

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: September 26, 2014

CAO File No. 0160-01450-0017

Council File No. 14-0600-S243

Council District: --

To: The Mayor and Council

From: Miguel A. Santana, City Administrative Officer *BA  
DW*

Reference: Board of Police Commissioners Transmittal dated July 15, 2014

Subject: **NARCOTICS ANALYSIS LABORATORY TRUST FUND (NALTF) EXPENDITURE PLAN NO. 17**

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### SUMMARY

The Los Angeles Police Department (LAPD) requests approval of the Narcotics Analysis Laboratory Trust Fund (NALTF) Expenditure Plan No. 17. This expenditure plan covers narcotics casework overtime and laboratory equipment totaling \$424,800 to be funded in 2014-15. Funds are available and the items covered in the plan are considered eligible uses of the NALTF.

Section 11372.5 of the California Health and Safety Code provides for the courts to collect a fee of \$50 at the time of a controlled substance related conviction to reimburse law enforcement laboratories for costs incidental to analysis of controlled substances. The funds must be used to support the laboratories and historically the City has used these funds for LAPD staff overtime and training and the purchase of laboratory equipment for the LAPD Scientific Investigation Division (SID) personnel. Los Angeles Administrative Code Section 5.115.2 creates the NALTF and requires that the Mayor and Council approve an expenditure plan prior to the disbursement of the funds.

Over the last five years, the Mayor and Council have authorized expenditures of approximately \$1.6 million from the NALTF. The Fund received \$267,000 in fee revenue in 2013-14. The balance in the Fund as of June 30, 2014 was \$1.23 million, of which approximately \$500,000 is programmed for prior-approved plans and \$424,800 will be programmed for Expenditure Plan No. 17. The remaining balance, along with revenue received in 2014-15 and beyond, will be programmed into future Expenditure Plans.

The LAPD proposes to use \$120,000 in overtime for staff to complete narcotics casework, \$85,000 to pay for toxicology analysis performed by the Los Angeles County Department of Coroner, and \$219,800 for laboratory equipment and information technology hardware and software. Additional details are provided in the Board of Police Commissioners report dated July 15, 2014.

SEARCHED - WITH: 32

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## RECOMMENDATIONS

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

1. Approve the Narcotics Laboratory Trust Fund (NALTF) Expenditure Plan No. 17 for \$424,800 and authorize the Los Angeles Police Department (LAPD) to expend the funds according to the State of California and City policy;
2. Authorize the Controller to:
  - a. Establish appropriation accounts within NALTF No. 863, Department 70 as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
TBD	Plan 17 Casework Overtime	\$120,000
TBD	Plan 17 Toxicology Analyses	85,000
TBD	Plan 17 Equipment	<u>219,800</u>
	Total	\$424,800
  - b. Increase appropriations as needed from Fund 863/70, Plan 17 Casework Overtime account, to LAPD Fund 100/70, Account No. 001090 General Overtime, by an amount not to exceed \$120,000; and,
3. 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

Approval of the Narcotics Laboratory Trust Fund Expenditure Plan No. 17 authorizes the Los Angeles Police Department to spend up to \$424,800 from the Fund. There is no impact on the General Fund. This action complies with the City's Financial Policies in that one-time revenue is used for one-time expenditures.

MAS:JCY:04150016

Attachment

# LOS ANGELES POLICE COMMISSION

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

(213) 236-1400 PHONE  
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July 15, 2014

BPC #14-0267

The Honorable Eric Garcetti  
Mayor, City of Los Angeles  
City Hall, Room 303  
Los Angeles, California 90012

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

Dear Honorable Members:

RE: NARCOTICS ANALYSIS LABORATORY TRUST FUND EXPENDITURE PLAN  
NO. 17

At the regular meeting of the Board of Police Commissioners held July 15, 2014, 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

