SUMMARY STATEMENT
State v. Dacey
Docket No. 47497

This case considers whether a law enforcement officer designated as a "drug recognition expert" needed to be disclosed by the State as an expert witness. Officer Jessica Raddatz, a trained drug recognition expert, was allowed to testify as a lay witness against Timothy Dacey. The defense had objected to Raddatz's testimony concerning the "downside" of a methamphetamine high, arguing that it required expert testimony and Raddatz had not been properly disclosed as an expert pursuant to Idaho Criminal Rule 16(b)(7). The magistrate court denied the objection and did not allow defense counsel to voir dire Raddatz in aid of the objection. A jury convicted Dacey of driving under the influence, and he received a second offense sentencing enhancement. On intermediate appeal, the district court affirmed. On appeal before this Court, Dacey argued that the district court erred in affirming his conviction and sentence because (1) the "downside" testimony qualified as expert witness testimony, which should have been disclosed in discovery, (2) the magistrate court failed to conduct the appropriate analysis to determine whether this alleged expert witness testimony was admissible, and (3) the magistrate court did not allow Dacey to voir dire the witness in aid of his objection. Dacey also asserted that the district court on intermediate appeal applied the wrong harmless error standard. The Idaho Supreme Court reversed and remanded this case, concluding that the district court erred in upholding the magistrate's ruling that Raddatz could testify as a lay witness and that the error was not harmless. The Court also clarified that henceforth, testimony from a drug recognition expert requires the State to comply with all the expert witness disclosure requirements set forth in Idaho Criminal Rule 16(b)(7).

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.