



POLICY UPDATE: FORCED DUI BLOOD DRAWS

It is strongly preferred to conduct any forced blood draws prior to booking a person into an Orange County Jail Facility. Field Operations personnel should make every effort to secure the blood sample of the suspect in a timely fashion. Any forced blood draw will be done in a medically approved manner, and in a secure location out of the view of the public. See FOM Section 17 and OCSD Policy 514.3.

In the event a person unexpectedly refuses a blood draw while inside a jail facility, an Orange County Deputy Sheriff may initiate a forced blood draw in accordance with CCOM Policy 2116.

Forced blood draws within an OCSD jail facility are permitted under the following requirements:

- After a search warrant has been obtained or the Department Commander has determined that exigent circumstances exist, a blood sample will be obtained in the DUI Room of the Intake Release Center (IRC).
- Any forced blood draws occurring at an OCSD jail facility shall be from OCSD arrestees ONLY.
- No forced blood draws shall take place at an OCSD jail facility by or on behalf of an outside law enforcement agency.
- *Outside agencies are NOT permitted to use the IRC DUI Room or any area at an OCSD jail facility for forced blood draws.*
- The blood draw shall be recorded via department issued handheld camera and witnessed by a custody operations supervisor.
- If a contract IRC phlebotomist is not available, the deputy will utilize a County approved hospital.
- Handheld video footage will be booked into Sheriff's Property/Evidence per policy.
- Any force used must be reasonable and appropriately documented per Use of Force Policy 300/CCOM 1800/FOM Section 17.

We are confident this change offers multiple layers of risk mitigation for our deputies. Conducting forced blood draws inside a jail facility limits unnecessary movement of an arrestee and prevents additional delay in evidence collection.

For further details regarding forced blood draws and the required and related procedures, please refer directly to OCSD Policy 514.3, CCOM Policy 2116, and FOM Section 17. If you have any questions relating to forced blood draws contact your immediate supervisor.

