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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

March 18, 2025

31 March 18, 2025

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

A handwritten signature in black ink, reading "Edward Yen".

EDWARD YEN
EXECUTIVE OFFICER

Dear Supervisors:

**AUTHORIZE THE LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
TO ALLOW THE CURRENT VENDOR, VITAL MEDICAL SERVICES, LLC
TO CONTINUE ON-CALL BLOOD DRAW SERVICES
FOR THE PERIOD FROM APRIL 1, 2025, TO SEPTEMBER 30, 2025
(ALL DISTRICTS) (3-VOTES)**

SUBJECT

This Board Letter requests authority for the Los Angeles County District Attorney's Office (LADA) to extend the services provided by the current vendor, Vital Medical Services, LLC (VMS), for on-call blood draw services, to allow for the completion of the on-going solicitation process.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize LADA to allow current vendor, VMS, to continue to provide on-call blood draw services on a month-to-month basis for up to six (6) months, from April 1, 2025, to September 30, 2025, until a new vendor is selected through the on-going Request for Proposals (RFP) solicitation process, and approved by the Board, whichever comes first.
2. Authorize the District Attorney (DA), or his designee, to sign and approve any revisions, amendments and/or modifications that do not increase the Net County Cost of the Program, or to terminate for convenience the existing agreement with VMS upon your Board's approval of a new agreement with the recommended proposer at the conclusion of the RFP process.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Office of Traffic Safety (OTS) is designated by the Governor to receive federal traffic safety funds from the United States Department of Transportation, National Highway Traffic Safety Administration, for coordinating California's highway safety programs. OTS awards grant funds to local governmental agencies to implement traffic safety programs and grants. Grant funds provided by OTS allows the LADA to create the DUI Training and Prosecution Section (DTAPS) to address and combat the ongoing and increasing DUI-Alcohol, DUI-Drugs, and vehicular homicide problems within Los Angeles County. The blood draw service is essential to the Program because the presence of active drugs in the bloodstream of a DUI suspect dissipates rapidly and, unlike alcohol, can only be detected through blood sample testing.

Recent changes to the law hold that a blood sample from a DUI suspect may be obtained either through consent or, absent that, through a search warrant signed by a judge. In many instances, law enforcement officers have experienced difficulty or delays in obtaining blood draws at hospitals, despite having obtained consent or a valid search warrant. The ability to have an on-call blood draw service respond when needed by law enforcement is imperative in proving many DUI cases and is, therefore, a public safety necessity. On-call blood draw services are funded by the OTS for the DUI and Vehicular Homicide Training, Education, and Prosecution Program, Assistance Listing Number 20.616, governed by the Code of Federal Regulations (2 CFR 200).

On September 24, 2024, the Board approved LADA to accept grant funding from OTS, in the amount of \$1,784,727, Grant Award Number DI25006, for a one-year period of October 1, 2024, to September 30, 2025, of which \$152,415 in grant funding was allocated to provide on-call blood draw services.

The current sole source agreement with VMS will expire effective March 31, 2024. Board approval is required to allow the current vendor, VMS, to continue to provide on-call blood-draw services to ensure public safety until the solicitation process is completed, and a new service vendor has been selected and approved by the Board.

Implementation of Strategic Plan Goals

Approval of the recommended action is consistent with both the Los Angeles County Strategic Plan's North Star No. 1, Make Investments that Transform Lives: Aggressively address society's most complicated social, health, and public safety challenges, as well as North Star No. 3, Realize Tomorrow's Government Today: Be an innovative, flexible, effective, and transparent partner focused on advancing the common good and being fiscally responsible.

FISCAL IMPACT/FINANCING

The grant award funding was included in the LADA's FY 2024-25 Final Adopted Budget; therefore, no budget adjustment is required.

If funding for this Program were to be terminated, an evaluation would be conducted to determine whether the Program would be continued, with costs absorbed by LADA, or discontinued with staff attrition or reallocation to vacant budgeted positions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The LADA is responsible for prosecuting all felonies in Los Angeles County and misdemeanors for 78 of 88 cities within its jurisdiction (4,083 square miles). Within that territory, LADA works with over 100 law enforcement agencies. When fully staffed, there are approximately 1,000 DDAs employed by LADA. DUI offenses represent a rising and continuing threat in Los Angeles County. Given the passage of Proposition 64 and the trend of increased DUI-Alcohol and DUI-Drugs and DUI combination crashes and fatalities in states, such as California, where drugs, including marijuana, have been legalized, the Los Angeles County law enforcement community expects the danger to continue to increase.

The fair and ethical prosecution of those who drive while impaired by alcohol, drugs, or a combination of drugs and alcohol, requires a well-trained prosecutorial staff. The OTS grant is a timely opportunity to provide this training in Los Angeles County. In addition, The OTS grant will provide funding to continue the Program for as-needed, on-call blood draw services. LADA will conduct a solicitation for a new service contract when the current contract is expired. The blood draw service is essential to the Program because the presence of active drugs in the bloodstream of a DUI suspect dissipates rapidly and, unlike alcohol, can only be detected through blood sample testing.

Recent changes to the law hold that a blood sample from a DUI suspect may be obtained either through consent or, absent that, through a search warrant signed by a judge. In many instances, law enforcement officers have experienced difficulty or delays in obtaining blood draws at hospitals, despite having obtained consent or a valid search warrant. The ability to have an on-call blood draw service respond when needed by law enforcement is imperative in proving many DUI cases and is, therefore, a public safety necessity. The Program will afford an opportunity to assess the level of need, and the geographic areas of need, for on-call blood draw services in the County twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year.

CONTRACTING PROCESS

LADA released a Request for Proposal (RFP) on December 20, 2024, RFP No. RFP-DA-S001, and the RFP was posted on the County's website "Doing Business with Us." Notice of the RFP was sent out to vendors registered with the County.

The solicitation was consistent with federal competitive procurement regulations for County contracting policies. The solicitation was open to non-profit and profit organizations.

Currently, the on-call blood draw services are being provided by VMS and the extension of the existing agreement with VMS will avoid break in services to ensure public safety and will allow LADA time to complete the County's solicitation process, which can include an unanticipated protest review requested by the proposer(s).

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This Program proposes the dedication of one (1) existing Grade IV DDA, three (3) existing Grade III DDAs, and 50 percent of one (1) existing District Attorney Senior Investigator. Pursuant to your Board motion of December 15, 1998, the Alternate Public Defender, Probation, Public Defender, and

Sheriff's Departments have been notified of this request for review and have determined this action would not impact their current operations and/or any potential impact due to the expansion of this Program can be managed with existing resources. Continuing services with current vendor will allow DTAPS to continue utilizing on-call blood draw services to vertically prosecute County's most serious DUI related vehicular homicides, all while providing important DUI and vehicular homicide related training to prosecutors and law enforcement agencies.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two (2) copies of the adopted Board Letter to Ms. Anush Jamalyan, District Attorney's Office, 211 West Temple Street, Suite 200, Los Angeles, California 90012-3205. Any questions may be directed to Ms. Jamalyan at (213) 257-2803, or at AJamalyan@da.lacounty.gov.

Respectfully submitted,



NATHAN J. HOCHMAN

District Attorney

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c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel