

CALDWELL, WEDNESDAY, MAY 8, 2024, AT 8:50A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)	
)	
Plaintiff-Respondent,)	
)	
v.)	Docket No. 49919
)	
JAKOBE G. MARTIN,)	
)	
Defendant-Appellant.)	

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Peter G. Barton, District Judge.

Erik R. Lehtinen, State Appellate Public Defender, Boise, for Appellant.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent.

This case concerns Rule 412(b) of the Idaho Rules of Evidence and the scope of the exceptions to the rule’s prohibition of evidence of an alleged victim’s past specific instance of sexual behavior. Appellant Jakobe G. Martin was convicted of one count of rape. Prior to his trial, the State sought to prevent the introduction of any evidence, any cross-examination, or any reference to DNA evidence from a contributor other than the defendant through a motion in limine made pursuant to Rule 412. In response, Martin argued that he had the right to use part of the matters the State sought to exclude in a limited way. Specifically, Martin wanted to (1) ask the State’s expert whether Martin’s DNA was found on specific swabs and (2) use the DNA of another contributor as impeachment evidence of an alleged false statement made by the victim made during a forensic medical interview. The district court permitted Martin to inquire into the lack of Martin’s DNA on specific swabs. However, relying on Rule 412(b) of the Idaho Rules of Evidence, the district court concluded that such impeachment was barred by Rule 412(b) because the false statement related to the alleged victim’s prior sexual conduct. At the conclusion of trial, Martin was convicted of one count of rape. Martin timely appealed.

On appeal to the Idaho Supreme Court, Martin argues that the district court erred in its application of Rule 412 of the Idaho Rules of Evidence. In Martin’s view, Rule 412 should not be interpreted in a way which permits alleged victims to make knowingly false statements only to be shielded from confrontation of such at trial. In response, the State asserts that the district court properly applied Rule 412 and properly excluded evidence of the alleged victim’s prior sexual conduct.