

SUPREME COURT OF MONTANA

State of Montana v. Ryan Scott James Price

State v. Price, 2008 MT 319 (2008) · No. DA 07-0482 · Decided September 12, 2008

SUMMARY

The Supreme Court of Montana reviewed the revocation of Ryan Scott James Price’s suspended sentence for probation violations. The court held that the District Court did not abuse its discretion in finding that Price did not suffer from a mental disease or defect and revoking his sentence. The court also held that the District Court adequately considered alternatives to incarceration and affirmed the judgment.

CASE DETAILS

COURT	Supreme Court of Montana
WRITING FOR THE COURT	Justice Jim Rice; Chief Justice Karla M. Gray; Justice James C. Nelson; Justice John Warner; Justice Brian Morris
JURISDICTION	Montana
DECIDED	September 12, 2008
DOCKET	DA 07-0482
DISPOSITION	affirmed
PROCEDURAL POSTURE	Price appealed the District Court's judgment revoking his suspended sentence and imposing five years of imprisonment for violating probation conditions.
STANDARD OF REVIEW	The Supreme Court reviewed revocation of the suspended sentence for abuse of discretion and whether the decision was supported by a preponderance of the evidence in favor of the State. A court abuses its discretion when it acts arbitrarily without conscientious judgment or exceeds the bounds of reason, resulting in substantial injustice.
PRECEDENTIAL VALUE	Published Montana Supreme Court opinion; precedential.
PARTIES	Ryan Scott James Price v. State of Montana

TOPICS

- probation
- sentencing
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

criminal law

probation and sentencing

criminal appellate practice

QUESTIONS PRESENTED

1. Whether the District Court abused its discretion by revoking Price's suspended sentence after finding that he did not suffer from a mental illness.
2. Whether the District Court violated due process by failing to consider alternatives to incarceration before revoking Price's suspended sentence.

HOLDINGS

1. The District Court did not abuse its discretion in finding that Price did not suffer from a mental illness and revoking his suspended sentence.
2. The District Court did not violate due process because it necessarily considered alternatives to incarceration when it determined that Price posed a risk to any community in which he resided and that incarceration was the only adequate option.

KEY QUOTATIONS

“The standard of review of a district court’s decision to revoke a defendant’s suspended sentence is “to determine whether the court abused its discretion and whether the court’s decision was supported by a preponderance of the evidence in favor of the State.”” (¶ 13)

“The District Court’s recognition of the risks of Price’s presence in a community and decision to incarcerate him fell well within this discretion and did not violate due process.” (¶ 24)

FACTUAL BACKGROUND

Price was serving a suspended sentence for custodial interference when the State alleged that he violated probation through threatening and violent or sexually charged communications and conduct toward others. The primary incident involved Price trapping a Montana State University employee in her office, touching and smelling her hair, rubbing her neck, and grabbing her wedding ring after she told him to stop. The District Court found that Price did not suffer from a mental disease or defect, determined that his conduct posed a risk to any community in which he resided, and revoked his suspended sentence.

PROCEDURAL HISTORY

Price pleaded guilty to custodial interference and initially received a deferred sentence. After prior probation violations, his sentence was converted to a ten-year sentence with five years suspended. Following additional alleged violations, including threatening letters and an incident involving physical contact with a university employee, the District Court found that Price did not suffer from a mental disease or defect, revoked the suspended sentence, and sentenced him to five years in prison. The Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Price, 2002 MT 229, 311 Mont. 439, 57 P.3d 42
- State v. Price, 2005 MT 79N, 110 P.3d 1057 (Table)
- State v. Boulton, 2006 MT 170, 332 Mont. 538, 140 P.3d 482
- State v. Shockley, 2001 MT 180, 306 Mont. 196, 31 P.3d 350
- State v. Sanchez, 2008 MT 27, 341 Mont. 240, 177 P.3d 444
- State v. Lee, 2001 MT 176, 306 Mont. 173, 31 P.3d 998

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