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Local officer explains blood samples from drunk drivers

Reports that blood was improperly drawn from accident victims earlier this week do not take into account a new state law, according to the officer who handled the accident.

Some residents have questioned whether, in an

City under investigation for alleged meetings violation

The Vermilion County state's attorney's office is investigating Hoopeston officials for an alleged violation of laws governing meetings.

Earlier this week, the Chronicle filed a complaint with state's attorney Michael Clary alleging that improper notice was given for two city finance committee meetings, held Oct. 23 and Sept. 28.

The meetings were closed to the public to discuss potential litigation on the proposed expansion of the local Illinois Landfills Inc. site

The city is named in an appeal filed by expansion opponents.

Clary said Chronicle editor Joann Gocking requested the investigation even though she attended the open parts of both meetings.

Clary refused comment on the investigation, sav-

See BLOOD on other side ing only that he believes the meetings fall under the

accident Sunday, blood was drawn from the driver

However, according to Hoopeston police officer

James Goodrum, samples were taken in accordance

without proper consent

"special meetings" portion of the Illinois Open Meetings Act and that media notification must be made in whatever way committee members are notified.

Notification of meetings must normally be given 48 hours before the meeting.

Gary Miller, Vermilion County Sheriff's Department chief investigator, said Clary asked his office to gather information on the meetings. Miller said notice of both meetings was posted in city hall.

Jim Spiros, Hoopeston city attorney, denies any wrongdoing on the part of the city, "Notice was sent to the media," he said, "and if a particular group was omitted, it was clearly inadvertent."

Clary said he expects to rule on the allegation by the end of next week.



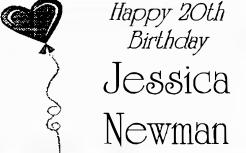
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Classifieds

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Village Apartments of Hoopeston has one-bedroom apartment available. Rent based on income. Under new management. Phone (217) 283-9321. TDD (800) 526-0844.

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Rates: \$2.50/15 words, S1/ each additional 5 words

Blood continued from other sidewith a law effective Jan. 1 of this year.

Under the law, officers must request that a phlebotomist, nurse or doctor draw a non-consensual blood sample from a person suspected of being involved in a DUI, if anyone involved in the accident has type A injuries.

Those include "severe bleeding wounds, distorted extremities, and injuries that require the person to be carried from the scene," according to the blood draw request form.

The form must be signed by the officer, person drawing the blood and a witness. The date and time are also noted on the form.

Copies are kept by the hospital and police department and a copy is sent to the state's attorney's office.

Probable cause must exist for non-consensual samples to be taken, including officers finding drugs or

Rossville-Alvin Schools

Oct. 30: Breakfast - choice of cereal, toast, grape-

C

peas, cheese, peaches.

salad, pears, pudding.

plesauce.

peaches.

orange juice.

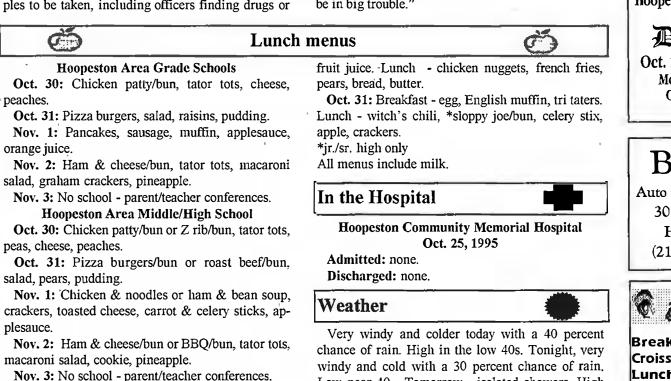
open alcohol in a vehicle or smelling alcohol or drugs in the vehicle or on the person, Goodrum said.

The law is effective even if the motorist suspected of driving under the influence is uninjured, but another motorist or passenger is hurt, Goodrum said.

In accidents meeting the criteria, impaired drivers "have no say-so" in whether a sample will be taken, Goodrum said. "If it takes 10 people to hold them down while they do it, then 10 officers will hold them down," he said.

The law is helping the conviction rate for DUI. Goodrum said. "You're not going to argue with the crime lab," he said, adding tests are thorough and do not give false positive results.

Goodrum said officers have no discretion in whether to have non-consensual samples taken. "We are mandated to do it," he said. "If we don't, we can be in big trouble."



Low near 40. Tomorrow, isolated showers. High BURGER near 52, low near 44. Sunday, partly cloudy. High near 57, low near 35.



Routes 1 & 9, Hoopeston