



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

April 21, 2016

Gregory P. Suhr
Chief of Police

Dear Chief Suhr:

At the meeting of the Police Commission on Wednesday, April 20, 2016, the following resolution was adopted:

RESOLUTION 16-28

RESOLUTION FOR SEMIANNUAL AND ANNUAL REPORTING TO THE SAN FRANCISCO POLICE COMMISSION ABOUT THE SAN FRANCISCO POLICE DEPARTMENT'S COLLECTION AND ANALYSIS OF SEXUAL ASSAULT KIT EVIDENCE AND REPORTING OF RESULTS TO SEXUAL ASSAULT VICTIMS

WHEREAS, the San Francisco Police Commission and the San Francisco Police Department are committed to the thorough investigation of sexual assault crimes, and

WHEREAS, the timely analysis of deoxyribonucleic acid (DNA) and forensic identification evidence enhances the San Francisco Police Department's ability to investigate and identify sexual assault perpetrators, and

WHEREAS, the San Francisco Police Department is committed to informing sexual assault victims of the progress of forensic testing and the investigation of their cases, and

WHEREAS, the growth of California's DNA databank and the national databank through the Combined DNA Index System (CODIS) makes it possible to identify sexual assault perpetrators, provided sexual assault forensic evidence is analyzed in a timely manner, and

WHEREAS, through the adoption of California Penal Code §680, the Legislature recommends that law enforcement agencies submit sexual assault forensic evidence to the crime lab within five days after the evidence is obtained from the victim and that the crime lab process this evidence, create a DNA profile when able, and upload qualifying DNA profiles into CODIS no later than 120 days after its receipt, and

SUZY LOFTUS
President

L. JULIUS M. TURMAN
Vice President

DR. JOE MARSHALL
Commissioner

PETRA DeJESUS
Commissioner

THOMAS MAZZUCCO
Commissioner

VICTOR HWANG
Commissioner

SONIA MELARA
Commissioner

Sergeant Rachael Kilshaw
Secretary

WHEREAS, through the adoption of California Penal Code §680, the Legislature recommends that law enforcement agencies inform sexual assault victims whether or not a DNA profile of the assailant was obtained from the testing of the sexual assault forensic evidence or other crime scene evidence, whether or not the DNA profile of the assailant has been entered into CODIS, and whether or not there is a match between the DNA profile of the assailant developed from the sexual assault forensic evidence or other crime scene evidence and a DNA profile contained in CODIS, provided that disclosure would not impede or compromise an ongoing investigation; now, therefore, be it

RESOLVED, that the Chief of Police shall submit semiannual and annual written reports to the Police Commission regarding the information described below. These reports shall be submitted in time to be calendared for the first Police Commission meeting of the first and third quarters of the year. These reports shall not contain any identifying information about a victim or suspect. The SFPD shall post on its website a copy of its semiannual and annual reports as described below within 10 days of its issuance. Each report shall include at a minimum:

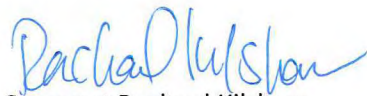
1. SFPD Crime Laboratory number
2. Date evidence collected from victim by Trauma Recovery/Rape Treatment Center
3. Date evidence collected from the custody of Trauma Recovery/Rape Treatment Center
4. Date evidence submitted to the Crime Lab
5. Analysis start date
6. Analysis completion date
7. Whether or not a DNA profile of the assailant was developed and if so, the date the DNA profile was developed
8. Whether or not a DNA profile of the assailant was uploaded into CODIS and if so, the date this occurred
9. Whether or not there was a match between the DNA profile of the assailant and a DNA profile contained in CODIS, and if so, the date this match was discovered, and the date this information was provided to the Special Victim's Unit
10. Any other outcome information such as arrests and convictions, provided that disclosure would not impede or compromise any ongoing investigation
11. Whether or not sexual assault victims were notified of developments of forensic testing and the investigation of their cases as described in sections 3-10, including the date and manner of notification. In cases where notification was not provided to the victim, an explanation as to why notification was not provided

FURTHER RESOLVED, that this Resolution shall take effect at the beginning of the third quarter following adoption, and shall remain in effect until rescinded or changed.

Chief Gregory P. Suhr
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AYES: Commissioners Loftus, Marshall, DeJesus, Mazzucco, Melara
ABSENT: Commissioners Turman, Hwang

Very truly yours,



Sergeant Rachael Kilshaw
Secretary
San Francisco Police Commission

cc: Captain U. Bailey/SVU
Captain G. Mar/Forensics