Request for Serology/DNA Analysis (RSDA)	N/A	518	N/A	318
Total SAEK, Booked by LAPD	882	114	878	117

PENDING ANALYSIS REQUEST

Total SAEK-RSDA Pending			29	29
Total SAEK-RSDA Pending, ≥ 30 Days from Booking			23	1

ANALYSIS IN-PROCESS

Total SAEK-Analysis Pending Completion – ALL			N/A	289
Analysis Pending Completion – Internal			N/A	105
Analysis Pending Completion – Outsource	N/A	30	N/A	184

Internal Analysis Initiated – Internal			968	93
Analysis Contracted Out – Outsource	877	30	627	51

Total No. of Days SAEK in Analysis since Request for Serology/DNA Analysis (RSDA)

Total Backlog: ≥ 90 Days			N/A	120**
≥ 120 Days			N/A	93
≥ 150 Days			N/A	0
≥ 180 Days			N/A	0

ANALYSIS COMPLETE

Total SAEK Analysis Completed - ALL	*1,203	*128	1,141	147
SAEK Analysis Complete - Internal	38	8	370	63
SAEK Analysis Complete - Outsource	*983	*120	624	84
SAEK Unsuitable for Testing (Cat 4, Suspect Kit, Etc.)	174	16	161	29

SAEK TESTING RESULTS

DNA Profiles Uploaded to CODIS	634	3	628	93
--------------------------------	-----	---	-----	----

Total CODIS Hits	416	459	223	2
CODIS Hits – Case to Offender	425	41	222	1
CODIS Hits – Case To Case	16	2	1	1

Notes:

Shaded areas were not tabulated, as data was not available from previous year.

* SAEK in 2011 were tabulated as complete, based on a sub-contractor analysis report.

** Includes 88 retest sexual assault kits, 83 of which are ≥ 120 days.