



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
 September 12, 2023

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Jennifer Louis, Chief, Police Department
 Subject: Contract No. 100692-4 Amendment: Serological Research Institute for DNA Testing Services

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during recess to amend Contract No. 100692-4 and any necessary future amendments with Serological Research Institute (SERI) for the Police Department, increasing the contract amount by \$1,000,000 for a total not to exceed amount of \$3,000,000 while the contract expiration will remain June 30, 2025.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

The Police Department utilizes this contractor to test DNA evidence involved in crimes against the community. Without this contract, the Police Department would not be able to have critical DNA evidence processed in an expeditious manner to support the arrest and charging of suspects in various violent criminal cases.

FISCAL IMPACTS OF RECOMMENDATION

Approval supports an ongoing operational expense required for solving criminal cases in a timely manner. The funding for this contract is allocated from the State Proposition 172 Fund and does not impact the General Fund.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Police Department (BPD) currently contracts with the Serological Research Institute (SERI) for its forensic deoxyribonucleic acid (DNA) testing services. On January 31, 2023, the BPD received unanimous Council approval for a \$500,000 amendment to this contract and that additional allocation has been nearly exhausted. In order to support additional casework, the Department will need approval of an additional \$1,000,000 to the existing contract limits set when this contract was amended in January of 2023. This dollar increase will allow the Department to continue to test DNA for criminal investigations. This enables the potential identification of a suspect based on DNA found at a crime scene and may result in the suspect being arrested and charged faster.

Due to the unpredictable nature of the contract usage, the BPD has expended nearly \$500,000 since the January 2023 amendment and has less than \$5,000 remaining of the \$2,000,000 contract. It can be difficult to estimate the dollar amount required annually as it can change significantly from year to year based on the DNA collected and volume required to be tested. One unanticipated impact to this contract was when the Alameda County Crime Lab was enlisted to test 60 of the cold-case sexual assault grant related evidence. The County Lab was only able to process 5 of the 60 cases submitted to them and returned the 55 remaining cases back to the Berkeley Police Department untested. Those 55 cases have been submitted to SERI and approximately \$126,000 of the contract usage is related to these cold-case tests. The Berkeley Police Department has submitted the related cold-case testing charges to the California Department of Justice for reimbursement but it still results in a reduction of available contract funding for the SERI contract. In order to continue processing DNA evidence to substantiate charges against suspects, the BPD is requesting this contract amendment of an additional \$1,000,000 and a contract total not to exceed \$3,000,000.

This essential contract supports our goal to create a resilient, safe, connected, and prepared city and BPD considers it as a Strategic Plan Priority Project.

BACKGROUND

In 2014, the Department entered into a service contract with SERI to obtain their forensic DNA services. SERI was added when two other providers, the Alameda County Sheriff's Crime Laboratory and Forensic Analytical Sciences, Inc. were unable to keep up with increased caseload from the Berkeley Police Department. SERI is accredited through the American Society of Crime Laboratories Directors/Laboratory Accreditation Board. SERI is located in Richmond, CA and provides state of the art forensic services, laboratory analysis and expert testimony for its clients.

While maintaining compliance with the Federal Bureau of Investigations, Quality Assurance Standards for Forensic DNA Testing, SERI has consistently provided the fastest case turnaround times of our three contracted vendors. SERI has helped minimize DNA testing backlogs the department was experiencing with other vendors. Fast DNA testing turnaround times help the department identify serious violent offenders and helps solve criminal cases faster. SERI was originally intended to be an additional DNA Laboratory. However, due to the high level of service provided, they have become our primary provider. During this time, the investigative demand for their services has increased based on several factors including improved DNA recovery techniques and new legislative requirements.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Serological Research Institute provides and maintains an extensive online test request submission and product ordering options. These online forms reduce the amount of paper required to forward and process requests.

RATIONALE FOR RECOMMENDATION

The cost associated with DNA testing services is an operational expense for which the Berkeley Police Department is currently responsible. In an effort to solve criminal cases as fast as practical and potentially limit further victimization, the BPD continues to utilize these services. An amendment to increase funds for this contract will allow the Department to continue to meet the DNA testing requirements of its investigations.

ALTERNATIVE ACTIONS CONSIDERED

Stop the use of this contract and allow DNA testing to be submitted to the county crime laboratory which has extensive testing backlogs and limited availability to accept additional casework. This option would result in violent criminal cases to remain unsolved and unprosecuted.

CONTACT PERSON

Jennifer Louis, Chief of Police, 510-981-5700

Attachment:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 100692-4 AMENDMENT: SEROLOGICAL RESEARCH INSTITUTE
FOR DNA TESTING SERVICES

WHEREAS, the Berkeley Police Department is responsible for the investigation of criminal cases in Berkeley; and

WHEREAS, closure of criminal investigations will bring relief to the families of the victims and reduce fear in the community; and

WHEREAS, the use of forensic deoxyribonucleic acid (DNA) testing is essential to solving violent crimes; and

WHEREAS, the Department primarily enlists the services of Serological Research Institute for the timely processing of DNA testing; and

WHEREAS, it is essential to have an accredited laboratory in order to ensure the consistent processing of DNA evidence; and

WHEREAS, the Berkeley Police Department has identified DNA testing services as an operational expense for which the Department is responsible and funds from the State Proposition 172 Fund will be the primary source of funding.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to amend Contract No. 100692-4 and any necessary future amendments with Serological Research Institute (SERI) for the Police Department, increasing the contract amount by \$1,000,000 for a total not to exceed amount of \$3,000,000 while the contract expiration will remain June 30, 2025.