INTRADEPARTMENTAL CORRESPONDENCE

RECEIVED

8E

JUN 26 2014

POLICE COMMISSION

June 26, 2014  
8.9

REVIEWED

TO: The Honorable Board of Police Commissioners

*Mark Tefank*

MARK M. TEFANK  
DEPUTY DIRECTOR

6/26/14  
DATE

FROM: Chief of Police

SUBJECT: NARCOTICS ANALYSIS LABORATORY TRUST FUND EXPENDITURE  
PLAN NO. 17

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE the Narcotics Analysis Laboratory Trust Fund Expenditure Plan No. 17. The Expenditure Plan includes funding in the amount of \$424,800 that will be used to pay for casework overtime, specialized analysis of evidence samples for drugs of abuse and the purchase of specialized equipment used by Scientific Investigation Division (SID) for the analysis of narcotics evidence.
2. That the Board TRANSMIT the Narcotics Analysis Laboratory Trust Fund Expenditure Plan No. 17 to the Mayor and the Los Angeles City Council for approval.
3. That the Board AUTHORIZE the City Controller's Office to establish appropriation accounts within Fund 863 Department 70 as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
TBD	Casework Overtime	\$120,000.00
TBD	Toxicology Analyses	\$ 85,000.00
TBD	Equipment	\$219,800.00

4. That the Board AUTHORIZE the Los Angeles Police Department (LAPD) to prepare City Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE and INSTRUCT the City Controller to implement the instructions.
5. AUTHORIZE the Controller to increase appropriations as needed from Fund 863/70, Account to be determined, to Fund 100/70, General Overtime Account No. 001090, by an amount not to exceed \$120,000.00.

**DISCUSSION**

Section 11372.5 of the California Health and Safety Code provides that a \$50 fee shall be collected from every person for each narcotics offense for which they are convicted. The intent of the law is to reimburse law enforcement agencies for costs associated with the chemical analysis of controlled substances and the operation of their criminalistics laboratories.

The City of Los Angeles (City) has established the Narcotics Analysis Laboratory Trust Fund to receive, administer and disburse funds that are collected by the courts and forwarded to the City pursuant to this legislation. The City ordinance that established the fund requires that the Los Angeles City Council approve an expenditure plan prior to actual disbursement of funds.


The overtime and equipment to be purchased includes the following items:

OVERTIME, ANALYSIS AND EQUIPMENT ITEMS	COST
Narcotics Casework Overtime	\$120,000.00
Toxicology analyses of blood and urine samples for drugs of abuse	\$ 85,000.00
Laboratory Information Management System Servers	\$100,000.00
Chemistry Analyzer System for SID Toxicology Unit	\$110,000.00
Centrifuge for SID Toxicology Unit	\$ 9,800.00
TOTAL	\$ 424,800.00

A fact sheet describing these items in detail is attached.

If you have any questions regarding this matter, please contact Police Administrator Yvette Burney, Commanding Officer, Scientific Investigation Division, at (323) 415-8100.

Respectfully,

  
CHARLIE BECK  
Chief of Police

**BOARD OF  
POLICE COMMISSIONERS**  
Approved *July 15, 2014*  
Secretary *Nahia Silva*

Attachment

## FACT SHEET

### **NARCOTICS ANALYSIS LABORATORY TRUST FUND OVERTIME AND EQUIPMENT SPENDING PLAN REQUEST**

June 26, 2014

**Background.** Scientific Investigation Division (SID) requests that funds in the Narcotics Analysis Laboratory Trust Fund (NALTF) be used to provide the following items:

#### **Narcotics Casework Overtime Funds**

\$120,000 is requested for overtime to complete narcotics casework.

The primary task of the Narcotics Analysis Unit (NAU) of SID is to analyze narcotics evidence seized from felony drug offenders and transmit laboratory reports of the drug analyses to the District Attorney's Office (DA) in time for the DA to file charges within 48 hours of the arrest. With the current staffing levels in the NAU, a significant amount of this work must be completed on overtime.

