

SUMMARY STATEMENT

William Jack Bias v. State of Idaho
Docket No. 45037

Bias pled guilty to felony driving under the influence, Idaho Code §§ 18-8004; 18-8005(5). After sentencing, Bias filed a petition for post-conviction relief challenging his conviction and sentence. In his petition, Bias asserted that his trial counsel was ineffective for failing to file a motion to suppress. At a hearing, the State introduced the officer's dashcam footage. This was the first time that Bias, his post-conviction counsel, or his trial counsel had seen the video. Based on the video, Bias's post-conviction counsel asserted Bias's trial counsel was ineffective for failing to challenge the reasonable suspicion for the traffic stop. The State orally objected to the new claim. Over the State's objection and after granting the State's request for forty-five days to brief the issue, the court held another hearing to address Bias's reasonable suspicion claim. The district court granted Bias's petition for post-conviction relief insofar as he had asserted trial counsel was ineffective for failing to file a motion to suppress challenging the reasonable suspicion for the stop.

On appeal, the State asserted that the district court improperly considered the reasonable suspicion claim and the court erred in granting relief. The Court of Appeals held that the State was provided ample notice of the basis for the reasonable suspicion claim and an opportunity to address the claim with evidence and argument through briefing and an evidentiary hearing. Additionally, or alternatively, the issue of whether Bias's counsel was ineffective for failing to challenge the reasonable suspicion for the traffic stop was tried with the implied consent of the State. The Court also held that the district court applied the correct legal standard to determine whether Bias's trial counsel was ineffective by failing to file a motion to suppress. Finally, the Court held that the district court did not improperly rely on repeated viewings of the dashcam video or on the case decided by the Idaho Supreme Court after Bias's judgment of conviction became final.