

Crime Lab Update

October 22, 2024

Presented by Chief Neil Noakes

The Fort Worth Police Department takes this issue seriously and is committed to finding solutions with the highest level of urgency.

We believe that failing to provide timely and accurate testing is a disservice to the most important individuals affected by this situation: the victims.

We will make every effort to correct this problem and ensure that as we move forward, swift justice can move forward for all victims of rape in the City of Fort Worth.

Updated Facts – Testing Status

- 779 kits have been tested and are awaiting the review of the results and Combined DNA Index System (CODIS) entry
- On Friday, October 18, 2024, 190 Sexual Assault Kits were mailed out for testing
- Of the 190, 116 are over the 90-day timeframe
- The primary cause of the backlog is certified staff to perform the CODIS review and entry
- Currently, there are 5 vacancies for DNA entry in the Fort Worth Crime Lab
- We have 2 certified DNA scientists to review and enter the CODIS information

CODIS ENTRY

- CODIS compares the DNA profile against numerous other known and unknown DNA profiles to find a match
- Of the 779 approximately 600 samples have evidentiary value to be entered into CODIS
- Of the approximate 179 that do not have evidentiary value to being entered into CODIS, they can be verified and entered by several people on our staff including 2 of our technicians in training, and should be done in approximately 3 weeks
- The majority of the offenders are known by the victim and there is no requirement to enter into CODIS for prosecution
- Detectives are prioritizing the unknown actors of sexual assaults to get them in the system quicker

Requirements of Chapter 420 of the Texas Government Code:

- A law enforcement agency must submit evidence to the lab for analysis not later than the 30th day after the evidence was received;
- A department that fails to submit evidence within 30 days must send a report of the failure to DPS on or before the 30th day after discovery that the evidence was not timely submitted, including a detailed explanation for the failure to submit the evidence.
- *If sufficient personnel and resources are available*, the crime lab must complete its analysis of evidence as soon as practicable, but not later than 90 days after receiving the evidence;
- Not later than the 30th day after the date the rape kit has been analyzed, the department shall input the DNA profile into the database for comparison
- **Failure to comply could be used to determine eligibility for receiving grants from the department, Office of the Governor or another state agency. There are no other penalties.**
- **The law states that the failure to timely comply shall NOT affect the admissibility of evidence in a trial, nor impact the ability of the agency to process the evidence.**

Sexual Assault Kit Testing

- We have a Federal Grant for \$686K to test the Sexual Assault Kits. With or without the grant, funding is not the issue.
- We contract with the following vendors to test Sexual Assault Kits:
 - DNA International
 - Signature Science
 - BODE
 - Tarrant County Medical Examiner

Demographics of the Sexual Assault Victims

African American	256	28.3%
Asian	13	1.4%
Caucasian	622	69.1%
Unknown	11	1.2%
TOTAL	902	

Working a Sexual Assault Kit (Staffing hours for 1 Kit)



Note that the data interpretation, report writing, and CODIS entry takes about 4 hours to complete.

Summary of Internal Corrective Actions Taken

- The issues related to the Crime Lab will now receive active oversight by the CMO and FWPD
- FWPD active management of the Crime Lab will be elevated to Assistant Chief Carabajal and Chief Noakes
- A new Forensic Division Manager was hired in August 2023
- Pay raises approved for the DNA Scientist for FY2025 to assist with recruiting
- We have an open posting for the vacant positions
- We have 2 additional employees being trained to assist with CODIS Entry (Spring, 2025)
- There has been a \$4,000 per person incentive for the 2 DNA scientists to get the backlog up to date
 - Half at the midpoint and the other half at completion, with the target completion date of April 2025
- We continue to look for contract employees to help with the CODIS entry and backlog

Potential Solutions to CODIS Entry

- FWPD has contacted existing vendors for assistance with CODIS Entry
- We have identified new potential vendors to assist with CODIS Entry
- Feasibility of 100% contracted services for Rape Kit Testing, while retaining other aspects of the Crime Lab

Next Steps

- Assessment and contracting additional vendor support upon confirmation
- Re-evaluate the timeline for eliminating the backlog of outstanding cases
- Weekly report to CMO and Council on progress eliminating backlog (Beginning next week)
- Next Council Work session update (November 5th)

Questions