



Contra
Costa
County

To: Board of Supervisors

From: Mark Peterson, District Attorney

Date: November 3, 2015

Subject: Approval to Execute a Grant Award Agreement for funding of the SAK Backlog Elimination Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the District Attorney, or designee, to apply for and accept the Sexual Assault Kit Backlog Elimination Grant in an amount not to exceed \$1,841,535 from the District Attorney – County of New York for DNA analysis of untested sexual assault kits in the possession of local law enforcement agencies for the period of October 1, 2015 through October 1, 2017.

FISCAL IMPACT:

Revenue of \$1,841,535, 100% County of New York. The grant will fund for the mailing and subsequent DNA analysis by a private forensic laboratory of all untested sexual assault kits that are over a year old. Award monies will also be used to compensate the Sheriff's Forensic Services Division for the technical review of the private DNA lab's work and subsequent upload the FBI's CODIS system of all qualifying DNA profiles (\$100 per case). No county funding is required.

BACKGROUND:

Local law enforcement agencies have historically submitted roughly 10% of a sexual assault kits collected from victims of sexual crimes

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 11/03/2015 ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 3, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Chris Heck, Deputy

Contact: Cherie Mathisen (925)
957-2234

cc:

BACKGROUND: (CONT'D)

for examination of DNA evidence. Various reasons exist for why a large percentage of the sexual assault kits have not been tested ranging from investigators determining the DNA evidence even if found would not have probative value, to agencies whose budgets could not afford the costs associated with modern DNA testing. This issue has received nation-wide attention from victim advocate groups demanding these untested kits be examined with arguments that the resultant DNA profiles searched in the DNA databases will identify serial sexual predators and remove them from the streets to prevent further victimization and create safer communities.

California even adopted a statute (AB 1517 effective 1/1/16) strongly encouraging all sexual assault kits be submitted to a forensic laboratory and DNA testing completed within certain timeframes. Local law enforcement will have to abide by the state statute moving forward but the estimated 2400 untested kits stored in their property rooms was cost prohibitive to get tested. This DANY grant removes the financial burden from local law enforcement of getting these untested sexual assault kits examined.

CONSEQUENCE OF NEGATIVE ACTION:

The District Attorney will be unable to apply for and accept the grant award.

CHILDREN'S IMPACT STATEMENT:

No impact.