

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: November 18, 2013

CAO File No. 0220-03790-0040

Council File No. 10-1723

Council District: --

To: The Mayor  
The Council

From: Miguel A. Santana, City Administrative Officer



Reference: Board of Police Commissioners Transmittal dated November 7, 2013

Subject: **2010 SOLVING COLD CASES WITH DNA PROGRAM GRANT EXTENSION AND MODIFICATION**

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### SUMMARY

The Los Angeles Police Department (LAPD) requests approval to modify funding amounts within the 2010 Solving Cold Cases with Deoxyribonucleic Acid (DNA) Program grant provided by the United States Department of Justice, Office of Justice Programs, National Institute of Justice (NIJ). The LAPD also requests approval of an extension of the grant period to end December 31, 2013. The total approved funding amount of \$1,130,868 will remain the same, and the modification has been approved by the NIJ.

### BACKGROUND

The City Council approved the LAPD's acceptance of the 2010 Solving Cold Cases with DNA Program grant from the NIJ on January 18, 2011 (C.F. 10-1723). The grant amount was \$1,130,868 for a period from January 1, 2011 through December 31, 2011.

The major objectives of the 2010 Solving Cold Cases with DNA Program (Program) are to review and prioritize 800 "cold" homicide and sexual assault cases that have the potential of being solved through DNA analysis; retrieve and evaluate biological evidence; analyze DNA in biological evidence likely to yield results from the reviewed cases; and pursue follow-up investigations.

The requested changes to the Program are necessary for accurate documentation and to comply with the grant requirements. These changes include an increased need for in-house and contractual laboratory analysis services, reduced overtime usage for investigations, and adjustments to trainings and conferences attended by staff. Furthermore, a Federal audit determined that the use of grant funds for indirect administration costs is not allowable, therefore those funds must be reprogrammed.

The requested changes are as follows:

Category	Current	Change	New
Personnel/ Civilian Overtime	\$ 82,546	\$ 43,614	\$ 126,160
Personnel/ Sworn Overtime	381,576	(100,776)	280,800
Travel	21,679	(11,657)	10,022
Contractual/ Laboratory Services	629,900	79,186	709,086
Other/ Training, Conf. Registration	0	4,800	4,800
Indirect Costs/ Dept. Admin.	15,167	(15,167)	0
<b>Total</b>	<b>\$ 1,130,868</b>	<b>--</b>	<b>\$ 1,130,868</b>

The reprogramming represents movement of \$127,600 in funds, but the net change is \$0 and the total Program will remain at \$1,130,868.

Additionally, a grant period extension through December 31, 2013 is requested in order to complete the Program, the use of funds, and the payment of contractor invoices. The NIJ has approved both the Program budgetary changes and the extension at no cost and will continue to reimburse the City for expenses related to the Program.

Existing laboratory DNA analysis contracts with Bode Technology Group, Inc. (C-121595) and Orchid Cellmark, Inc. (C-122276) also need to be modified to accommodate the extended grant term. While the contracts themselves are both valid through March 31, 2014, the language in each contract's respective Section 301.A only authorizes payment for the 2010 Solving Cold Cases with DNA Program grant until December 31, 2012. The payment period will be extended through December 31, 2013.

## RECOMMENDATIONS

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

1. Authorize the Los Angeles Police Department (LAPD) to reprogram funds totaling \$127,600 within the 2010 Solving Cold Cases with DNA Program from the United States Department of Justice, Office of Justice Programs, National Institute of Justice (NIJ);
2. Authorize the Chief of Police, or designee, to:
  - a. Accept the NIJ no-cost extension for the 2010 Solving Cold Cases with DNA Program through December 31, 2013;
  - b. Execute an amendment to Contract No. C-121595 between the City of Los Angeles and Bode Technology Group, Inc. to extend the performance and payment period for laboratory DNA analysis services on the 2010 Solving Cold Cases with DNA Program through December 31, 2013, subject to the approval of the City Attorney as to form and legality;
  - c. Execute an amendment to Contract No. C-122276 between the City of Los Angeles

and Orchid Cellmark, Inc. to extend the performance and payment period for laboratory DNA analysis services on the 2010 Solving Cold Cases with DNA Program through December 31, 2013, subject to the approval of the City Attorney as to form and legality;

3. Authorize the Controller to increase appropriations as needed from Fund 339, Department 70, Account No. 70G528 2010 Solving Cold Cases, to Fund 100, Department 70, Account No. 1090 Civilian Overtime by an amount not to exceed \$43,614; and,
4. Authorize the LAPD to prepare Controller's instructions for any technical adjustment, subject to the approval of the City Administrative Officer, and authorize and instruct the Controller to implement the instructions.

### **FISCAL IMPACT STATEMENT**

The 2010 Solving Cold Cases with DNA Program costs are fully reimbursable. There is no impact to the General Fund. The recommendations in this report comply with the City's Financial Policies in that one-time revenue is used for one-time expenses.

