

Report on the Controller's Office Audit Recommendations

April 2010 Update

Recommendation #1

Reconcile the difference between the rape kit records from the physical inventory to the APIMS records to ensure that the entire rape kit backlog is accounted for.

Response:

This recommendation has been completed.

Recommendation #2

Verify the information of the physical inventory (such as tested or not tested) with SID's database. Eliminate the kits which have already been tested and include the untested kits which were omitted from the rape kit backlog.

Response:

This is an ongoing process. The minimum amount of DNA obtained from a kit that was considered unsuitable for profile has changed and the interpretation on what was considered "analysis complete" was inconsistent. The rape kit backlog does not include kit re-tests or kits that are currently deemed as non-evidentiary due to the report status as unfounded.

Recommendation #3

Assess the resources needed to clear the secondary backlog of kits awaiting technical reviews and request additional funding, if necessary.

Response:

The 2009 Forensic DNA Unit Efficiency Improvement Program Grant for \$245,549 has been approved by the Mayor. This will allow for the secondary backlog of the technical data reviews to be completed from the Historical Backlog numbers in a timely manner. The funds have been tabulated to be sufficient to complete the secondary backlog of about 2400 technical reviews on an overtime basis.

\$1.8 million has been allocated from the general fund for FY 2010/2011. When combined with funds from the 2009 and 2010 NIJ Backlog Grants, as well as the UASI Grant, the total funding available to cover costs associated with the outsourcing of pending SAEK analysis is approximately \$3.5 million. This amount is anticipated to be sufficient to address the needs of the Department.

Eight of the ten new staff members have been hired as of May 27, 2010. Due to background check completions, the starting dates for the other two selected staff members are pending.

Recommendation #4

Submit written reports to the Public Safety Committee once a month and to City Council once a quarter which show pertinent sexual assault kit statistics as described in the audit report.

Response:

This recommendation has been completed. A monthly DNA report has been developed with the corroboration of the Controller's Office, the City Attorney's Office, Councilmember Eric Garcetti's office, and a multitude of victim advocate groups. The monthly report documents efforts to reduce the Historical Backlog and provides the monthly progress. The report is currently viewable to the public online via the Department website for accessibility and transparency.

Recommendation #5

Place a high priority on developing a comprehensive master database to account for all untested rape kits and develop a formal timeline for implementing the master database.

Response:

To date, funding for this project has not been established. Information Technology Division is attempting to develop a loosely-coupled database system to integrate information from different databases to accurately account for the tracking of all kits booked and provide comprehensive information pending funding of a master database.

Also, a Request for Proposal (RFP) will be completed upon continued research on the development of a master database that will provide accurate and comprehensive information. An actual dollar amount cannot be determined without an RFP.

Recommendation #6

Continue to place a high priority on sending out required victim notifications and seek additional resources if required. The Department should also send out notifications on pre-2004 cases that are not required by the Penal Code.

Response:

The Department places a high priority on the victim notification process. The law requires that a victim be notified if their sexual assault evidence kit was not tested within two years of the assault after 2004.

From the original DNA Backlog list, 403 SAEKs were identified as stranger cases. Out of the 403 stranger cases, 137 cases met the criteria of Penal Code section 680. 135 out of 137 letters have been sent to victims for contact for the 680PC notification criteria. The two pending cases have been sent out for analysis and contact letters are to follow. Scientific Investigation Division will continue to test the SAEKs within two years, thus eliminating the need for future notification letters. The Department will continue to track, monitor, and send victim notification letters as required by the mandates of Penal Code section 680, as appropriate.

Penal Code section 680 is not retroactive, therefore Victim Notification Letters were not initially sent on any cases that occurred between 1997 and 2004. However, if a victim expresses an interest in their SAEK case status, the Department provides notification updates and refers the concerned individuals for counseling. We will continue to look at how we can address pre-2004 victims that meet 680PC criteria and seek innovative ways to notify victims without re-victimizing, and review the impact this notification process will have on the Department.

Recommendation #7

Develop protocols which will increase the likelihood that victims receive the notifications.

Response:

Currently the Department obtains the victim's most recent address through various Department computer resources. Thorough work on the front-end will increase the likelihood of locating each victim. All victim notification letters are being sent as certified mail for higher contact rate from victims.

Investigating Officers are reminded at the Citywide Sexual Assault Investigator's Meeting to ensure they advise victims to maintain accurate contact information for any update to their case, not only for initial investigative and court procedures, but also long term issues involving possible Evidence Code Section 1108 issues and DNA notification obligations, if warranted.

Recommendation #8

Update the information in the Grants Tracking System in a timely manner to prepare the Quarterly Report submitted to the Department of Justice. If needed, request access to FMIS from the Controller's Office.

Response:

Grants staff will enter Program expenditures into the Grants Tracking System (GTS) immediately after the expenditure is approved by the Grants Supervisor and forwarded to Fiscal Operations Division (FOD) for processing. After expenditures are paid, FOD enters the payment information into GTS. When the quarterly reports to the Department of Justice are prepared, the grants billing analyst will refer not only to GTS, but the Statement of Appropriations Detail Report (SAR), paid invoices, and other supporting documentation to complete the financial report.

Recommendation #9

Modify the system features of the Grants Tracking System so that month-end information will be available to the users more timely.

Response:

Currently, any information entered into the GTS is immediately available for review by a user. Grant staff is currently discussing system modifications of GTS with Information Technology Division staff to capture more data and create additional reports.

Prepared By
Detective James Blocker
Robbery-Homicide Division
SAEK Coordinator