

**DEPARTMENT TRAFFIC COORDINATOR
TRANSIT SERVICES BUREAU**

NOTICE

April 2, 2021

8.1

TO: All Department Personnel

FROM: Department Traffic Coordinator, Transit Services Bureau

SUBJECT: ON-CALL PHLEBOTOMIST

PURPOSE

The purpose of this Notice is to advise Department personnel of the On-Call Phlebotomist program. The program allows officers to request a phlebotomist to perform blood withdrawals for Driving Under the Influence (DUI) and Driving Under the Influence of Drugs (DUID) arrests. This Notice does not revise any DUI or DUID policies or procedures that have been established by Administrative Order No. 7, 2017 "Blood Test" and Administrative Order No. 8, 2013 "Felony Driving Under the Influence Non-Consensual "Forced" Blood Draw – Revised."

BACKGROUND

In 2013, the State of California changed the California Vehicle Code and requires that a driver arrested for DUID submit to an evidential blood draw. The timely collection of blood draws is critical due to the rapid dissipation of psychoactive drugs in the blood. With the legalization of recreational cannabis, the number of DUID offenses has increased. The ability to obtain a blood sample is critical in prosecuting DUID offenses.

PROCEDURE

When a community member has been arrested for DUI or DUID and a blood sample is needed, blood draws shall be first sought at one of the three medical dispensaries located in the Department's detention centers. Often, the medical dispensaries are unavailable and cannot provide this service. At other times, medical staff at the contract hospitals have refused to perform a blood draw for criminal purposes. In these instances, officers are encouraged to request a stand-by phlebotomist. Prior to requesting a phlebotomist, the following conditions must be met:

- An arrest was made for DUI or DUID, or a combination of both;
- A delay in evidence collection has occurred at a Department medical dispensary;
- The arrestee has been transported to a hospital and an evidential blood draw will not occur within two hours for alcohol, three hours for drugs, or two hours for a combination of alcohol and drugs; or,
- A delay in evidence collection has occurred due to medical staff not cooperating, delay in treatment, or other circumstances outside the officer's control.

If the aforementioned circumstances are satisfied, officers shall contact their respective watch commander who will follow the below instructions:

- Contact Vital Medical Services at (844) 448-4825;
- Provide agency name and division of assignment;
- Provide officer's name requesting and serial number;
- Provide location where the phlebotomist is requested;
- Provide requesting officer's contact number; and,
- Provide the reason for the request (e.g. hospital refusal, undue delay, etc.).

Officers should only request this service when they are ready for the blood draw to be performed. When a warrant is sought, officers shall obtain the warrant prior to the phlebotomist's arrival. The response time for the phlebotomist will be between 30 to 45 minutes. Upon arrival, officers are required to provide the following information to the phlebotomist:

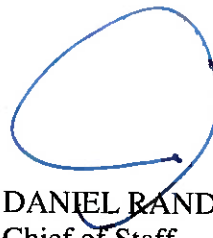
- Report DR number, booking number, or incident number;
- Arresting officer's name;
- Name of refusing hospital (if applicable); and,
- Perceived impairing substance (alcohol, drugs, or a combination).

If you have any questions regarding this Notice, please contact the Drug Recognition Expert Unit, Traffic Group, at (213) 486-0690.



BLAKE H. CHOW, Deputy Chief
Department Traffic Coordinator
Transit Services Bureau

APPROVED:



DANIEL RANDOLPH, Commander
Chief of Staff
Office of the Chief of Police

DISTRIBUTION "D"