

Officer Exposure Protocol Training

PURPOSE

This Injury and Illness Prevention Program (IIPP) has been developed for the Albany Police Department in an effort to provide our employees with a safe and healthful working environment. The purpose of this program is to ensure that we identify, evaluate and correct occupational hazards or unsafe acts in the workplace before the result in employee illness or injury.

The Officer Exposure Protocol should **not** be used as part of a criminal investigation, but rather, is limited to situations where the blood test is sought **solely for the protection** of the employee.

ADMISSIONS, SPONTANEOUS STATEMENTS OR UTTERANCES

The subject's personal health history information is confidential unless the subject is willing to speak freely about their possible illness. If a voluntary statement, admission or utterance is made; the information should be included in your report. Information pertaining to the subject's health **cannot be obtained by a coax or trickery**. Ask the subject if they are willing to openly speak about their health history. If the subject is willing, have them write a witness statement advising they are openly speaking and sharing information about their medical condition or history.

TYPES OF TESTING

There are two types of testing: *Voluntary testing and non-voluntary testing*.

Voluntary Testing

- Voluntary Testing is when a subject/citizen voluntarily signs an informed written consent form and then willingly provides a blood sample for testing.
- An informed consent form must be signed prior to obtaining the blood sample.
- A civilian **cannot be forced** to provide a sample if unwilling to do so. A court order from the DA's office is not applicable here.

Non-Voluntary Testing

- The **only** subjects who **can be forced to provide a sample** are persons who are being **charged with a crime, and are currently under arrest**.

VOLUNTARY SAMPLES

The following steps are to be taken when there is a willing civilian or arrested suspect willing to provide a blood sample.

1. Inform the on duty supervisor of the exposure.
2. **Ask for permission!** Ask the civilian or subject if they are willing to provide a blood sample. If they are willing to provide a blood sample, ensure they sign either the **“Voluntary Informed Written Consent Form Blood Draw – Civilian”** or the **“Voluntary Informed Written Consent Form Blood Draw – Subject.”** A phlebotomist’s services will be required to obtain the sample.
3. Report the exposure and exposure details to the Patrol Lieutenant or Human Resources, an e-mail or voicemail will suffice. A Worker’s Compensation claim may be opened as a result.
4. Complete the **“Report of HIV Exposure to Law Enforcement Employee”** form. It may seem unnecessary but it is a required form. This form along with the other documents will need to be provided to the Patrol Lieutenant for recordkeeping.
5. Blood Sample(s): The officer, OIC or Sergeant on duty will need to coordinate the transportation of the blood sample to the Alameda County Public Health Laboratory in Oakland during business hours. A Laboratory Submittal Form or LAB-100 form, which is purple in color, must be completed and accompany the blood sample to the laboratory.
6. Visit your healthcare physician. Your physician will need to take a blood sample for testing. Any out of pocket expenses should be submitted to Human Resources.

REFUSALS

CIVILIAN

The following steps are to be taken when there is a civilian refusal to provide a blood sample.

1. Inform the on duty supervisor of the exposure.
2. Ask for permission! Ask the civilian if they are willing to provide a blood sample. If they are not willing, ***STOP! The civilian cannot be forced*** by officers or the District Attorney’s Office ***to provide a blood sample***. Obtain all of their contact information.
3. Report the exposure and exposure details to the Patrol Lieutenant or Human Resources, an e-mail or voicemail will suffice. A Worker’s Compensation claim may be opened as a result.
4. The Patrol Lieutenant will contact the City Attorney to determine if other legal means exist that will allow Albany PD or the City of Albany to obtain a blood sample from the civilian, such as a court order.
5. Complete the **“Report of HIV Exposure to Law Enforcement Employee”** form. It may seem unnecessary but it is a required form. This form along with the other documents will need to be provided to the Patrol Lieutenant.

6. Visit your healthcare physician. Your physician will need to take a blood sample for testing. Any out of pocket expenses should be submitted to Human Resources.

Additional Note: A “Request for Testing” form cannot be sent to the District Attorney’s Office in the event of a **civilian refusal**. The DA’s Office **will not** obtain a blood sample from an unwilling civilian.