In 2013, the total number of narcotics cases analyzed was 14,060 with 1,962 (14%) analyzed on overtime. The total number of overtime hours devoted to narcotics casework in 2013 was 1,551. At an average hourly overtime pay rate of \$77.70, the cost to compensate all of the 2013 overtime in cash was \$120,513. The narcotics caseload for 2014 is projected to be nearly identical to that of 2013, and the amount of casework analyzed on overtime will be approximately the same as well.

Staff who analyze narcotics evidence dedicate their entire work days to the analysis of narcotics evidence. The use of NALTF funds for narcotics casework analysis on overtime will only be allocated to compensate staff who have completed 8 working hours devoted to narcotics evidence analysis and related tasks.

An allocation of \$120,000 from NALTF Spending Plan 16 is currently being used to pay for casework overtime in the NAU. These funds are carefully tracked and managed by SID staff. Between September 10, 2013, and April 7, 2014, \$64,627 of the \$120,000 has been used to pay for staff overtime for the completion of 1,176 narcotics cases. At the current usage rate, it is expected that the Plan 16 allocation will be fully expended by the end of October 2014.

#### **Toxicology Analyses**

\$85,000 is requested to pay for confirmation analysis of low-level drug testing of blood and urine samples from sexual assault victims and driving-under-the-influence-of-drugs arrestees.

These analyses will be performed by the Los Angeles County Department of Coroner Toxicology Laboratory. The blood and urine evidence samples will be transferred to the Coroner Toxicology Laboratory by staff from the SID Toxicology Unit.

An allocation of \$85,000 from NALTF Spending Plan 16 is currently being used to pay for these analyses by the Coroner Toxicology Laboratory. For the twelve months of 2013, a total of

## FACT SHEET

### NARCOTICS ANALYSIS LABORATORY TRUST FUND OVERTIME AND EQUIPMENT SPENDING PLAN REQUEST

June 26, 2014

\$73,841 was spent by SID to pay for toxicology analyses by the Coroner Laboratory. These funds paid for sample analysis in 105 sexual assault cases and 262 driving under the influence of drugs cases.

#### **Equipment List**

1. One (1) Beckman Coulter/Olympus AU480 Chemistry Analyzer System for the SID Toxicology Unit (\$110,000).

The Olympus AU480 will be used to screen for drugs of abuse in urine samples collected from arrestees and victims of sexual assault. It will also be used to test urine samples randomly collected from police officer employees as part of the Drug Free Work Place program that is detailed in the City of Los Angeles Labor Agreement, MOU 24, Articles 3.4 & 3.5. It will replace a 14 year old instrument that is operating beyond its useful service life.

In the previous 12 months, the current instrument was used to analyze more than 3,300 urine samples for drugs of abuse. It is a key tool used to rapidly screen samples for dozens of drugs. Arrestee samples are primarily taken from suspects accused of driving under the influence. Victims of sexual assault, including date rape, provide urine samples for analysis during medical examinations that are part of the sexual assault criminal investigation process.

The instrument utilizes the enzyme multiplied immunoassay technique (EMIT) to detect drug substances and their metabolites at concentrations in the nanogram per milliliter range. Samples that test positive for drugs are further tested to confirm the specific drug of abuse.

The 14 year old Olympus AU400 instrument currently in use is showing its age. It is less reliable and more down time for maintenance has been experienced in the past three years. It will soon become obsolete as parts needed for repair and maintenance will no longer be available. The requested Olympus AU480 uses smaller quantities of chemicals, operates faster, and will have a useful life span of 10 years.

2. One (1) Thermo Scientific Sorval ST 40 Centrifuge (\$9,800).

This requested replacement centrifuge will be used to prepare blood samples for drugs of abuse analysis. Analysis of blood samples for drugs of abuse assists the Department with crime reduction by helping officers with their investigations.

Samples prepared and analyzed are primarily from suspects arrested for driving under the influence. The volume of these blood samples needing preparation and analysis has greatly increased in 2013 with the passage of new legislation in California that requires drug testing be conducted only on blood samples. In the past, most of these drugs of abuse tests were conducted on urine samples. Urine samples do not require centrifuge preparation as do blood samples.

