



Legislation Details (With Text)

File #: ID19-11647 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 11/25/2019 **In control:** City Council

On agenda: 12/12/2019 **Final action:** 12/12/2019

Title: Actions pertaining to the 2019 National Sexual Assault Kit Initiative (SAKI) grant program, herein referred to as the SAKI grant

1. Authorize the Mayor or his designee 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 Mayor or his designee to enter into a Memorandum of Understanding (MOU) with Fresno County District Attorney's Office for a full time Deputy District Attorney throughout the three year grant performance period totaling \$551,001
3. ***RESOLUTION - 19th Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 appropriating \$264,500 for the Police Department's SAKI grant (requires five affirmative votes) (subject to Mayor's veto)
4. ***RESOLUTION - 5th Amendment to Position Authorization Resolution No. 2019-134, adding one Police Officer position to the Fresno Police Department (subject to Mayor's veto)

Sponsors: Police Department

Indexes:

Code sections:

Attachments: 1. 20 19th SAKI_PR.pdf, 2. Resolution - 5th Amendment to the PAR.pdf, 3. SAKI Award, GAN approval - signed.pdf, 4. SAKI MOU - signed.pdf

Date	Ver.	Action By	Action	Result
12/12/2019	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

December 12, 2019

FROM: ANDREW HALL, Chief of Police
Police Department

THROUGH: PATRICK FARMER, Deputy Police Chief
Investigations Division

BY: TOM LABAND, Police Lieutenant
Family Justice Bureau

SUBJECT

Actions pertaining to the 2019 National Sexual Assault Kit Initiative (SAKI) grant program, herein referred to as the SAKI grant

1. Authorize the Mayor or his designee 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 Mayor or his designee to enter into a Memorandum of Understanding (MOU) with Fresno County District Attorney's Office for a full time Deputy District Attorney throughout the three year grant performance period totaling \$551,001
3. ***RESOLUTION - 19th Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 appropriating \$264,500 for the Police Department's SAKI grant (requires five affirmative votes) (subject to Mayor's veto)
4. ***RESOLUTION - 5th Amendment to Position Authorization Resolution No. 2019-134, adding one Police Officer position to the Fresno Police Department (subject to Mayor's veto)

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 Mayor or his designee to enter into and execute the agreement and any amendments or modifications, authorize the Mayor or his designee to enter into a Memorandum of Understanding with Fresno County District Attorney's Office, adopt the 19th Amendment to AAR No 2019-133 to appropriate \$264,500 funding into the FY 2020 budget and adopt the 3rd Amendment to Position Authorization Resolution No. 2019-134 adding one police officer position to the Fresno Police Department. The remaining funds will be utilized in FY 2021-2023. Funds have been awarded for the 2019 National Sexual Assault Kit Initiative to the Fresno Police Department's 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 assist with the follow up investigation of sexual assault cases. The grant period is from October 1, 2019 to September 30, 2022.

BACKGROUND

In 2018, the Fresno Police Department Sexual Assault Cold Case Unit (CCU) was formed with grant funding from the 2018 SAKI grant to investigate 694 Combined DNA Index System (CODIS) potential suspect DNA hits received from the period 2000-2015. Two detectives along with a Rape Crisis Services Advocate were assigned to the unit. Since the establishment of the unit, the 350 new CODIS DNA hits received thus far have not been followed up on. These hits are from the period of 2016 to present. The current staffing levels in the Sexual Assault Unit cannot handle an additional 350 cold case sexual assault cases to investigate.

In order to maximize the unit's ability to work sexual assault investigations, the unit must get caught up with cases from the back log. The best way to address the investigation of back log cold cases is to have a dedicated Detective and a specially trained Deputy District Attorney (DDA) working on sexual assault cold cases. This realization resulted in the writing of the 2019 SAKI grant in partnership with the Fresno County District Attorney's Office. With the limited number of DDA's assigned to the District Attorney's office, they too are working with strained resources and working the numerous cold cases with CODIS DNA hits, will be unmanageable without additional personnel.

The duty of the additional FPD detective is to investigate the initial 350 hits currently in CODIS. This detective will be responsible for following up on the CODIS DNA hits as they are received by the Fresno Police Department. The Deputy District Attorney will have the sole mission of assisting in those investigations and providing the Detective with the insight for successful prosecution when desired by the victim. This will also give the cases the attention they deserve and will allow the CCU to work with the victim to ensure they have the support through the prosecution process when they so choose.

In September 2019, the Police Department was awarded the 2019 National Sexual Assault Kit Initiative (SAKI) grant from the U.S Department of Justice through the Bureau of Justice Assistance. With this grant funding we can dedicate one additional full time detective to pursue all DNA hits and leads related to the cases being returned from lab testing. The Fresno County District Attorney's Office will be receiving a portion of the funding to provide investigative assistance and to prosecute cases generated from the SAKI grant in an effort to provide closure to the victims.

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 positions, operations, training and supplies for this program during the period of the grant. Expenses will be claimed and reimbursed on a quarterly basis. By adding this position, we can dedicate this one investigator to handle the identified SAKI related cases while keeping the current capacity of the Sexual Assault Unit fully staffed. 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: 19th Annual Appropriations Resolution No. 2019-133
Grant Agreement
3rd Amendment to the Position Authority Resolution No. 2019-134
MOU Agreement with Fresno County District Attorney's Office