

SUMMARY STATEMENT

State v. Moore

Docket No. 48817

Dr. Daniel Lee Moore (“Moore”), a chiropractor in Bonner Ferry, was charged with second-degree murder for the 2020 shooting of Dr. Brian Drake (“Drake”), also a chiropractor in Bonners Ferry. Drake was shot in the back through a window while sitting in his office talking to his wife on the phone at the end of the day. During a police interrogation of Moore, he invoked his right to an attorney at least three times; however, his requests were ignored and the interrogation continued. Moore eventually confessed to the crime. Following a defense motion, the district court suppressed the confession for all purposes after finding that Moore’s *Miranda* rights had been violated. The district court later dismissed the case, concluding that because the State had relied on the tainted confession in the preliminary hearing, there was insufficient evidence to support a showing of probable cause. The State appealed from the district court’s decision dismissing its case against Moore.

The Idaho Supreme Court affirmed the district court’s ruling that Moore’s confession is inadmissible in the State’s case-in-chief; however, the Court reversed the ruling that the confession would also be inadmissible for impeachment purposes because his confession was not coerced and involuntary. The Court noted that “[a]n illegally obtained confession should not give a defendant license to perjure himself at trial,” unless “coercion is found.” The Court affirmed the district court’s decision granting the motion to dismiss pursuant to Idaho Code section 19-815A. The Court noted that if the State refiled the murder charge against Moore, his confession could only be used for impeachment purposes if Moore testifies and denies the committing the crime.

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