

SUMMARY STATEMENT

State v. Baeza, Docket No. 42988

In an appeal from Blaine County, the Supreme Court affirmed the district court's judgment of conviction of Marcelino Baeza for one count of felony lewd conduct with a minor child under the age of sixteen. The Court held that using the alternative method of closed-circuit video testimony for a child witness does not present a level of inherent prejudice such that it violates a defendant's due process right to a fair trial and the presumption of innocence because it focuses on the treatment of the child witness in the eyes of the jury, not the treatment of the defendant. The Court also held that the district court adequately considered all factors under Idaho Code section 9-1806 when it ordered the use of alternative methods of testimony.