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Drunk drivers beware: Warrant to draw blood



Fort Bend County District Attorney John Healey speaks to law enforcement officials Monday on how to obtain search warrants for drawing blood from suspected drunk drivers.

By **SESHADRI KUMAR**

During the Labor Day weekend, law enforcement agencies in Fort Bend will ask for the blood of suspected drivers if they refuse to take a breath test.

Judges in 18 of 20 counties in the greater Houston area, including Harris County, have issued warrants for blood alcohol during designated times known as "no refusal holidays," Fort Bend county District Attorney John Healey said.

"It's time Fort Bend County joined this list," Healey said.

Judges throughout Texas have begun issuing search warrants for drugs and alcohol in the blood, when police have probable cause to arrest drivers for DWI and can show the judge that alcohol or drugs will probably be present in the driver's system.

"We are not trying to sneak

up on people," Healey said, in defense of the program.

High courts in Texas have long recognized the legality of the practice of obtaining an arrested driver's blood for alcohol and drug analysis, he said.

Most drivers arrested for DWI are given the option to consent to taking a sample of their breath or blood.

If they do not consent, a sample of blood can be taken after obtaining a warrant from a judge.

"The program has been successful in many places and it deterred people from drinking and driving, Healey said. Data shows that the number of designated drivers increased during the crackdown on DWI, he said.

If a suspect refuses to take the breath or blood test, he or she will be immediately taken to the booking area of the

sheriff's office.

At the Fort Bend County Sheriff's Office an assistant district attorney will be available during Labor Day weekend to obtain the search warrants.

The police officer will call on one of the listed judges at their homes, file the necessary affidavits and obtain the search warrant.

After obtaining the warrant, the suspect will be taken to a designated room where a qualified nurse or technician will draw the blood sample.

The designated hours for the "no refusal" DWI search warrants are from Friday, Aug. 29 11 p.m. to Sunday Aug. 31, 5 a.m. and Monday, Sept. 1, 6 p.m. to 2 a.m. the next day.

Law enforcement agencies in Fort Bend have been given special training to enforce the search warrant procedure.