

# Agenda Report

May 18, 2020

**TO:** Honorable Mayor and City Council

**FROM:** Pasadena Police Department

**THROUGH:** Public Safety Committee (May 13, 2020)

**SUBJECT: APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE CITY OF GLENDALE RELATED TO PASADENA'S COMPUTER CRIMES UNIT AND GLENDALE'S VERDUGO REGIONAL CRIME LABORATORY**

**RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed Memorandum of Understanding(MOU) is exempt under the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3), the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and
2. Authorize the City Manager to enter into a Memorandum of Understanding (MOU) with the City of Glendale related to Pasadena's Computer Crimes Unit and Glendale's Verdugo Regional Crime Laboratory for three (3) years in an amount not to exceed a total of \$75,000 for the three-year term; and
3. Authorize the City Manager with the option to extend the MOU for two additional three-year periods, with the total value of each three-year extension not to exceed \$75,000; and
4. The proposed MOU is exempt from competitive bidding and competitive selection pursuant to City Charter, Section 1002(H), and Pasadena Municipal Code, Section 4.08.049 (A)(3), contracts with other government entities.

## **BACKGROUND:**

The Pasadena Police Department (PPD) requests to enter into a Memorandum of Understanding (MOU) with the City of Glendale for use of its Verdugo Regional Crime Laboratory (VRCL) to promote increased efficiency, capability and coordinated law enforcement efforts in the area of forensic computer examinations and investigations. This includes the integration of forensic computer hardware, software, investigation, and sharing of criminal justice information, data, and other forensic computer issues related to criminal investigations.

On a daily basis, the lab performs data acquisition and analysis of cell phones (Android & iOS-Apple), computers (Windows & Mac), as well as other electronic data devices to assist detectives with gathering evidence and information related to criminal investigations. The lab also performs video and file recovery analysis from DVRs (digital video recorders) and other video recording devices to assist detectives with gathering evidence and information related to criminal investigations. The analysis of electronic data requires extensive training and experience utilizing specific software programs and special hardware. With electronic data becoming increasingly common in today's society, computer forensics plays a vital role in criminal investigations. The ability to analyze electronic data often results in the rapid apprehension of suspects, reducing the amount of time spent on criminal investigations and increasing public safety.

During 2018, PPD experienced personnel shifts and retirements causing a loss of expertise in the PPD's Computer Crimes Unit. A partnership with a forensic computer lab with experienced personnel was proposed as a solution to further develop the expertise of our personnel. The Department explored partnership options with the VRCL, Electronics Crimes Task Force- U.S. Secret Service, and the Regional Computer Forensic Lab – FBI. Any one of these labs would be able to provide laboratories and expert personnel. A partnership with VRCL was ultimately determined to be in the City's best interest since they are recognized experts in the field of digital evidence. VRCL is ANSI accredited and provides immediate availability to resources, infrastructure and personnel support.

Entering into the MOU with the City of Glendale VRCL is essential to further develop the expertise of PPD's Computer Forensic Examiners. PPD's examiners will work towards becoming certified experts working in an accredited lab. While the PPD will be responsible for accreditation costs for its employees, the cost savings realized by leveraging existing resources and infrastructure to accredit PPD's lab and examiners will obviate the need to hire an outside accreditation consultant, seek outside assistance from an accredited lab or designate a quality manager. It takes considerable resources to support a full-time position for quality manager. An existing PPD employee could be trained in quality management; however, it be a hardship for one person to balance two workloads and maintain effectiveness in both roles. Additionally, the MOU will provide PPD's Computer Crimes Unit with expanded forensic examination hardware and software applications.

Fees for forensic computer examinations would be waived by the VRCL through the software sharing cost as outlined in the proposed MOU.

The partnership would also be another example of the Pasadena Police Department participating in regional law enforcement efforts. While working at the VRCL, the PPD's examiners will be performing work for and with other agencies including Burbank Police Department, San Marino Police Department, FBI, U.S. Secret Service, Monterey Park Police Department, and Glendale Police Department.

The partnership with the VRCL will provide Pasadena with several benefits. First, the partnership will accelerate the training and expertise of our personnel. Secondly, the partnership will increase the number of forensic software and hardware applications available to conduct forensic computer examinations. Lastly, the partnership will provide our personnel the opportunity to become accredited and bring their expertise and accreditation back to the PPD with the ultimate goal of maintaining an independent and accredited lab in Pasadena in the future.

Staff is recommending the approval of the MOU with the City of Glendale to further develop the expertise and increase the forensic examination capacity of the Pasadena Police Department's Computer Crimes Unit which will contribute to ensuring public safety in the City of Pasadena.

#### **COUNCIL POLICY CONSIDERATION:**

The proposed action is consistent with the City Council's Plan goals to ensure public safety.

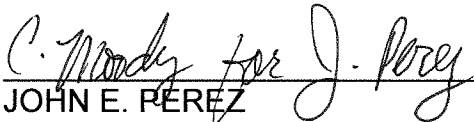
#### **ENVIRONMENTAL ANALYSIS:**

The proposed MOU between the City of Pasadena and the City of Glendale related to Pasadena's Computer Crimes Unit and Glendale's Verdugo Regional Crime Laboratory has been determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061 (b)(3), the common sense exemption (formerly the general rule) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Such is the case with the proposed activity of approving a Memorandum of Understanding (MOU) between the City of Pasadena and the City of Glendale related to Pasadena's Computer Crimes Unit and Glendale's Verdugo Regional Crime Laboratory. No physical changes to the environment will result from the proposed MOU authorization.


**FISCAL IMPACT:**

The cost of this action will not exceed \$25,000 for the first year and if all extensions on the MOU are granted it will not exceed \$225,000. Funding for this action will be addressed by utilization of existing budgeted appropriations in Crimes Against Property account 10132016-811400. There will be no indirect or support cost requirements.

Respectfully submitted,

  
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Pasadena Police Department

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