



Legislation Details (With Text)

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**Effective date:**

**Title:** F/S Creating New Priority Objectives Within The Public Safety Goal And Establishing Additional City Policy Relating To The Processing Of Untested Sexual Assault Evidence Kits In The Possession Of The Albuquerque Police Department (Lewis)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. R-140, 2. R-140 Approved Floor Substitute.pdf, 3. FS R-140Enacted

Date	Ver.	Action By	Action	Result
1/13/2017	3	Mayor	Signed by the Mayor	
1/13/2017	3	City Clerk	Published	
1/12/2017	2	City Council	Sent to Mayor for Signature	
1/4/2017	2	City Council	Passed	Pass
12/19/2016	1	City Council	Substituted	Pass
12/19/2016	1	City Council	Postponed as Substituted	Pass
12/5/2016	1	President	To be heard at the Council Meeting	
12/5/2016	1	City Council	Introduced	

**CITY of ALBUQUERQUE**  
**TWENTY SECOND COUNCIL**

COUNCIL BILL NO. F/S R-16-140 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Dan Lewis

RESOLUTION

F/S Creating New Priority Objectives Within The Public Safety Goal And Establishing Additional City Policy Relating To The Processing Of Untested Sexual Assault Evidence Kits In The Possession Of The Albuquerque Police Department (Lewis)

CREATING NEW PRIORITY OBJECTIVES WITHIN THE PUBLIC SAFETY GOAL AND

ESTABLISHING ADDITIONAL CITY POLICY RELATING TO THE PROCESSING OF UNTESTED SEXUAL ASSAULT EVIDENCE KITS IN THE POSSESSION OF THE ALBUQUERQUE POLICE DEPARTMENT.

WHEREAS, DNA evidence is an invaluable investigative tool, and sexual assault evidence kits can identify an unknown assailant, reveal serial offenders, and exonerate the wrongly convicted; and

WHEREAS, in New Mexico there is currently a backlog of more than 5,000 sexual assault evidence kits that have not yet been processed, which represents thousands of leads to investigate, survivors to re-engage with compassion and care, and cases to prosecute; and

WHEREAS, in the City of Albuquerque alone there are thousands of such kits waiting to be processed; and

WHEREAS, each sexual assault kit represents a survivor who underwent an hours-long medical and forensic examination and reported the assault to the police; and

WHEREAS, each kit represents a survivor who deserves to have that kit tested and who deserves justice; and

WHEREAS, the issue of untested sexual assault evidence kits is difficult not because of a lack of effort on behalf of the police department, but rather because of a lack of capacity at APD's Crime Lab and private labs, staff turnover, and a shortage of qualified candidates; and

WHEREAS, the Justice Department's new Sexual Assault Kit Initiative (SAKI) represents an opportunity to provide local communities with resources to support multidisciplinary community response teams engaged in the comprehensive reform of jurisdictions' approaches to sexual assault cases. This includes testing backlogged kits; investigating and prosecuting cases connected to the backlog; and addressing the need for victim notification and re-engagement with the criminal justice system; and

WHEREAS, the City Council believes that processing the backlog of unprocessed sexual assault evidence kits should be a priority for the City and for APD; and

WHEREAS, in March 2016 the Department of Justice Bureau of Justice Assistance announced the National Sexual Assault Kit Initiative to address this nationwide problem and awarded more than \$38 million in grant funding to local agencies in FY 2016 to help process these kits, develop evidence-based tracking systems, and train law-enforcement personnel.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. That a new priority objective is created under the PUBLIC SAFETY GOAL reading as follows:

“The Chief of Police shall work with representatives from Central New Mexico Community College and the University of New Mexico to create programs that are designed to increase the number of students completing degree programs that will qualify them for careers in APD and state crime labs. Examples of such programs might include a scholarship program for interested students, student-loan forgiveness programs for students who commit to working for the City of Albuquerque Crime Lab, or other recruitment incentives. The Chief shall report to the City Council by the end of the third quarter of FY/17 on the feasibility and costs associated with such a scholarship or incentive program.”

Section 2. That a new priority objective is created under the PUBLIC SAFETY GOAL reading as follows:

“The Albuquerque Police Department shall, by the end of the third quarter of FY/17, establish an Albuquerque Sexual Assault Evidence Response Team (ASERT) consisting of representatives from the following groups:

1. The director of The Rape Crisis Center of Central New Mexico or designee;
2. A representative from the Bernalillo County Sherriff's Office;
3. A representative from the District Attorney's Office;
4. The director of the City's Family Advocacy Center or designee;
5. The director of the Albuquerque Sexual Assault Nurse Examiner Collaborative or designee;
6. A representative from the APD Sex Crimes Unit;
7. The director of the Albuquerque Police Department's crime laboratory or designee;
8. The Chief of the Albuquerque Police Department or designee;

The working group shall meet at least quarterly to assess the progress of processing backlogged sexual assault evidence kits and to make recommendations for quickly clearing the backlog. The working group shall report to the Administration and to the City Council on a quarterly basis, beginning with the first quarter of FY/18. (APD)”

Section 3. That a new priority objective is created under the PUBLIC SAFETY GOAL reading as follows:

“The Albuquerque Police Department shall, by the second Council meeting in January 2017, investigate the availability of, and plan to apply for, SAKI grant funding to expand capacity at the

APD crime lab and improve the Department's tracking system for sexual assault evidence kits.”

Section 4. The Police Department and the Human Resources Department, using existing funding, shall conduct a salary survey of the forensic science positions within the APD Crime Lab to determine whether salaries should be increased to retain existing employees and to remain competitive with other facilities in the public and private sector. The results of the salary survey shall be reported to Council prior to April 1, 2017 so that recommended changes, if any, may be incorporated into the FY/18 budget.

Section 5. It shall be a 2017 legislative priority of the City to work with the state Department of Public Safety on an agreement whereby the DPS Crime Lab will assist the City in reducing the number of APD's unprocessed sexual assault evidence kits. A copy of this resolution shall be transmitted to the City's lobbyists to the state legislature for their use during the upcoming 60-day session.

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