

Supreme Court Will Hear Case About Blood Alcohol Test for Drunk Driving



The United States Supreme Court announced it will hear a case that centers on the question of whether police must obtain a warrant before forcing suspected drunk drivers to submit to a blood alcohol test.

The case centers on Tyler McNeely, who was pulled over for speeding by a Missouri highway patrolman, and was taken to a hospital.

About 25 minutes after McNeely was pulled over, a technician measured his blood-alcohol content at 0.154 percent, nearly twice the legal limit.

The Missouri police in the case argued they should not have to wait for approval to give a blood test, because alcohol dissipates quickly in the bloodstream, Reuters reports. In a decision earlier this year, the Missouri Supreme Court rejected that argument. It ruled the blood test violated the Fourth Amendment, which protects against unreasonable searches and seizures.

The court found there were no special circumstances to justify obtaining the blood test so quickly. A decision against Missouri could interfere with a longstanding practice by police to help combat drunk driving, according to Lewis Katz, a criminal justice specialist at Case Western Reserve University School of Law in Cleveland.

In court papers, McNeely, who is being represented by the American Civil Liberties Union, said at least 27 states had laws banning the warrantless, nonconsensual drawing of blood.

Learn more about alcohol and Drinking and Driving, [please click here.](#)