

SUMMARY STATEMENT

State v. Martin

Docket No. 49919

This case concerns the scope of Idaho Rule of Evidence 412 and its limitations on the type of evidence a defendant is permitted to introduce at a trial in a sex offense case. Martin was charged with three counts of rape against a 17-year-old victim. Prior to his trial, the State filed a motion pursuant to Rule 412 to prevent the defense from introducing any evidence of the victim's past sexual behavior or making any reference to DNA evidence showing a semen contributor other than the defendant. In response, Martin argued he had the right to use some of the evidence the State sought to exclude in a limited way for impeachment.

The district court permitted Martin to inquire into the absence of Martin's DNA on specific swabs. However, the district court concluded that the defense could not introduce evidence of statements the victim allegedly made during a forensic exam, where she discussed her past sexual behavior, because it was barred by Rule 412(b). At the conclusion of trial, Martin was convicted of one count of rape. Martin timely appealed.

On appeal to the Idaho Supreme Court, Martin argued that the district court erred in its application of Rule 412 because impeachment evidence is not covered by the rule. Martin conceded that he did not comply with the five-day notice requirement in Rule 412(c), but argued that requirement was inapplicable because Rule 412 did not apply under the circumstances of his case. The Idaho Supreme Court disagreed, concluding that the evidence at issue was squarely covered by the prohibitions in Rule 412(b) and notice requirement of Rule 412(c), even if offered for impeachment. Accordingly, the Court affirmed Martin'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.******