ARRESTED AND CRIMINALLY CHARGED SUBJECT

The following steps are necessary when a suspect who has been arrested and is being criminally charged **refuses** to provide a blood sample for analysis.

1. Inform the on duty supervisor of the exposure.
2. **Ask for permission!** Ask the subject if they are willing to provide a blood sample. If he or she is unwilling to provide a blood sample, additional documents will need to be sent to the District Attorney’s Office.
3. When the subject is taken to North County or Santa Rita, inform the intake deputies that the subject will need to be held until the DA’s Office can determine if they can obtain a court order for the subject’s blood.
4. Report the exposure and exposure details to the Patrol Lieutenant or Human Resources, an e-mail or voicemail will suffice. A Worker’s Compensation claim may be opened.
5. Inform the District Attorney’s Office of the exposure by completing and faxing the “Request for Testing” form to one of the District Attorney’s listed at the top of the form. If possible send your finished report, witness statements and supplemental reports with this document. If the items are unavailable, fax them to the District Attorney’s Office as soon as they are completed or available. If your report is not completed, the “Request for Testing” form needs to be sent to the DA’s Office **immediately**.
6. Complete the “Report of HIV Exposure to Law Enforcement Employee” form. It may seem unnecessary but it is a required form. This form along with the other documents will need to be provided to the Patrol Lieutenant.
7. The Officer, Sergeant or OIC on duty the next day will need to call the DA’s Office the next morning to ensure that the DA’s Office has received the faxed paperwork so that they can take immediate action while the subject is still in custody.
8. Visit your healthcare physician. Your physician will need to take a blood sample for testing. Any out of pocket expenses should be submitted to Human Resources.

DISTRICT ATTORNEY’S OFFICE PROCESS:

Once the DA’s Office has received the “Request for Testing” form and supportive documentation they will have one of their investigators attempt to obtain a court order for the arrested subject’s blood sample. The DA’s Investigator will then go to the jail and if needed, he or she will have a forced blood draw completed. The sample will then be sent to the Alameda County Health Department for testing. The DA’s Office will coordinate the transport and submittal of the blood sample to the Health Department. The laboratory testing fee will be charged to the Albany Police Department.

WEEKENDS:

In the event the DA's Office is not accepting phone calls on the weekend, they do check their fax machines, especially when it comes to the need to have the sample obtained prior to the subject's release. The DA's Office will need to be contacted first thing the next day or first thing on Monday morning, to ensure they have received the documentation needed.

PHLEBOTOMIST/POLICE DEPARTMENT CONSENT WAIVERS:

In the event the phlebotomist obtains the only signed waiver, retain a copy of his or her signed waiver. If the subject/civilian is willing to sign the consent form provided by the phlebotomist and the officer, make sure both consent forms are provided to the Patrol Lieutenant. A copy of the phlebotomist waiver is acceptable.

BLOOD TEST RESULTS SENT TO THE COUNTY HEALTH DEPARTMENT:

Once a blood sample has been sent to the Alameda County Public Health Laboratory, they will send the results of the blood analysis in writing to the Albany Police Department, attention the exposed officer.

FORMS:

- Voluntary Informed Written Consent Form Blood Draw – Civilian
- Voluntary Informed Written Consent Form Blood Draw – Subject
- Request for Testing
- Report of HIV Exposure to Law Enforcement Employee
- LAB-100 form (Purple Lab Form)

PPE (Personal Protective Equipment):

Each vehicle will have a blue pack located in the trunk of the vehicle. The contents of the pack are to be used in the event of an officer exposure or a medical emergency. The supplies should be used only as needed due to limited stock available.

- Disposable Masks (N95 Mask)
- Safety Glasses
- Trauma Scissors
- CRP Mask
- Pen Light
- Red Biohazard Bag
- P.A.W.S. Wipes
- Gauze

- Tourniquet
- Medical Tape
- Needle Carrier
- Seatbelt Cutter
- Portable Eyewash
- Disposable Gown

PPE ITEMS LOCATED AT THE POLICE DEPARTMENT:

The following items are kept in the booking room and are readily available for officer use. The following items should be used when cleaning up bodily fluids or human debris in patrol vehicles.

- Sani-Cloth Plus Germicidal Wipes
- Sanizide Plus (Spray)