



## Legislation Details (With Text)

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**Title:** Actions pertaining to the 2018 National Sexual Assault Kit Initiative (SAKI) grant program, herein referred to as the SAKI grant

1. Authorize the Chief of Police to accept \$1,000,000 in grant funding for the SAKI grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Justice Programs Bureau of Justice Assistance (BJA)
2. Authorize the Chief of Police to enter into a Memorandum of Understanding (MOU) with Rape Counseling Centers of Fresno (RCS) for a part time victim advocate throughout the three year grant performance period totaling \$53,618
3. \*\*\*RESOLUTION - Adopt the 16th amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 appropriating \$281,500 for the Police Department's SAKI grant (requires five affirmative votes) (Subject to Mayor's veto).

**Sponsors:** Police Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 16th Amendment to the AAR No. 2018-157.pdf, 2. Grant Agreement.pdf, 3. MOU Agreement with Rape Counseling Services of Fresno.pdf

Date	Ver.	Action By	Action	Result
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## REPORT TO THE CITY COUNCIL

**November 15, 2018**

**FROM:** JERRY P. DYER, Chief of Police  
Police Department

**BY:** PATRICK FARMER, Deputy Police Chief  
Investigations Division

### SUBJECT

Actions pertaining to the 2018 National Sexual Assault Kit Initiative (SAKI) grant program, herein referred to as the SAKI grant

1. Authorize the Chief of Police to accept \$1,000,000 in grant funding for the SAKI grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Justice Programs Bureau of Justice Assistance (BJA)
2. Authorize the Chief of Police to enter into a Memorandum of Understanding (MOU) with Rape Counseling Centers of Fresno (RCS) for a part time victim advocate throughout the three year grant performance period totaling \$53,618

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## RECOMMENDATION

Staff recommends that Council authorize acceptance of \$1,000,000 in grant funding from the U.S. Department of Justice, through the Office of Justice Programs Bureau of Justice Assistance, allowing the Chief of Police to enter into and execute the agreement and any amendments or modifications, authorize the Chief of Police to enter into a MOU with Rape Counseling Services of Fresno, and adopt the 16th Amendment to AAR No 2018-157 to appropriate \$281,500 funding into the FY 2019 budget. The remaining funds will be utilized in FY 2020-2022. Funds have been awarded for the 2018 National SAKI to the Fresno Police Department's (FPD) Family Justice Bureau within the Investigations Division.

## EXECUTIVE SUMMARY

The City of Fresno has been awarded grant funds of \$1,000,000 from the U.S. Department of Justice, through the Office of Justice Programs Bureau of Justice Assistance to address the established sexual assault kit back log of cases within the FPD. The grant period is from October 1, 2018 to September 30, 2021.

## BACKGROUND

In April 2015, an inventory was conducted on un-tested sexual assault kits (SAKs), resulting in the identification of 888 un-tested sexual assaults, suspicious deaths, and suspect homicide kits. In response to the SAK back log in FPD evidence, members of Fresno Sexual Assault Response Team (SART) began convening regularly to address and identify individual, organizational, and systemic factors that lead to the high number of un-submitted SAKs in the City of Fresno. Several policies and procedures were implemented to prevent future back logs with un-tested SAKs. The goals of SART are to link victims with advocates, counseling services, and implement best practices to bring perpetrators to justice and increase safety within our community by preventing sexual assaults.

In 2016, the California Department of Justice Bureau of Forensic Science (CA DOJ BFS) was awarded a grant from the District Attorney's Office of New York (DANY). Due to FPD's strong working relationship with the CA DOJ BFS and a partnership with the regional DOJ lab located at California State University, Fresno, FPD was able to submit the un-tested SAKs from the department's Property & Evidence storage facility for testing. As a result of the volume of un-tested SAKs submitted, FPD Sexual Assault Unit (SAU) Investigators routinely communicate with laboratory personnel on these cases, in an effort to obtain quality and timely evidence returns from SAKs. FPD, in conjunction with the CA DOJ BFS was also able to send out un-tested SAKs to two approved vendor labs for DNA testing utilizing DANY grant resources.

As the un-tested SAKs continued to be sent out to laboratories to get tested the percentage of DNA hits remains high and an overwhelming majority is yielding DNA evidence. From the original number of approximately 888 un-tested kits identified in 2015, there are currently 694 sexual assault cases needing further investigation due to recent DNA hits. The FPD SAU has policy and procedures in place which will prevent a back log of SAKs in the future. The unit currently follows the Bureau of Justice Assistance's model for un-tested SAKs and has implemented a tracking system which follows

current case protocols.

With this grant funding FPD can now address the cases on the back log and investigate all DNA hits and leads related to the case. Due to FPD's relationship with the Rape Counseling Services of Fresno, they will also be receiving a portion of the funding to provide each victim with advocacy services and resources throughout the investigation and prosecution of their case.

## **ENVIRONMENTAL FINDINGS**

This is not a "project" for the purposes of CEQA, pursuant to CEQA Guidelines Section 15378.

## **LOCAL PREFERENCE**

Local preference was not considered because accepting grant funds does not include a bid or award of a construction or service contract.

## **FISCAL IMPACT**

There will be no net impact to the General Fund. The grant provides full cost recovery for all operations, training and supplies for this program. The advocate hired by the Rape Counseling Services of Fresno is contracted for the three years of the grant. At the conclusion, they will return to RCS to work on other projects. Expenses will be claimed and reimbursed on a quarterly basis. This funding will enable the Fresno Police Department to enhance its current capabilities and response to sexual assault cold cases identified within the City of Fresno.

Attachment: 16<sup>th</sup> Amendment to the AAR No. 2018-157  
Grant Agreement  
MOU Agreement with Rape Counseling Services of Fresno