

CITY OF WHEAT RIDGE, COLORADO
RESOLUTION NO. 50
Series of 2019

TITLE: A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE WEST METRO FIRE PROTECTION DISTRICT AND THE CITY OF WHEAT RIDGE CONCERNING DUI BLOOD DRAW SERVICES

WHEREAS, the City of Wheat Ridge, Colorado (the "City"), acting through its City Council ("Council"), is a home rule municipality with statutory and constitutional authority to provide law enforcement services; and

WHEREAS, the West Metro Fire Protection District (WMFPD) is a special district, duly organized and authorized to provide certain first-responder services, including EMS services; and

WHEREAS, from time to time, the Wheat Ridge Police Department (WRPD) has the need to draw blood from DUI suspects for evidentiary purposes; and

WHEREAS, WMFPD employs persons qualified to perform on-scene blood draws; and

WHEREAS, the City therefore wishes to enter into an agreement with WMFPD to request WMFPD personnel to perform DUI blood draw services, when possible, and to establish the terms thereof; and

WHEREAS, Section 14.2 of the Wheat Ridge Home Rule Charter authorizes the Council, acting by resolution or ordinance, to approve such agreements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wheat Ridge, Colorado, as follows:


The attached Memorandum of Understanding between the West Metro Fire Protection District and the City of Wheat Ridge concerning DUI blood draw services, is hereby approved. The Mayor and Clerk are authorized to execute the same.

DONE AND RESOLVED this 9th day of September 2019.



Bud Starker, Mayor

ATTEST:



Janelle Shaver, City Clerk



Memorandum of Understanding Concerning DUI Blood Draws

This Memorandum of Understanding (MOU) concerning DUI blood draws is entered into by and between the West Metro Fire Protection District (WMFPD) and the City of Wheat Ridge (City).

The terms and conditions of this MOU are as follows:

1. Contacts

- a. City: Wheat Ridge Police Department (WRPD) Chief of Police, or designee.
- b. WMFPD: The EMS Chief, or designee.


2. Procedure

- a. WRPD will notify Jeffcom to request a DUI blood draw.
 - i. If WMFPD is on scene of an accident where WRPD has the authority and they request a blood draw, it can take place in the back of the WMFPD Medic Unit, if it does not hamper or delay the transport or treatment of the suspect.
- b. WRPD will provide the materials for the blood draw in the form of an evidence kit.
- c. WMFPD personnel will perform the blood draw and sign necessary paperwork required for chain of custody.
- d. WMFPD will author an incident report, which will be stored in the WMFPD records management system. Copies of the report may be requested through the Medical Reports Custodian at WMFPD.
- e. The suspect shall not be considered a patient for HIPPA purposes and WMFPD does not provide medical clearance of any kind. If, for whatever reason, the suspect presents injured or sick, they will then be treated as a patient under the Denver Metro Paramedic Protocols. Medical care will then be transferred to WMFPD.

3. WMFPD does not provide felony or serial blood draw services.

4. In the event that a WMFPD employee(s) is summoned to testify in court, the cost for employee time shall be the responsibility of WMFPD.

5. This MOU will be valid once agreed upon and signed by both parties.
6. Thirty-day notice is required to terminate this MOU, for any reason, including for convenience only.
7. The price for requested blood draw services is \$35.00 per suspect.
8. WMFPD will submit an invoice on a quarterly basis to WRPD for payment. The terms of the invoice shall be 45 days.

X 

Don Lombardi
Fire Chief, WMFPD

Date signed: 9/23/19

X 

Bud Starker, Mayor

Date signed: September 9, 2019

ATTEST:



Janelle Shaver, City Clerk