

Utah House passes bill requiring police to get warrant before blood draw

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Salt Lake City Police Department

In this July 26, 2017, frame grab from video taken from a police body camera and provided by attorney Karra Porter, nurse Alex Wubbels is arrested by a Salt Lake police detective Jeff Payne at University Hospital in Salt Lake City.



SALT LAKE CITY — A bill requiring police to obtain a warrant before drawing blood in a crime investigation sailed through the Utah House on Thursday.

Rep. Craig Hall, R-West Valley City, drafted [HB43](#) in the wake of the highly controversial arrest of nurse Alex Wubbels at University Hospital last July.

"I don't think anyone here believes what happened that day was acceptable," he said.

The bill passed 72-0 and now goes to the Senate.

The legislation makes clear that a blood draw would be permitted only with the person's oral or written consent, a warrant or a judicially recognized exception to a warrant.

Electronic warrants take about 10 minutes to obtain, so there's really no reason not to get one, Hall said.

"Just get a warrant," he said.

Wubbels' widely publicized arrest happened July 26 when Salt Lake police detective Jeff Payne was sent to University Hospital to collect blood from a man injured in a crash that killed the driver who caused it.

Wubbels, citing policy agreed upon by the hospital and the police department, declined to tell Payne where the patient was or allow him to draw blood.

The detective, with direction from his supervisor that day, Lt. James Tracy, ultimately arrested the screaming nurse after physically pushing her out of the emergency room and holding her against a wall while handcuffing her.

The police department fired Payne and demoted Tracy to the rank of officer.

Wubbels reached a \$500,000 settlement with all parties involved.

Her attorney, Karra Porter, expressed support for the bill, as did Salt Lake police, Utah Highway Patrol, American Civil Liberties Union of Utah and Libertas Institute, a libertarian public policy group, during legislative committee hearing last fall