



Pinellas County

Staff Report

File #: 16-332D, Version: 1

Subject:

Approval of the First Amendment to the Medical Examiner and Forensic Laboratory Services Agreement to address the impacts of new legislative requirements for processing sexual assault kits as requested on behalf of the Medical Examiner's Office.

Recommended Action:

Approval and execution by the County Administrator of the First Amendment to the Medical Examiner and Forensic Laboratory Services Agreement to address the impacts of new legislative requirements for processing sexual assault kits (SAKs) as requested on behalf of the Medical Examiner's Office.

Strategic Plan:

Deliver First Class Services to the Public and Our Customers

5.3 Ensure effective and efficient delivery of county services and support

Summary:

In March 2016, the Florida Legislature enacted legislation to eliminate the DNA Backlog and mandates testing standards and time frames that SAKs must be processed. Based upon current caseload trends and new requirements imposed by the legislative changes, the Medical Examiner's Office anticipates ongoing growth in workload which will result in backlog and case processing challenges.

This Amendment allocates funding necessary for the Medical Examiner to address the workload increases in order to comply with the requirements imposed by the law. Funding includes the staffing and training of a DNA Analyst, equipment, supplies and workspace remodeling at the Medical Examiner's Office for the remainder of FY2016.

Background/Explanation:

The Florida Statute, Section 943.326, was passed to address the backlog of SAKs throughout Florida. The law requires that SAKs must be submitted for testing within thirty (30) days and processed within one hundred and twenty (120) days. The Forensic Laboratory foresees an increase of 60-80 sexual assault kits per year, requiring an increase in staff, supplies, equipment, and workspace adjustments. The new law goes into effect July 1, 2016.

In Florida, a statewide report found 13,435 unsubmitted SAKs at local agencies and suggested that approximately 9,484 should be tested. Of the overall total, 6,774 kits are housed in jurisdictions served by county funded forensic laboratories and 6,661 are housed in jurisdictions served by FDLE crime laboratories. Estimates to manage the backlog ranged from \$9 million to \$32 million with timeframes from three (3) to nine (9) years.

The Pinellas Lab is in a much better position than most other jurisdictions with few documented backlog cases. The issue locally stems from increased workload levels already documented that will

begin to create backlogs almost immediately. From FY2014 to FY2015, the Pinellas Lab has seen a workload increase of 27% in the DNA section with a 5% increase in sexual assault cases largely caused by submissions in the last half of the year.

In the County, the SAKs are completed by the Rape Crisis Center operated under Suncoast Center, Inc. and held for up to fifteen (15) months for law enforcement. As of March 2015, the Rape Crisis Center advised that they had forty-eight (48) SAKs stored. They have also reported a service increase of roughly 25% over the previous several years and are projecting this trend to continue.

Based upon current trends and assessments, discussions with local law enforcement, and working with the Rape Crisis Center on legislative impacts, the Pinellas Lab is anticipating up to 100 additional SAKs per year. This workload increase requires an additional two (2) FTE to manage and avoid case backlogs and delays. The positions include one (1) DNA analyst and one (1) evidence technician/administrative assistant. Additionally, the increased workload requires facility modifications to accommodate staff workspace and additional lab supplies.

Two important timing considerations to effectively manage workload within the Pinellas Lab include the training and certification time for a new DNA Analyst at 6 to 9 months and construction timelines for workspace modifications requiring an amendment for FY2016 to move forward.

Fiscal Impact:

Projected cost and fiscal impact of this Amendment is \$75,000.00 and is comprised of the following:

DNA Analyst: 4.5 months of salary/benefits	\$30,000.00
Equipment/Laboratory Supplies	\$20,000.00
Remodeling/Workspace Costs	<u>\$25,000.00</u>
TOTAL	\$75,000.00

Funding will require a budget amendment to appropriate \$75,000.00. An amount of \$50,000.00 will be included as a lump sum payment to the Medical Examiner upon execution, and \$25,000.00 will be appropriated for remodeling by Real Estate Management.

Funding for FY17 was outlined in the Medical Examiner’s budget transmittal with a total reoccurring impact of \$226,000.00 inclusive of the two (2) FTE to address increased workload.

The Pinellas Lab is one of five (5) locally funded labs throughout the state and is a part of the statewide laboratory system along with six (6) state labs. As part of the statewide system, the Pinellas Lab receives an allocation of the fines collected pursuant to Sections 938.03 and 938.07, Florida Statutes based on population served. These include mandatory fines imposed for driving or boating under the influence and discretionary fines the courts may impose when a locally-funded crime laboratory provides services that are used in the prosecution of any violation included in Title XLVI, CRIMES, chapters 775-896 of the Section 943.361, Florida Statutes. While not specific to sexual assault kits, under this program, Pinellas Lab received support totaling \$273,491.16 in FY2014 and \$293,542.99 in FY2015. The agreement for FY2016 estimates funding at \$265,000 pending actual collection totals.

Delegated Authority:

Authority for the County Administrator to sign these documents is granted under Code Section 2-62 (a)(1).

Staff Member Responsible:

Lourdes Benedict, Director, Human Services

Partners:

Pinellas County Forensic Laboratory
Medical Examiner for the Sixth Judicial Circuit

Attachments:

First Amendment to Agreement for Medical Examiner
Executed Medical Examiner Agreement FY16
Senate Bill 0636