



## **AUSTIN NEIGHBORHOODS COUNCIL RESOLUTION ON THE AUSTIN POLICE DEPARTMENT DNA LABORATORY**

**WHEREAS** the proper use of modern forensic science, including DNA testing, is necessary and vital to public safety and law and order for the purposes of preventing mistaken criminal convictions of the innocent, deterring would-be criminals, and apprehending, incarcerating, and rehabilitating dangerous at-large criminals;

**WHEREAS** the Austin Police Department's DNA and forensic science laboratory (the "APD DNA Lab") has put the safety of the citizens of the City of Austin at risk by substandard performance and inadequate policies;

**WHEREAS** the problems with the APD DNA Lab have caused further distress to crime victims who now find their cases indefinitely delayed and potentially undermined;

**WHEREAS** the problems with the APD DNA Lab could have been detected earlier through proper monitoring, including appropriate auditing and internal controls;

**WHEREAS** more than a decade of publicity regarding similar high-profile problems with other Texas crime labs, including the suspension of operations at the City of Houston's crime lab in 2002, should have put City of Austin officials on notice that the proper monitoring of the APD DNA Lab needed to be implemented;

**WHEREAS** the problems of the APD DNA Lab were not brought to light until May 2016, and in the subsequent nine months the backlog of untested cases has increased while City officials have not timely set forth either adequate information regarding this serious public safety problem or adequate long-term plans for fixing this serious public safety problem;

**NOW, THEREFORE, BE IT RESOLVED** that the Austin Neighborhoods Council hereby urges the City Council and the other leaders of the City of Austin to:

- 1) Timely provide accurate and complete answers to further requests for information from Austin/Travis County Sexual Assault Response and Resource Team & the rest of the community regarding how evidence is being tested; and
- 2) Provide, in a timely fashion, and without months or years of further delay, a feasible long-term plan for proper evidence testing.

Presented to the ANC General Membership: March 22, 2017

Approved and Adopted: April 26, 2017

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<sup>1</sup> Background Materials: Sarah Marloff, *Sexual Assault Advocates Demand Answers for Rape Kit Negligence*, Austin Chronicle (Mar. 1, 2017), <http://www.austinchronicle.com/daily/news/2017-03-01/sexual-assault-advocates-demand-answers-for-rape-kit-negligence/>

*Exhibit A: Austin PD DNA Lab Mess Argues for Independent Crime Labs*, Grits for Breakfast (Jan. 16, 2017), <http://gritsforbreakfast.blogspot.com/2017/01/exhibit-austin-pd-dna-lab-mess-argues.html>

Eric Dexheimer, *Austin Crime Lab Bucked DNA Standard for Years, Yet Got Passing Grades*, Austin American-Statesman (Jan. 12, 2017), <http://www.mystatesman.com/news/crime--law/austin-crime-lab-bucked-dna-standard-for-years-yet-got-passing-grades/MZBboOfzXWWgqlem6867TO/>

Leslie Rangel & Andy Jechow, *APD DNA Lab Closed for Foreseeable Future, Forensics Chief Removed*, KXAN-TV (Dec. 16, 2016), <http://kxan.com/2016/12/16/apd-dna-lab-will-not-reopen-forensics-manger-removed-from-job/>