

SUMMARY STATEMENT

State of Idaho v. Zoe Renee Barham

Docket No. 47241

In this case arising out of Kootenai County, the Court of Appeals affirmed the district court's restitution order. Barham purchased an insurance policy for her vehicle after it was involved in an accident in the parking lot of a local business. After the owner of the other vehicle filed a claim against the policy, an internal investigation by Barham's insurer revealed that Barham purchased the policy after the accident. Barham's insurer then denied the claim and reported Barham to the Idaho Department of Insurance.

The State charged Barham with insurance fraud. After a jury found Barham guilty of the offense, the State sought a restitution order which included \$144.66 in restitution to her insurer for investigation costs arising from employee wages her insurer paid for its internal investigation. The court awarded the requested restitution over Barham's objection. The Court of Appeals held that the district court correctly determined that restitution for employee wages arising from an internal investigation of insurance fraud is authorized by I.C. § 41-293(4).