



MEMORANDUM

TO: Mayor and Council Members

FROM: Rey Arellano, Assistant City Manager

DATE: October 18, 2017

SUBJECT: Update Regarding Activities to Address APD DNA Lab Audit Recommendations

The purpose of this memo is to provide an update on the progress being made in regards to the audit recommendations made by the Texas Forensic Science Commission (TFSC). At your meeting of October 19, 2017, agenda item #17 requests Council's consideration of the following:

Authorize negotiation and execution of a contract with The Trustees of the University of Pennsylvania, to provide deoxyribonucleic acid (DNA) consulting services, for a term of one year in an amount not to exceed \$400,000.

This is a professional service contract with the University of Pennsylvania Law School's Quattrone Center for the Fair Administration of Justice to conduct a thorough assessment of the factors that led to issues in the APD DNA Lab. This assessment will help to inform the "look forward" scope of work identified in the interlocal agreement with Travis County to research and identify options and best practices for appropriate DNA lab testing services for the Austin/Travis County area going forward. The above recommended contract will be more cost effective for the City and County, and the stakeholder group believes that this new contract will provide our community with the best results.

Since my last update of May 25, 2017, Council approved the negotiation and execution of an interlocal agreement (ILA) 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. The ILA was executed on September 28, 2017.

Currently, APD has several DNA testing contracts to include an ILA with the Texas Department of Public Safety (DPS). Each lab is currently fully operational and has been able to address APD's current DNA intake as well as making progress towards the backlog. Specifically, APD is on track to have all Sexual Assault Kits (SAK) tested by the middle of 2018. APD's backlog

regarding SAK was at 4080 and currently is at 1095 SAK. These numbers include all new and old SAK.

Lastly, APD was awarded \$600,122 for a post-conviction grant with the National Institute of Justice (NIJ) which will fund attorneys for the Capital Area Private Defenders Service (CAPDS) and the Travis County District Attorney to conduct materiality reviews, an investigator for CAPDS, and additional funding for retesting of DNA. This grant expands the efforts toward the materiality review and provides a quicker resolution to those cases needing review. If you have any questions please feel free to contact ACM Arellano, Interim Chief Brian Manley, or Assistant Chief Troy Gay.

cc: Elaine Hart, Interim City Manager
Chief Brian Manley, Interim Police Chief
Assistant Chief Troy Gay, Austin Police Department