

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: August 30, 2018

Item Number: 009

Management Services

Authorize negotiation and execution of an amendment to an interlocal agreement with Travis County relating to services arising from the closing of the Austin Police Department lab that processed DNA evidence; to extend the term length and make other conforming changes.

Lead Department	Management Services.
Fiscal Note	Funding is currently included in the proposed FY 2018-19 Operating Budget of the Austin Police Department for this project.
Prior Council Action	On March 23, 2017, Council approved the execution of the original interlocal agreement between the City and Travis County.
For More Information	Rey Arellano, Assistant City Manager, (512) 974-2222.

Additional Backup Information:

This interlocal agreement defines obligations and responsibilities of the City of Austin and Travis County regarding professional service agreements (PSAs) intended to address and rectify criminal justice-related issues arising from the closure of the Austin Police Department's DNA Lab.

Under PSA One, the City has contracted separately with two expert consultants to address recommendations presented in the Texas Forensic Science Commission's (TFSC) audit report and evaluate the impact of the findings on DNA evidence in Travis County criminal cases. The first

consultant, the University of Pennsylvania Quattrone Center for the Fair Administration of Justice, will conduct a thorough assessment of the factors that led to issues in the APD DNA Lab; and will research and identify options and best practices for appropriate DNA lab testing services going forward. In addition, the City entered into an interlocal agreement with the University of North Texas Health Science Center to conduct scientific reviews of APD cases identified through the legal materiality review process in order to assess the reliability of the DNA analysis conducted by APD lab staff.

Under PSA Two, the County is responsible for contracting with the Capital Area Private Defender Service (CAPDS) to review DNA evidence processed by the Austin Police Department DNA lab and used to secure convictions in Travis County courts for legal materiality. CAPDS will also provide litigation services to defendants who were convicted of a crime based on DNA evidence deemed material to the case and processed by the Austin Police Department DNA lab.

The primary goals of this agreement are to (1) provide the City and the County with a comprehensive retrospective analysis of the audit findings and identify strategies for the future operation and governance of DNA testing services in the Austin-Travis County area and (2) ensure that justice is served.