

SUMMARY STATEMENT

State v. Akins, Docket No. 45347

The State appeals from the dismissal of a charge against the defendant for her failure to notify of a death pursuant to Idaho Code section 19-4301A. The statute imposes a duty on persons who find or have custody of a body to promptly notify authorities. It also prescribes the punishment for failure to comply with that duty, including felony punishment for failing to notify with intent to prevent discovery of the manner of death. The question presented on appeal is whether the defendant's prosecution under this statute would violate her Fifth Amendment privilege against self-incrimination. The Idaho Supreme Court affirms the district court's decision to dismiss the charge.