*MAS:JCY:04140055*

# LOS ANGELES POLICE COMMISSION

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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

November 7, 2013

BPC #13-0380

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

Attention Mandy Morales

Dear Honorable Mayor:

RE: REQUEST FOR APPROVAL OF EXTENSION AND BUDGET MODIFICATION OF  
THE 2010 SOLVING COLD CASES WITH DNA PROGRAM

At the regular meeting of the Board of Police Commissioners held Tuesday, November 5, 2013, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you and to the City Council for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

Handwritten signature of Maria Silva in cursive.

MARIA SILVA  
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

BPC #13-0380

RECEIVED

OCT 29 2013

POLICE COMMISSION

October 25, 2013

1.17

REVIEWED

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

*Richard M. Tefank* 10/30/13  
RICHARD M. TEFANK DATE  
EXECUTIVE DIRECTOR

SUBJECT: REQUEST FOR APPROVAL OF EXTENSION AND BUDGET  
MODIFICATION OF THE 2010 SOLVING COLD CASES WITH DNA  
PROGRAM

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached grant modification, pursuant to Administrative Code Section 14.6(a), to the Mayor, Office of the City Administrative Officer, 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 AUTHORIZE the Los Angeles Police Department (LAPD) to reprogram funds totaling \$83,986 within the 2010 Solving Cold Cases with DNA Program from the United States Department of Justice, Office of Justice Programs, National Institute of Justice, as follows:

<u>Category</u>	<u>Current</u>	<u>Change</u>	<u>New</u>
Personnel	\$464,122	-\$57,162	\$406,960
Fringe Benefits	\$0		\$0
Travel	\$21,679	-\$11,657	\$10,022
Equipment	\$0		\$0
Supplies	\$0		\$0
Construction	\$0		\$0
Contractual	\$629,900	\$79,186	\$709,086
Other	\$0	\$4,800	\$4,800
Indirect Costs	\$15,167	-\$15,167	\$0
<b>TOTAL</b>	<b>\$1,130,868</b>	<b>\$0</b>	<b>\$1,130,868</b>

4. That the Board REQUEST the Mayor and City Council to AUTHORIZE the Chief of Police or designee to ACCEPT the no-cost extension for the 2010 Solving Cold Cases with DNA Program from the United States Department of Justice, Office of Justice Programs, National Institute of Justice, extending the award period to December 31, 2013;

5. That the Board REQUEST the Mayor and City Council to:
  - A. AUTHORIZE the Chief of Police, or designee, to execute the First Amendment to Contract No. C-121595, between the City of Los Angeles and The Bode Technology Group, Inc., extending the term of the agreement from December 31, 2012 to December 31, 2013, subject to City Attorney approval as to form and legality;
  - B. AUTHORIZE the Chief of Police, or designee, to execute the First Amendment to Contract No. C-122276, between the City of Los Angeles and Orchid Cellmark, Inc., extending the term of the agreement from December 31, 2012 to December 31, 2013, subject to City Attorney approval as to form and legality.

## DISCUSSION

The Los Angeles Police Department (LAPD) requests approval to reprogram funds totaling \$83,986. Funds would be transferred from Personnel, Travel, and Indirect Costs to Contractual and Other. The reprogramming of funds will allow the Department to send more cases for analysis to contract laboratories and fund conference registration fees for detectives and laboratory personnel.

Given the fact that more evidence items were sent to the contract laboratories for DNA analysis, the LAPD requests an increase to the Contractual allocation by \$79,186. In addition, an increase in the Other Costs category by \$4,800 is needed to pay for registration fees for conferences and seminars.

Since investigators worked fewer overtime hours than originally planned, there will be a decrease in the Personnel category by \$57,162. Travel will also be decreased by \$11,657 because of fewer investigators attending training and seminars than expected, resulting in reduced expenditures for lodging, per diem, and airfare. Furthermore, a Federal audit revealed that expenditures charged to Indirect Costs in the amount of \$15,167 were not allowable; therefore, those funds will be allocated to Contractual.

The LAPD is also seeking approval to accept a three-month no-cost extension. The extension will allow the LAPD to fully utilize grant funds and implement the revised budget. Moreover, the LAPD also requests approval to amend contracts with The Bode Technology Group and Orchid Cellmark to accommodate the no-cost extension.

The Honorable Board of Police Commissioners

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If you have any questions regarding this matter, please contact Chief Information Officer Maggie Goodrich, Commanding Officer, Information Technology Bureau, at (213) 486-0370.

Respectfully,



CHARLIE BECK  
Chief of Police

Attachments

**BOARD OF  
POLICE COMMISSIONERS**

Approved *November 5, 2013*

Secretary *Maria Silva*