

## Analysis

### Oregon State Police

#### DNA Capacity Enhancement for Backlog Reduction

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**Analyst:** Julie Neburka

**Request:** Approve a request from the Department of State Police to apply for a formula grant of \$1,104,843 from the US Department of Justice's 2019 DNA Capacity Enhancement for Backlog Reduction Program.

**Analysis:** In March 2019 the US Department of Justice, Office of Justice Programs' National Institute of Justice made \$82 million available nationwide to increase the capacity of publicly funded forensic DNA laboratories to process more DNA samples. Grant funds may be used for a wide variety of purposes and/or items, including staff and overtime costs, laboratory supplies and equipment, laboratory information management systems and contracts for services with private laboratories, and, for the first time this year, laboratory renovations. If grant funds are used for laboratory renovations or expansions, grant recipients must provide a cash match of at least 25%. The grant requires that certain laboratory standards be met, and that all eligible DNA profiles obtained with funding from the program be entered into the national Combined DNA Index System (CODIS) and, if applicable, into the National DNA Index System (NDIS).

Grant applications are due by May 13, 2019, with awards expected to be announced by September 2019 for a two-year period of performance. There is a 25% cash match requirement only if the grant funds are used for laboratory renovation or expansion. If successful, the agency proposes to use the grant to renovate space at the agency's forensic laboratory in Clackamas in order to centralize the work space for the lab's DNA scientists and equipment. The match requirement for the grant request of \$1,104,843 would be \$342,842. If awarded, the agency may need to return to the Legislature in the 2019-21 biennium for additional Federal Funds expenditure limitation.

The Legislative Fiscal Office notes that the broad terms of this formula grant mean that if the agency is unable to identify match dollars for the renovation project, it may be able to use grant funds, if awarded, in a variety of other ways to accomplish the goal of increasing its capacity for DNA analysis within its currently-available laboratory spaces.

**Legislative Fiscal Office Recommendation:** Approve the request.

## Department of State Police Lisper

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**Request:** Authorization to apply for a grant totaling \$1,104,843 from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice Fiscal Year 2019 DNA Capacity Enhancement for Backlog Reduction Program formula grant.

**Recommendation:** Approve the request.

**Discussion:** The Department of State Police is requesting authorization to apply for a \$1,104,843 federal DNA Capacity Enhancement for Backlog Reduction (CEBR) Program formula grant, which is a 24-month grant starting October 1, 2019 and going through September 30, 2021. The grant application is due by May 13, 2019 and is 75 percent federally funded with a 25 percent state match requirement. The state match is estimated at \$342,842, which is based on actual project cost and does not include any administrative indirect costs. This match would be spread between the 2019-21 and 2021-23 biennial budgets.

The Department has received the CEBR Program formula grant for the past nine years. The grant's purpose is to increase DNA sample processing at publicly funded forensic DNA laboratories and DNA database laboratories. The end result is to assist in reducing and/or preventing DNA sample backlogs associated with Rape Kit processing. The results of the DNA samples must be entered into the Combined DNA Index System, which is a grant requirement. The Department has predominately used this grant to cover staff overtime costs associated with the DNA testing backlog. To date the Department has resolved their backlog issue. This year's CEBR grant is allowing public funded forensic labs to include requests to upgrade existing lab and office space, improving the DNA processing capacity.

The Department's requested grant application will include renovation of their laboratory space at the Portland Metro forensic laboratory facilities. The Department has previously worked with the Department of Administrative Services (DAS) to identify the space and funding needed to convert an existing storage area into additional laboratory DNA testing stations. Since the Department's awareness of this funding opportunity, they have communicated with DAS to update the cost estimates associated with upgrading the laboratory's DNA space allocation.

If awarded, the Department may need to return to the Legislature to request additional Federal Funds expenditure limitation and potentially request the estimated \$342,842 in state match.



# Oregon

Kate Brown, Governor

## Department of State Police

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April 24, 2019

The Honorable Senator Betsy Johnson, Co-Chair  
The Honorable Senator Elizabeth Steiner Hayward, Co-Chair  
The Honorable Representative Dan Rayfield, Co-Chair  
Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

### **Nature of the Request**

The Oregon State Police (OSP) respectfully requests permission to submit an application to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), National Institute of Justice (NIJ) for the FY 2019 DNA Capacity Enhancement for Backlog Reduction (CEBR) Program Formula Grant in the amount of \$1,104,843. There is a 25% cash match requirement of \$342,842, for the provision within the grant relating to renovation projects.

NIJ expects to make award notifications by September 30, 2019, with an estimated total amount awarded of up to \$82 million. The award period is for 24-months, beginning on January 1, 2020. The deadline to submit the application is May 13, 2019.

### **Background/Purpose**

The goal of NIJ's FY 2019 DNA Capacity Enhancement for Backlog Reduction (CEBR) program is to assist States and units of local government with existing crime laboratories to increase the capacity of publicly funded forensic DNA and DNA database laboratories to process more DNA samples, thereby helping to reduce the number of forensic DNA and DNA database samples awaiting analysis and/or prevent a backlog of forensic and database DNA samples.

The FY 2019 DNA CEBR grant opportunity contains a provision in the solicitation that allows grant funds to be used to upgrade existing laboratory and office space in the forensic biology and DNA section to accommodate new equipment, more personnel, or to renovate existing space to a more efficient layout to increase the number of samples that can be processed, to decrease the turnaround time of casework or database samples, reduce the backlog, or prevent a backlog from occurring. This is the first time the DNA CEBR grant has allowed support for laboratory renovation.

OSP has previously identified a need to renovate existing space within the Portland Metro Forensic Laboratory to create a more efficient layout allowing DNA analysts to be co-located in one space, versus the three separate spaces they currently occupy, allowing for increased collaboration and decreased DNA processing time. A Policy Option Package (POP) requesting approximately \$1.4 million in state funds for a renovation of the Portland Metro Forensic Laboratory was previously submitted for consideration in the 2017-19 budget process; however, the POP request was not approved due to a lack of funding.

**Agency Action**

Creating efficiencies within the Forensic Services Division programs remains a priority for OSP. Funding from this federal grant opportunity, if approved, will help OSP in achieving its goal of creating efficiencies in the Forensic Services Division programs, reducing DNA backlogs and increasing productivity.

The grant requires a 25% cash match associated with the renovation portion. If this grant is awarded, OSP may need to request an increase in its Federal Fund limitation for both the 2019-21 and 2021-23 biennia in a future meeting of the Legislative Assembly, as well as request additional General Fund for the cash match, if no other agency resources are available.

**Action Requested**

Approve OSP's request to apply for the FY 2019 DNA Capacity Enhancement for Backlog Reduction Program Formula Grant through the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

**Legislation Affected**

None.

Thank you for your consideration of this request.

Sincerely,



Travis Hampton  
Superintendent  
Oregon State Police

cc: Constantin Severe, Governor's Office  
Michelle Lisper, Department of Administrative Services – Chief Financial Office  
Julie Neburka, Legislative Fiscal Office