



## Legislation Details (With Text)

**File #:** 18-0506 **Version:** 1  
**Type:** Agenda Item **Status:** Approved  
**File created:** 3/21/2018 **In control:** Board of Supervisors  
**On agenda:** 5/22/2018 **Final action:** 5/22/2018  
**Title:** Sheriff's Office in partnership with the District Attorney recommending the Board approve and authorize the Chair to sign Memorandum of Understanding 571-M1411 (FENIX 996), Amendment V, with the State of California Department of Justice for forensic DNA services extending the term 12 months effective June 1, 2018, through May 31, 2019, and authorizing compensation in the amount of \$164,198.00

**FUNDING:** DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Proposition 69), DNA Identification Special Revenue Fund.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Agreement 571-M141 Amendment V, 2. B - Agreement 571-M1411 Fully Executed 05-22-18, 3. Executed Memorandum of Understanding 571-M1411

Date	Ver.	Action By	Action	Result
5/22/2018	1	Board of Supervisors	Approved	Pass

Sheriff's Office in partnership with the District Attorney recommending the Board approve and authorize the Chair to sign Memorandum of Understanding 571-M1411 (FENIX 996), Amendment V, with the State of California Department of Justice for forensic DNA services extending the term 12 months effective June 1, 2018, through May 31, 2019, and authorizing compensation in the amount of \$164,198.00

**FUNDING:** DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Proposition 69), DNA Identification Special Revenue Fund.

### DEPARTMENT RECOMMENDATION

Sheriff's Office recommends the Board approve and authorize the Chair to sign Amendment V to Memorandum of Understanding # 571-M1411.

### DISCUSSION / BACKGROUND

Proposition 69 requires "an additional penalty of \$1 for every \$10, or part of \$10, in each county upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses." These funds are then deposited into the DNA Identification GC76104.6 special revenue fund and are prohibited from use except for the collection, processing, analysis and tracking of DNA specimens.

Under this MOU, the County Board of Supervisors is authorizing payment to the Department of Justice for the analysis, issuance of reports on the analysis, testimony in court when necessary along with quarterly training for law enforcement personnel in the recognition, collection, and proper storage of biological/DNA evidence.

### ALTERNATIVES

Failure to sign this Memorandum of Understanding would be the loss of services for the Sheriff's Office and the District Attorney's Office for the expedited processing of DNA collected in criminal cases.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have approved the agreement.

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

There will be no impact to net county cost for either department. All services rendered from the Department of Justice will be paid for through the Proposition 69 monies which reside in a special revenue fund. Funds for FY 2018-19 will be included in the Recommended budget.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Return (1) Original to Sheriff's Office for Distribution.

**STRATEGIC PLAN COMPONENT**

Public Safety

**CONTACT**

Undersheriff Randy Peshon