



Council Meeting: April 7, 2009

SUBJECT: Payment for Santa Clara County Crime Lab Services

REPORT IN BRIEF

The Public Safety Department has partnered with the Santa Clara District Attorney's Crime Lab for the processing of physical evidence for more than three decades. The services they provide to the department are essential in the successful investigation and subsequent prosecution of criminal cases.

Since 1982, the Department of Public Safety has participated in a County-wide partnership under an informal agreement to equitably share the costs of the Crime Lab with the other law enforcement agencies in Santa Clara County. All police agencies in the County operate under the same informal agreement. A letter dated April 23, 2003 to the Public Safety Department documents the history of this arrangement (Attachment A).

Staff believes the current cost sharing arrangement is equitable and in the best interest of the City and other participating agencies. Staff recommends that Council approve the payment of \$133,132 to the Santa Clara County Office of the District Attorney for Crime Laboratory Services for calendar year 2008 (Attachment B). Funds to pay for Crime Lab services are budgeted in the Public Safety Department's budget in Program 487, in the amount of \$133,747.

BACKGROUND

The Santa Clara County District Attorney's Office Crime Laboratory processes physical evidence for the department as a part of criminal investigations. Payment for Crime Lab services originated in 1982 under an informal arrangement between the County Crime Lab and law enforcement agencies. This informal arrangement was adopted by the City Manager's Association in conjunction with the County Police Chief's Association. The original arrangement provided for payment of Crime Lab services by submitting bills to the agencies on a per case basis.

Under this billing procedure, the Crime Lab bill would vary a significant percentage from one year to the next. The annual fluctuation in the Crime Lab bill became enough of a problem that the Police Chief's Association, with the concurrence of the City Manager's Association, modified the billing procedure to be based on the prior five year average number of cases submitted to the Crime Lab. This change took effect in 1995 and is the billing method still used

today. The five year average allows a department to experience a single year spike in case submissions without experiencing a drastic increase in costs, allowing for longer term budget planning.

EXISTING POLICY

Law Enforcement Sub-Element Goal 4.1A

Provide a safe and secure environment for people and property in the community.

Law Enforcement Sub-Element Policy 4.1.A3

Provide investigative service directed toward successful prosecution and conviction of offenders.

Law Enforcement Sub-Element Goal 4.1D

Conduct planning and administration that incorporates interaction with other city departments, as well as other agencies where mutual concerns exist which could have impact on the delivery of law enforcement services.

DISCUSSION

It is important to realize that the Crime Lab is not a contract provider of forensic services to local law enforcement agencies, but a partner with all County law enforcement agencies in the investigations of crime. Under the existing arrangement, the Crime Lab provides evidence processing and analysis services when requested by user agencies and recovers associated costs from these user agencies.

In an effort to control the costs associated with the processing of cases, all major cases submitted to the Crime Lab are reviewed by a supervisor to ensure they warrant Crime Lab involvement. This process has proven to be effective in controlling the average number of cases submitted over the past four years. However, there is a projected increase in future costs due to increased operating cost projections from the Santa Clara County Crime Lab. This increase is directly related to the Crime Lab's salary and supply increases for their operations which are anticipated to be approximately 8% for the Public Safety Department based upon the 5 year average.

In addition, the costs associated with major Crime Lab improvements are also shared with user agencies. The Police Chiefs' Association is presented with proposals for their comments prior to committing to any significant financial expenditure. The Crime Lab also pursues grant funding and other external funding sources to cover major capitol and technology improvements.

Staff has researched the option of establishing a formal contract with the Crime Lab and it is not a viable option. The existing arrangement has worked well and is preferred by the County and all other partnering agencies. Staff believes the current arrangement is equitable and that the current informal

arrangement is in the best interest of the City and the other participating agencies.

FISCAL IMPACT

Funds to pay for Crime Lab services are budgeted in the Public Safety Department's budget in Program 487, in the amount of \$133,747. The expected 8% increase in 2009 will be absorbed within the department's existing operating budget and will be addressed during the FY 2010/2011 operating budget cycle.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

ALTERNATIVES

1. Approve payment of \$133,132 to the Santa Clara County Office of the District Attorney for Crime Lab Services provided during calendar year 2008.
2. Other action as directed by Council.

RECOMMENDATION

Staff recommends Alternative #1: Approve payment of \$133,132 to the Santa Clara County Office of the District Attorney for Crime Lab Services provided during calendar year 2008.

Reviewed by:

Don Johnson, Director, Public Safety

Prepared by: Jeffrey Hunter, A/LT Administration

Approved by:

Gary M. Luebbers
City Manager

Attachments

- A. Letter from Crime Lab outlining activities performed (April 2003)
- B. Crime Lab Bill