

1 [Transferring Responsibility for Crime Lab Services from the Police Department to the City
2 Administrator.]

3 **Ordinance amending the San Francisco Administrative Code by amending**
4 **Section 2A.25 and by amending and renumbering Section 10.100-170, all to transfer**
5 **responsibility for providing crime laboratory services from the Police Department to**
6 **the City Administrator, and setting an operative date.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are *strike-through italics Times New Roman*.
9 Board amendment additions are double-underlined;
Board amendment deletions are ~~strike-through normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11
12 Section 1. The San Francisco Administrative Code is hereby amended by amending
13 Section 2A.25, to read as follows:

14 **SEC. 2A.25. OFFICE OF THE CITY ADMINISTRATOR.**

15 *(a)* The Office of the City Administrator shall be a department of the City. The City
16 Administrator shall be appointed and may be removed as provided in the Charter. The
17 department shall include such officers and employees as are authorized pursuant to the
18 budgetary and fiscal provisions of the Charter.

19 *(b)* In addition to its other duties, the Office of the City Administrator shall be responsible for
20 providing crime laboratory services for the City.

21
22 Section 2. The San Francisco Administrative Code is hereby amended by renumbering
23 Section 10.100-170 as 10.100-291, and amending the same, to read as follows:

24 **SEC. 10.100-291 ~~170~~. SAN FRANCISCO POLICE CRIMINALISTICS LABORATORY FUND.**

25

1 (a) **Establishment of Fund.** The *San Francisco Police* Criminalistics Laboratory Fund
2 is established as a category two fund to be designated as the *San Francisco Police*
3 Criminalistics Laboratory Fund for the purpose of receiving money paid by persons convicted
4 of the controlled substance violations set forth in Section 11372.5 of the California Health and
5 Safety Code, which provides that persons so convicted shall pay a criminal laboratory
6 analysis fee.

7 (b) **Use of Fund.** The fund may be used for the following purposes: (1) costs incurred
8 by the criminalistics laboratory in providing microscopic and clinical analyses for controlled
9 substances; (2) the purchase and maintenance of equipment for use by the laboratory in
10 performing the analyses; and (3) for continuing education, training and scientific development
11 of forensics scientists regularly employed by the laboratory. In addition, monies from the fund
12 may be expended to cover the costs incurred in administering the fund.

13 (c) **Exceptions to Fund Category.** At the end of each fiscal year, any amount of
14 monies remaining in the fund after expenditures have been made for the purposes specified
15 above shall be distributed annually in accordance with the allocation scheme for distribution of
16 fines and forfeitures set forth in Section 11502 of the California Health and Safety Code
17 (75 percent paid to State Treasurer and 25 percent retained by the City and County).

18
19 Section 3. **Report Required.** Not later than February 1, 2011, the Controller, in
20 consultation with the City Administrator, shall submit a report to the Mayor and the Board of
21 Supervisors evaluating options for the provision of crime laboratory services, including making
22 the Chief Medical Examiner responsible for crime laboratory services, partnering with
23 neighboring jurisdictions to create a regional crime laboratory, or contracting with an agency
24 outside of City government for crime laboratory services.

1 Section 4. **Additional Provisions.**

2 (a) The operative date of this ordinance shall be July 1, 2010.

3 (b) The Department of Human Resources shall transfer any civil service employees
4 under the Police Department who currently perform duties and functions involving crime
5 laboratory services to the Office of the City Administrator. The Controller shall transfer from
6 the Police Department to the Office of the City Administrator any unexpended funds
7 previously appropriated for duties and functions involving crime laboratory services.

8
9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

11
12 By: _____
13 THOMAS J. OWEN
14 Deputy City Attorney