

Your **PUBLIC SAFETY COMMITTEE**

reports as follows:

PUBLIC SAFETY COMMITTEE REPORT relative to the 2010 Solving Cold Cases with Deoxyribonucleic Acid (DNA) Program grant award for use by the Police Department.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

APPROVE the recommendations of the City Administrative Officer (CAO) in the January 5, 2011, report to the Mayor and Council (attached to the Public Safety Committee Report) relative to the 2010 Solving Cold Cases with DNA Program grant award in the amount of \$1,130,868 from the United States Department of Justice (DOJ), National Institute of Justice (NIJ) for use by the Police Department for the period January 1, 2011, through December 31, 2011.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The 2010 Solving Cold Case with DNA Program costs are fully reimbursable. Acceptance of the grant does not require matching funds. The above recommendations comply with City financial policies as one-time revenue is used for one-time expenses.

Community Impact Statement: None submitted.

SUMMARY

In the attached report to the Mayor and Council, the CAO states that the Police Department seeks retroactive approval to seek and accept a 2010 Solving Cold Cases with DNA Program grant award and to execute a Cooperative Agreement between the City and the DOJ/NIJ. According to the CAO, the major objectives of this program are to review and prioritize 800 "cold" homicides and sexual assault cases that have the potential of being solved through DNA analysis; retrieve and evaluate biological evidence; DNA analysis of biological evidence likely to yield results from those cases reviewed; and, follow-up investigations. The CAO reports that the NIJ will provide reimbursement for expenses incurred reducing the cold case backlog, such as overtime, contract laboratory services, travel, and department administration and support. On November 2, 2010, the Board of Police Commissioners approved the Police Department's request to seek and accept this grant. The CAO concurs with action.

At its meeting held January 10, 2011, the Public Safety Committee recommended that Council approve the CAO's recommendations relative to the acceptance of this grant.

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

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

- NOT OFFICIAL UNTIL COUNCIL ACTS -

REPORT FROM

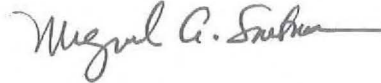
OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: January 05, 2011

CAO File No. 0220-03790-0030
Council File No. 10-1723
Council District: --

To: The Council

From: Miguel A. Santana, City Administrative Officer



Reference: Board of Police Commissioners Transmittal dated November 2, 2010

Subject: **2010 SOLVING COLD CASES WITH DNA PROGRAM GRANT**

SUMMARY

The Los Angeles Police Department (LAPD) is seeking retroactive approval to apply for and accept a \$1,130,868 grant award for the 2010 Solving Cold Cases with Deoxyribonucleic Acid (DNA) 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 January 1, 2011 through December 31, 2011.

The major objectives of the 2010 Solving Cold Cases with DNA Program are: 1) the review and prioritization of 800 "cold" homicides and sexual assault cases that have the potential of being solved through DNA analysis; 2) the retrieval and evaluation of biological evidence; 3) DNA analysis of biological evidence likely to yield results from those cases reviewed; and, 4) follow-up investigations.

Under the cooperative agreement, the NIJ will reimburse the City for expenses incurred to reduce the Department's cold case backlog as follows:

Sworn Overtime	\$381,576
Civilian Overtime	82,546
Contract Laboratory Services	629,900
Travel	21,679
Department Administration and Support	15,167
Total	<u>\$1,130,868</u>

The LAPD will utilize \$464,122 to provide overtime for Detectives, Laboratory Technicians and Criminalists. Detectives will review and investigate cases, Laboratory Technicians will package DNA evidence for shipment to contractors and Criminalists will perform data review prior to uploading any developed profiles into the Combined DNA Index System (CODIS). Detectives will use \$15,167 for travel to various cities or states to interview victims, witnesses and/or suspects.

Due to an increasing demand on LAPD's laboratory services, the Department will utilize \$629,900 for contractual laboratory services. The contractors will perform the screening and/or testing of the biological evidence that is retrieved. The Department anticipates that 240 of the 800 cases will have biological evidence that can be tested. Any biological evidence from the 240 cases will be shipped to an accredited contract laboratory for screening at a cost of \$252,000. The LAPD anticipates that 60 percent of samples submitted will require DNA typing at a cost of \$356,400. Any CODIS "hits" derived from the DNA typing will require confirmatory testing, so a new reference sample from each identified person in the CODIS database will have to be tested by the contract laboratory at a cost of \$21,500.

The LAPD requests authority to execute various amendments to contracts with existing service providers for the DNA analysis. The contracted services would augment the work of SDU staff. Four existing contractors were secured through a 2007 RFP. Those contracts will expire in 2011. LAPD also requested authority to execute contracts with contractors that may be selected under a forthcoming RFP.

In accordance with Charter Section 1022 (1022), departments may enter into contracts for the performance of work when the work can be performed more economically or feasibly by independent contractors than by City employees. This requirement applies to contracts and amendments when they involve a labor component that is \$25,000 or greater and when the grantor does not require that the services be contracted out. LAPD is required to submit a request to the Personnel Department for determination as to whether City employees can perform the work. At this time the 1022 process has not been completed. We recommend that LAPD comply with the 1022 requirements and obtain Mayor and Council approval prior to executing contracts or amendments with these contractors. In accordance with the Los Angeles Administrative Code Section 10.5 Council approval of any proposed contract is required if the proposed contract term exceeds three years and the estimated annual compensation may exceed \$131,620 (for fiscal year 2010-11).

The remainder of the grant funds will finance the fringe benefit costs incurred by the Grant Specialist managing the grant. Any additional needs for the Laboratory 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 November 2, 2010 (see Attachment).

RECOMMENDATIONS

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

1. Authorize the Chief of Police or designee to retroactively apply for and accept the 2010 Solving Cold Cases with Deoxyribonucleic Acid (DNA) Program Grant Award in the amount of \$1,130,868 from the United States Department of Justice, National Institute of Justice (NIJ) for the period January 1, 2011 through December 31, 2011;
2. Authorize the Chief of Police or designee to execute the 2010 Solving Cold Cases with DNA 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;

3. Authorize the Los Angeles Police Department (LAPD) to submit grant reimbursement requests to the grantor and deposit grant receipts in the Police Department Grant Trust Fund No. 339, Department 70;
4. Authorize the Controller to establish a grant receivable in Fund 339 in the amount of \$1,130,868 and establish an appropriation account, account number to be determined, within Fund 339, Department 70, for the receipt and disbursement of grant funds;
5. Authorize the LAPD to spend up to the grant amount of \$1,130,868 in accordance with the grant award agreement;
6. Authorize the Controller to:

- a. Increase appropriations on an as-needed basis as follows:

From:

<u>Fund/Dept</u>	<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
339/70	GXXX	2010 Solving Cold Cases with DNA Grant	\$232,061

To:

<u>Fund/Dept</u>	<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
100/70	1092	Sworn Overtime	\$190,788
100/70	1090	Civilian Overtime	41,273

Transfer appropriations within Fund 339, Department 70 as follows:

	<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
From:	GXXX	2010 Solving Cold Cases with DNA Grant	\$7,584

	<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
To:	G299	Police Fringe Benefits	\$7,584

8. Authorize the LAPD to 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 2010 Solving Cold Case with DNA 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.

Attachment

MAS:AMY:04110073c