



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: March 1, 2022

Approved

Date

3/3/2022

**SUBJECT: ACCEPTANCE OF THE 2021 BUREAU OF JUSTICE ASSISTANCE FISCAL
YEAR 2021 NATIONAL SEXUAL ASSAULT KIT INITIATIVE GRANT**

RECOMMENDATION

- (a) Adopt a resolution accepting the 2021 Bureau of Justice Assistance National Sexual Assault Kit Initiative Grant in the amount of \$1,425,000 and authorizing the City Manager to execute the Grant Agreement, additional amendments and all related documents, including online certifications at time of reimbursement requests, without further City Council action; and
- (b) Adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:
 - (1) Establish a City-wide Expenses appropriation to the Police Department for the 2021 National Sexual Assault Kit Initiative in the amount of \$462,947; and
 - (2) Increase the estimate for Revenue from Federal Government by \$462,947.

OUTCOME

Approval of this recommendation would provide grant funding to address the San José Police Department's (Department) 655 untested Sexual Assault Kits (SAKs) from 1986-2018 and improve methods of tracking SAKs from testing to adjudication of a criminal matter, to ensure all sexual assault kits are tested accordingly.

BACKGROUND

In May of 2020, the Department's Sexual Assault Investigations Unit (SAIU) obtained permission from management to conduct an audit of all SAKs in its possession, to make suggested internal changes to the tracking systems, and to come into compliance with California Penal Code Section 680.4. As of October 20, 2020, an audit was completed, and it was determined that there were approximately 700 cases from 1986 to October 1, 2018, that had not

been tested and remained in the possession of the Department's Property and Evidence Unit. SAIU leadership met with the leadership at the County of Santa Clara's Office of the District Attorney and its crime laboratory to have the untested SAKs processed. Due to a lack of funding, the Department sought out grant opportunities to address the backlog of SAKs. In July 2021, the federal Bureau of Justice Assistance (BJA) released a grant solicitation for fiscal year 2021 National Sexual Assault Kit Initiative and the Department submitted a grant application proposal.

In December 2021, the application was accepted and approved in the amount of \$1,425,000. This is a three-year reimbursable grant, and the Department will be responsible to ensure the expenditures are allowable as set forth in the Department of Justice Financial Guide and City Policy and Procedures.

ANALYSIS

The Department has been awarded \$1,425,000 for the 2021 BJA National Sexual Assault Kit Initiative (SAKI) Grant. The grant term is October 1, 2021 to September 30, 2024. This grant will be used to fund employee overtime, testing of 655 SAKs, and training for the annual SAKI workshop. In addition, the grant program will assist to create a multidisciplinary working group comprised of law enforcement personnel from the SAIU, members of the Santa Clara County Crime Laboratory, Sexual Assault Forensic Exam Team, District Attorney's Office, and Victim Advocates. This group will help identify gaps that exist in the information sharing system, develop methods that will permit cross referencing and tracking data of SAKs from testing through final adjudication.

The following list provides information on the three-year spending plan for the BJA SAKI grant as approved by BJA. These estimates are subject to reallocation and/or change over the course of the grant term; however, the total grant amount to the City will remain the same.

- \$814,245 of the funds will be utilized by the Department for police officer overtime costs to ensure the tracking and reporting requirement of the untested sexual assault kits.
- \$21,600 of the funds will be utilized to attend a 2-day annual SAKI workshop during the course of the grant period. The estimated amount includes airfare, hotel, and per diem cost.
- \$589,155 of the funds will be used to reimburse the Santa Clara County Crime Laboratory to conduct the sexual assault evidence testing.

The following table illustrates a summary of the three-year spending plan by fiscal years.

Spending Category	2021-2022	2022-2023	2023-2024	Total
A. Police Officer Overtime	\$258,764	\$270,963	\$284,518	\$814,245
B. Training and Travel	\$7,200	\$7,200	\$7,200	\$21,600
C. Contract – Santa Clara County Crime Lab	\$196,983	\$196,086	\$196,086	\$589,155
Total City Appropriation by Fiscal Year	\$462,947	\$474,249	\$487,804	\$1,425,000

CONCLUSION

The grant award provides critical funding to further the Department’s mission to promote public safety; prevent, suppress, and investigate crimes; reduce the backlog of 655 untested sexual assault kits; and adapt a multi-disciplinary approach to service victims of sexual assaults who completed a SAK.

EVALUATION AND FOLLOW-UP

This memorandum will not require any staff follow up.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City’s Council Agenda website for the March 15, 2022, City Council Meeting.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney.

COMMISSION RECOMMENDATION/INPUT

This memorandum does not require input from a board or commission.

COST SUMMARY/IMPLICATIONS

This project is being funding by the Bureau of Justice Assistance National Sexual Assault Kit Initiative Grant. The funds will be appropriated and expended according to the spending plan set forth in this memorandum through September 30, 2024, with the amount of \$462,947 recommended for appropriation as part of the approval of this memorandum. There is no cash or in-kind match requirement with this grant.

BUDGET REFERENCE

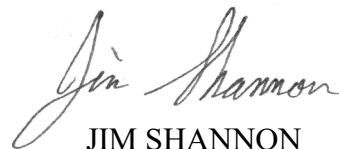
The table below identifies the fund and appropriations recommended to be amended as part of this memorandum.

Fund #	Appn. #	Appn. Name	Current Appn.	Recommended Budget Action	2021-2022 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
001	R110	Revenue from Federal Government	\$8,525,953	\$462,947	131	02/08/22; Ord. No. 80365
001	NEW	2021 National Sexual Assault Kit Initiative (SAKI) Grant	N/A	\$462,947	N/A	N/A

CEQA

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.

/s/
ANTHONY MATA
Chief of Police


JIM SHANNON
Budget Director

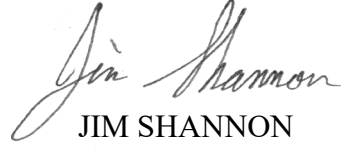
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I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2021-2022 monies in excess of those heretofore appropriated wherefrom, said excess being at least \$462,947.

A handwritten signature in cursive script, reading "Jim Shannon".

JIM SHANNON
Budget Director

For questions, please contact Lisa Perez, Division Manager, at (408)537-1624 or Jennifer Otani, Administrative Officer, at (408)537-1618.