

# Memorandum



DATE: August 15, 2008

TO: Members of the Public Safety Committee

SUBJECT: No Refusal DWI Initiatives

The Dallas Police Department recently conducted two No Refusal DWI Initiatives, Memorial Day holiday weekend, May 23 through May 27, 2008 and Fourth of July holiday weekend, July 3 through July 7, 2008. Under the Texas Implied Consent Law, a person arrested for DWI is required to provide a breath and/or blood specimen. The No Refusal initiative guarantees a sample by obtaining a search warrant to collect the sample.

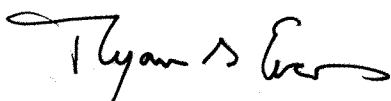
During our No Refusal DWI initiatives, arresting officers secured evidentiary search warrants, signed by a Criminal District or County Court Judge, for all arrestees who refused to provide samples. These warrants directed a health professional to collect a sample of the subject's blood, which was then sent to the Southwest Institute of Forensic Sciences (SWIFS) for blood alcohol concentration analysis. The Dallas County District Attorney's office drafted the documents necessary to obtain the search warrants and is prepared to accept all charges generated during these initiatives.

During the Memorial Day initiative, the Police Department arrested forty-eight persons for DWI. Eighteen of those persons refused to voluntarily provide a specimen of their breath or blood. Search warrants were granted and blood samples were collected. SWIFS determined that seventeen blood samples were over the legal limit.

During the Fourth of July initiative, the Police Department arrested forty-three persons for DWI. Nineteen refused to voluntarily provide a specimen and again, search warrants were granted and blood samples were collected. SWIFS determined that seventeen blood samples were over the legal limit. Many of those persons arrested voluntarily provided either a breath or a blood sample after indicating that they had seen the news and were aware of the initiatives.

The DWI initiatives were very successful and will ultimately help increase the number of convictions and reduce the number of persons driving under the influence in the city of Dallas. Another No Refusal DWI initiative is planned for the Labor Day holiday. The Dallas Police Department will consider making No Refusal a standard practice.

Should you have any questions or concerns, please contact me.



Ryan S. Evans  
First Assistant City Manager