



County of Los Angeles
Sheriff's Department Headquarters
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LEROY D. BACA, SHERIFF

December 4, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

DNA TESTING NEEDS FOR LOS ANGELES COUNTY

It has been said that forensic DNA testing technology is one of the greatest advances in law enforcement in the last two decades. The Sheriff's Department has been on the forefront in utilizing this powerful tool. The advances in the science of DNA testing and the widespread use and acceptance of DNA databases have been instrumental in solving many crimes in Los Angeles County.

The success and power of DNA testing has also brought its share of new and significant resource burdens. Along with new legal mandates, DNA testing requests have more than doubled each year, over the last four years. However, due to the lack of necessary funds, the appropriate resources needed to implement the DNA testing have not been available, consequently many cases have been placed in the Crime Laboratory's backlog. Instead of crimes being solved and prevented, untested evidence remains on freezer shelves awaiting an opportunity to have a positive affect on the communities and for the victims and their families.

DEMANDS PREVENTING TIMELY COMPLETION OF DNA TESTING

Being on the forefront of DNA testing, the Department is using the latest technology and robotics. Grant funding, coupled with internal personnel resource reallocation, have enabled the Department to increase its capacity fivefold. Unfortunately, these efforts have not been able to keep up with the demands placed upon us. The two major demands that affect the Crime Laboratory's ability to complete casework in a timely manner are; increasing casework requests and new legal mandates.

A Tradition of Service

The demands for DNA testing have grown at an exponential rate over the last few years. As the attached graph indicates, the number of cases completed each year have continued to increase, but cannot keep pace with the almost tenfold increases in case submissions.

Legal mandates also cause additional burdens on the Sheriff's Department. One significant mandate was enacted in January 2001, which revised Penal Code 803, to provide for an unlimited statute of limitation if the DNA testing on evidence from sexual assaults was completed within two (2) years of the offense date. Given the current staffing, this two-year deadline cannot be met. Certainly, all would agree that every effort must be made to ensure that these cases receive the maximum possible statutory period to allow the perpetrator to be held accountable for the crime committed.

Another significant mandate was signed into law just a few weeks ago. Assembly Bill 898, termed the "DNA Victim's Bill of Rights," requires law enforcement agencies to notify victims on the testing status of their DNA evidence. This means that beginning January 2004, victims have the right to contact the investigating law enforcement agency to determine if testing will be done on their case, receive updates on the progress of DNA testing. Law enforcement agencies also will have an affirmative responsibility to notify the victim if they do not intend to perform a DNA test on the evidence in their case. The Crime Laboratory currently does not have the ability to effectively track and manage these and other cases.

SOLVING THE DEMAND PROBLEMS

In order to meet the DNA casework demands and legal mandates placed upon the Sheriff's Department, additional resources are needed. Laboratory space, personnel, equipment, and DNA testing kits and reagents are needed to build our laboratory's infrastructure. Although we are building a state-of-the-art facility with our partners at the Los Angeles Police Department on the campus of Cal State Los Angeles, the facility will not be ready until late 2006. Until then, space will be needed in order to add more personnel and equipment. Since some functions of the crime laboratory, e.g., Polygraph and Identification, do not need a laboratory environment, they can be moved to leased office space to renovate areas for the expansion of DNA testing.

Additionally, since the hiring and training of additional DNA analysts will take approximately 18-24 months to complete, an outsourcing component is needed to send the current backlog of cases out to vendor laboratory for testing to prevent the backlog from growing and to comply with the legally mandated timelines of DNA testing.

Furthermore, legal mandates also require the tracking and notification of case status, which are requirements that our current information systems cannot handle. Since

off-the-shelf commercial applications specifically designed for forensic crime laboratories exist to fill this need, the purchase of laboratory management information system (LIMS) software is necessary. These needs and their costs are outlined in the following chart and detailed on the attachment provided:

ITEM	APPROXIMATE COST
Personnel	\$1,164,324
Equipment*	\$880,214
DNA Testing Kits and Reagents	\$446,000
Outside Vendor DNA Testing	\$930,000
LIMS Software*	\$703,000
Facility Renovation*	\$150,900
Facility Lease	\$210,000
Total	\$4,484,438

*Denotes one-time expenses

Major crimes such as homicides and sexual assaults against families and children in our communities must not go untested.

As you have read, I have taken all the steps possible to maximize our ability to meet the legal mandates, but the needs will remain unmet without additional help. I look forward to working with you in partnership to help make our communities a safer place to live.

Should you need further clarification or additional information on this subject matter, please contact Assistant Director Dean M. Gialamas, Scientific Services Bureau, at (213) 989-5003.

Respectfully submitted,



LERROY D. BACA
SHERIFF