

SUPREME COURT OF THE STATE OF IDAHO

State v. Joseph Anthony Thomas, Jr.

157 Idaho 916 (2015) · No. 42421-2014 · Decided January 23, 2015

SUMMARY

The Idaho Supreme Court held that the district court violated the defendant’s constitutional right to present a defense by excluding evidence that the victim had previously engaged in or expressed an interest in erotic asphyxiation. Because the State did not establish beyond a reasonable doubt that the error was harmless, the court vacated the murder conviction and judgment and remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of the State of Idaho
WRITING FOR THE COURT	Justice Eismann; Chief Justice Burdick; Justice J. Jones; Justice Pro Tem Schroeder; Justice Pro Tem Kidwell
JURISDICTION	Idaho
DECIDED	January 23, 2015
DOCKET	42421-2014
DISPOSITION	vacated
PROCEDURAL POSTURE	Defendant appealed his first-degree murder conviction. The Idaho Court of Appeals held that the district court erred by excluding corroborating evidence concerning the victim's interest in erotic asphyxiation but deemed the error harmless. The Idaho Supreme Court granted review and directly reviewed the lower court decision.
STANDARD OF REVIEW	Relevance is reviewed de novo. The State bears the burden of proving beyond a reasonable doubt that constitutional error was harmless.
PRECEDENTIAL VALUE	published precedential Idaho Supreme Court opinion
PARTIES	Joseph Anthony Thomas, Jr. v. State of Idaho

TOPICS

- evidence
- criminal procedure
- relevance
- harmless error
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court erred by excluding testimony from the victim's friends and boyfriend concerning her prior interest in erotic asphyxiation.
2. Whether the constitutional error in excluding that evidence was harmless beyond a reasonable doubt.

HOLDINGS

1. The district court committed constitutional error by excluding evidence that could have corroborated Thomas's account and was relevant to whether he intentionally killed the victim.
2. The State failed to establish beyond a reasonable doubt that the constitutional error did not affect the jury's verdict.

KEY QUOTATIONS

“The fact that Decedent had only informed the excluded witnesses about desiring to be asphyxiated by a sexual partner who used his hands does not make the evidence irrelevant.” (157 Idaho 916)

“The State has failed to demonstrate beyond a reasonable doubt that the constitutional error in excluding the proffered evidence did not affect the jury’s verdict in this case.” (157 Idaho 916)

FACTUAL BACKGROUND

Joseph Anthony Thomas, Jr., was convicted of strangling his ex-wife, Beth Irby Thomas, with a leather belt. Thomas claimed that the death occurred accidentally during consensual sexual activity involving erotic asphyxiation and that the victim had previously engaged in similar conduct, including placing a belt or necktie around her neck while masturbating. The district court excluded testimony from the victim's friends and boyfriend concerning her interest in being choked during sex, while permitting limited testimony from Thomas and an expert. During deliberations, the jury asked whether anyone other than Thomas had testified that the victim was involved in autoerotic asphyxiation.

PROCEDURAL HISTORY

A jury convicted Joseph Anthony Thomas, Jr., of first-degree murder and the district court sentenced him to life imprisonment, with twenty-five years fixed and the remainder indeterminate. The Idaho Court of Appeals reversed the evidentiary ruling but held the constitutional error harmless. On petition for review, the Idaho Supreme Court held that the exclusion of relevant defense evidence was constitutional error and that the State failed to prove the error harmless beyond a reasonable doubt.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Vacate the jury verdict and judgment and remand for further proceedings.

CASES CITED

- State v. Suriner, 154 Idaho 81, 83, 294 P.3d 1093, 1095 (2013)
- State v. Meister, 148 Idaho 236, 239, 220 P.3d 1055, 1058 (2009)
- State v. Russo, 157 Idaho 299, 308, 336 P.3d 232, 241 (2014)
- State v. Oliver, 144 Idaho 722, 724, 170 P.3d 387, 389 (2007)
- State v. Perry, 150 Idaho 209, 227, 245 P.3d 961, 979 (2010)
- State v. Skunkcap, 157 Idaho 221, 235, 335 P.3d 561, 575 (2014)
- Sullivan v. Louisiana, 508 U.S. 275, 279 (1993)

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