

SUMMARY STATEMENT

State v. Monroe

Docket No. 49255

While a passenger during a routine traffic stop, Audrey Monroe was recognized by a Bingham County Sheriff's deputy as having an outstanding warrant. Pursuant to the warrant, the deputy attempted to take Monroe into custody. Monroe refused to release her phone. As the arrest escalated, Monroe fell to the ground and began violently kicking, making contact with the officer. Ultimately, she was secured in the police cruiser and taken into custody. The incident was captured on video by the arresting officer's body camera.

For her conduct during the arrest, Monroe was charged with battery on a police officer, a felony under Idaho Code section 18-915(3). During trial, Monroe asked the district court for jury instructions regarding two misdemeanor offenses—resisting or obstructing an officer and misdemeanor battery on an officer—asserting that they were both lesser included offenses of the crime charged. The district court declined to give either instruction. At the conclusion of the trial, the jury found Monroe guilty of the felony charge. Monroe timely appealed. On appeal, Monroe argued that the district court committed reversible error in failing to give the requested lesser included jury instructions.

The Idaho Supreme Court affirmed Monroe's conviction, concluding that the district court did not err when it denied the two lesser included instructions. The Court agreed with the district court that the resisting or obstructing instruction was not a lesser included of the offense charged based on the charging document. As to the misdemeanor battery on an officer instruction, the Court agreed with the district court that there was no reasonable view of the evidence presented at trial to support Monroe's claim that there was "contact" not amounting to a "strike." Having concluded that the district court did not err in denying the requested jury instructions, the Idaho Supreme Court affirmed Monroe's 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.******