

SUMMARY STATEMENT

State v. Salinas, Docket No. 44627

This case addresses whether the district court erred in its application of Idaho Rule of Evidence 404(b). Juan Salinas was charged with the crime of attempted lewd conduct with a minor under sixteen. He engaged in online conversations with a detective posing as an adult. He discussed entering a sexual relationship with the fictitious adult and her minor daughter, and was arrested when he later drove to a hotel where he and the detective had agreed to meet. The State sought to admit evidence of similar conversations that Mr. Salinas had with others, as well as sexual pictures of a fifteen-year-old and four-year-old girl, not part of the State's fictitious scenario. The district court admitted all the challenged evidence except the picture of the fifteen-year-old, which the court found was propensity evidence and prohibited under the Idaho Rules of Evidence. The district court found Salinas guilty of attempted lewd conduct after a bench trial. Mr. Salinas appeals the judgment of conviction, contending that the challenged evidence should have been excluded as inadmissible propensity evidence. The Idaho Supreme Court concludes the district court did not err in admitting the challenged evidence and affirms the judgment of conviction.