

Patient Admits Drug Use: No Reasonable Expectation Of Privacy.

The defendant was involved in a motor vehicle accident while being chased by police. He was placed under arrest and taken to a hospital emergency room.

In the emergency room, with police officers standing by, he admitted to the nurse he had done some heroin an hour earlier. Charges of illicit drug possession were added to his case.

The New York Supreme Court, Appellate Division, ruled the nurse was providing medical treatment to a patient, not interrogating a suspect on behalf of the police. The patient could have requested some privacy, but did not, and he was fully aware the officers would overhear what he said to the nurse. His conviction on the drug charges was upheld. **People v. Cooper**, ___ N.Y.S.2d ___, 2007 WL 765946 (N.Y. App., March 13, 2007).