

SUPREME COURT OF THE STATE OF IDAHO

State of Idaho v. Kyle Nicholas Rios

160 Idaho 262 (2016) · No. 43017 · Decided April 26, 2016

SUMMARY

The Idaho Supreme Court affirmed the suppression of blood alcohol test results obtained from Kyle Rios after he declined to sign a blood-draw consent form. The court held that refusing to provide actual consent withdrew implied consent under Idaho’s implied-consent statute, requiring the officer to obtain a warrant or renewed consent before conducting the blood draw.

CASE DETAILS

COURT	Supreme Court of the State of Idaho
WRITING FOR THE COURT	J. Jones, Chief Justice; Jones, Chief Justice; Eismann, Justice; Burdick, Justice; W. Jones, Justice; Hosack, Justice Pro Tem
JURISDICTION	Idaho
DECIDED	April 26, 2016
DOCKET	43017
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State appealed from an order of the District Court of the Second Judicial District, Nez Perce County, granting Rios's motion to suppress the results of a warrantless blood alcohol test.
STANDARD OF REVIEW	The court applies a bifurcated standard of review: it accepts the district court's factual findings unless clearly erroneous but freely reviews the application of constitutional principles to those facts.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	State of Idaho v. Kyle Nicholas Rios

TOPICS

- suppression of evidence
- fourth amendment
- search and seizure
- warrant requirement
- appellate procedure

PRACTICE AREAS

- criminal procedure
- constitutional law
- evidence
- appellate procedure

QUESTIONS PRESENTED

1. Whether Rios's refusal to sign the blood-draw consent form withdrew his implied consent to evidentiary testing under Idaho's implied-consent statute.
2. Whether police could lawfully conduct the warrantless blood draw after Rios declined to sign the consent form but did not verbally or physically resist the draw.
3. Whether the district court properly suppressed the blood alcohol test results.

HOLDINGS

1. When a suspect is presented with a blood-draw consent form and refuses to sign it, the refusal constitutes withdrawal of implied consent to evidentiary testing, even if the suspect does not verbally or physically resist the blood draw.
2. After Rios withdrew implied consent by declining to sign the consent form, officers could lawfully proceed with the blood draw only by obtaining a warrant or renewed consent; neither occurred.
3. The district court properly suppressed the blood alcohol test results because the warrantless blood draw followed Rios's withdrawal of implied consent and was not supported by a warrant or renewed consent.

KEY QUOTATIONS

“Where, as here, a suspect is presented with a consent form for a blood draw, he or she is faced with two options: (1) sign the form and give actual consent for the blood draw, or (2) refuse to sign, withdraw implied consent, and accept any penalties for such a refusal under the implied consent statute.” (160 Idaho at 265)

“Compliance with an officer’s orders alone does not renew consent.” (160 Idaho at 267)

FACTUAL BACKGROUND

Rios was involved in an automobile collision in Lewiston, Idaho, in which the other driver died. Officer Williams observed indications of intoxication, arrested Rios, and transported him to a hospital. After receiving the ALS advisory, Rios declined to sign a blood-draw consent form, but did not verbally or physically resist when hospital personnel drew his blood at the officer's direction without a warrant. The resulting blood alcohol concentration was .263, and Rios was charged with felony vehicular manslaughter and felony leaving the scene of an accident.

PROCEDURAL HISTORY

After Rios was arrested following a fatal automobile collision, police directed hospital personnel to draw his blood without a warrant after he declined to sign a blood-draw consent form. Rios moved to suppress the blood-test results. The district court granted the motion, concluding that Rios withdrew implied consent by declining to sign the form. The State timely appealed, and the Idaho Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Wulff, 157 Idaho 416, 337 P.3d 575 (2014)
- Florida v. Jimeno, 500 U.S. 248 (1991)
- Florida v. Royer, 460 U.S. 491 (1983)
- Missouri v. McNeely, 569 U.S. 141, 133 S. Ct. 1552 (2013)
- State v. Eversole, No. 43277, 2016 WL 1296185 (Idaho Apr. 4, 2016)
- State v. Halseth, 157 Idaho 643, 339 P.3d 368 (2014)
- State v. Smith, 159 Idaho 15, 355 P.3d 644 (Ct. App. 2015), rev. denied (Aug. 18, 2015)
- State v. Padley, 849 N.W.2d 867 (Wis. Ct. App. 2014), rev. denied, 855 N.W.2d 695 (Wis. 2014)
- State v. Butcher, 137 Idaho 125, 44 P.3d 1180 (Ct. App. 2002)
- State v. Brennan, 123 Idaho 553, 850 P.2d 202 (Ct. App. 1993)
- Schneckloth v. Bustamonte, 412 U.S. 218 (1973)

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