

RESOLUTION NO.

WHEREAS, the State of Texas allows peace officers to collect breath and blood specimens as evidence for prosecuting people suspected of operating a motor vehicle while intoxicated through Texas Transportation Code §724.012, and Texas Code of Criminal Procedure Article 18.01; and

WHEREAS, Austin's police force consists of highly trained law enforcement professionals whose compensation is commensurate with the specialized public safety service they provide; and

WHEREAS, the safe collection of blood specimens requires separate specialized public health training and ongoing yearly medical education in order to ensure healthy and accurate phlebotomy; and

WHEREAS, such training is geared for clinical health technicians consistently practicing phlebotomy on a daily basis in a controlled public health setting with emergency health services close at hand; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

In order to protect the health and safety of officers and suspects, the City Manager is hereby directed to bar Austin Police Department officers from conducting phlebotomies.

BE IT FURTHER RESOLVED:

The City Manager is directed to research and prepare a range of alternative blood specimen collection methods and present them to City Council with any needed fiscal notes no later than December 17, 2009.

ADOPTED: October 22, 2009

ATTEST: _____
Shirley A. Gentry
City Clerk