

SUMMARY STATEMENT

State v. Rambo

Docket No. 48949-2021

The Idaho Supreme Court affirmed Tyler Reece Rambo's judgment of conviction for three counts of aggravated assault upon a peace officer. Rambo attended a Fourth of July firework display in Coeur d'Alene, Idaho. Following the firework display, Rambo got into a physical altercation with an acquaintance and fired a gun that he had been carrying. Rambo then ran away with the gun still in his hand. Police officers chased Rambo and eventually confronted him. Officers repeatedly demanded that Rambo put the gun down. When Rambo did not drop the gun, he was tased and, as he was falling backward, the gun in Rambo's hand discharged. The officers then returned fire, severely injuring Rambo. Relevant here, the State charged Rambo with several counts of aggravated assault on a police officer for brandishing a gun and refusing to comply with demands to drop the gun, three of which proceeded to a jury trial.

Prior to trial, the parties filed several motions in limine. The State moved to exclude evidence of a civil suit against the Coeur d'Alene Police Department, which the district court granted. The State also moved to exclude evidence regarding the number of times officers shot Rambo, Rambo's injuries, and images of Rambo's injuries. The district court granted the State's motion in part but stated Rambo could offer evidence at trial regarding his injuries at which point the district court would reconsider its order. Rambo moved to exclude evidence of his gun discharging after he was tased, which the district court denied.

At trial, the State introduced edited body cam footage from the officers involved in the incident that ended immediately after Rambo's gun discharged. The State also introduced expert testimony about the taser and what impact it had on Rambo. The State's expert opined that Rambo had control of his arms when his gun discharged, supporting the State's theory that Rambo intentionally fired the weapon. To refute the State's expert testimony, Rambo sought to introduce evidence that he lost control of his arms when he was tased, which supported Rambo's theory that he unintentionally discharged the gun. The district court ruled that Rambo could testify regarding his experience, but excluded some of Rambo's proposed testimony because it would require an expert.

In rebuttal, both parties sought to introduce evidence on whether Rambo's gun discharging was intentional or unintentional. The district court allowed the State to introduce slowed-down body cam footage. The district court allowed some of Rambo's proposed testimony regarding his injuries but excluded extended body cam footage that showed events after Rambo had been shot. The jury returned a guilty verdict on the three counts of aggravated assault on a police officer. Rambo appealed his conviction, arguing that the district court erred in several of its evidentiary rulings.

The Court affirmed the majority of the district court's rulings and determined that the district court's one erroneous relevancy determination was harmless. The Court affirmed the district court's decision to exclude evidence of a civil suit because Rambo failed to make an offer of proof as required by Idaho Rule of Evidence 103. The Court affirmed the district court's decision allowing evidence of Rambo's gun discharging after he was tased because the evidence was relevant, and affirmed the district court's decision that the probative value of the evidence was not substantially outweighed by the danger of unfair prejudice. The Court also affirmed the district court's decision limiting evidence of Rambo's injuries. The Court concluded that the district court

erred in excluding some of the extended body cam footage because it was relevant to Rambo's intent. However, the Court concluded that this error was harmless. Accordingly, the Court affirmed Rambo's judgment of conviction.

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