## FACT SHEET

### **NARCOTICS ANALYSIS LABORATORY TRUST FUND OVERTIME AND EQUIPMENT SPENDING PLAN REQUEST**

June 26, 2014

The centrifuge currently in use is 7 years old and is nearing the end of its useful life span. It can only contain 12 sample tubes safely. It is not capable of holding the larger sized sample tubes required for analysis of blood for marijuana. The requested centrifuge can process 32 sample tubes and also holds the larger sample tubes needed for marijuana analysis. The enhanced capacity of the requested centrifuge will greatly improve efficiency in the analysis of blood samples collected from driving under the influence arrestees.

3. Five (5) Hewlett Packard (HP) ProLiant DL Gen Series Servers, and Associated Software from CompuCom Systems, for Laboratory Information System (LIMS) (\$100,000).

This is a replacement purchase request for five servers which are critical for the continued use of the LIMS system throughout the Criminalistics Laboratory including the Narcotics Analysis and Toxicology Units. LIMS is a laboratory based information management software system used for evidence tracking, evidence chain of custody, interfacing with analytical instrumentation, entering test results, preparing laboratory reports, and generating statistical and informational data.

The five LIMS servers which are to be replaced include the database server, the archive server, the SMTP / email service server, tape back-up server, and test database server.

Each server serves a specific function critical for the continued use of LIMS, and it is recommended by the industry standard to keep each server function separated. The functions are:

- Database Server – contains all of the LIMS data
- Archive Server – used to generate tracking information and to generate an audit trail
- SMTP / Email Server – used specifically for email functions associated with LIMS
- Tape Back-up Server – used to back-up all the data from the other servers to tape format
- Test Database Server – used for testing new applications, upgrades, and troubleshooting.

Due to the age of these servers, IT personnel have reported an increased frequency of hardware failure, a reduction in memory performance, frequent replacement of components, and current technology incompatibility. These servers are currently six years old. The average life cycle is seven years old. The replacement of these servers is necessary to continue providing uninterrupted laboratory services.

## INTRADEPARTMENTAL CORRESPONDENCE

June 17, 2014  
8.9

**TO:** Chief of Police

**FROM:** Chief of Detectives

**SUBJECT:** NARCOTICS ANALYSIS LABORATORY TRUST FUND EXPENDITURE PLAN 17

It is requested that the Chief of Police approve and transmit to the Board of Police Commissioners the Narcotics Analysis Laboratory Trust Fund (NALTF) Expenditure Plan 17. The expenditure plan totals \$424,800. Below is a description of each item requested and a fact sheet with detailed description of each item is attached.

- \$120,000 for casework overtime to be used in the Scientific Investigation Division (SID) Criminalistics Laboratory Narcotics Analysis Unit.
- \$85,000 for toxicology analyses of blood and urine samples for drugs of abuse – analyses to be performed by the Los Angeles County Coroner Toxicology Laboratory.
- \$100,000 for five Laboratory Information Management System (LIMS) servers.
- \$110,000 for a chemistry analyzer system to be used in the SID Toxicology Unit for the screening of urine samples for drugs of abuse.
- \$9,800 for a new centrifuge to be used to prepare blood samples for drugs of abuse analysis in the SID Toxicology Unit.

Section 11372.5 of the California Health and Safety Code provides that every person who is convicted of narcotics offense(s) shall pay a laboratory analysis fee of \$50 for each narcotics offense. The City has established the Narcotics Analysis Laboratory Trust Fund (NALTF) to receive, administer and disburse funds that are collected by the courts and forwarded to the City pursuant to this legislation. The City ordinance that established the fund requires that the City Council approve an expenditure plan prior to actual disbursement of funds.

If you have any questions regarding this matter, please contact Police Administrator Yvette Burney, Commanding Officer, Scientific Investigation Division, at (323) 415-8100.



KIRK J. ALBANESE, Deputy Chief  
Chief of Detectives

Attachment