

SUPREME COURT OF THE STATE OF IDAHO

State v. Chernobieff

161 Idaho 537 (2016) · No. 44259 · Decided December 30, 2016

SUMMARY

The Idaho Supreme Court affirmed the denial of Daniel Chernobieff’s motion to suppress evidence from a warrantless blood draw in a DUI case. The court held that, under the totality of the circumstances, exigent circumstances justified the draw after law enforcement made unsuccessful efforts to obtain a warrant and alcohol was dissipating. The court also noted the State’s obligation to maintain a functional warrant-obtaining system.

CASE DETAILS

COURT	Supreme Court of the State of Idaho
WRITING FOR THE COURT	J. Jones, Chief Justice; Eismann; Burdick; W. Jones; Horton
JURISDICTION	Idaho
DECIDED	December 30, 2016
DOCKET	44259
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a motion to suppress evidence obtained through a warrantless blood draw, following a conditional guilty plea to DUI with an excessive blood alcohol content. The Idaho Supreme Court granted review after the district court and Idaho Court of Appeals affirmed.
STANDARD OF REVIEW	On review from the Court of Appeals, the Idaho Supreme Court gives due consideration to the appellate decision but directly reviews the trial court's decision. On review of a district court acting in its intermediate appellate capacity, the Supreme Court directly reviews the district court's decision. The Court defers to the trial court's factual findings unless clearly erroneous and reviews the application of constitutional principles to those facts.
PRECEDENTIAL VALUE	Published Idaho Supreme Court opinion; precedential.
PARTIES	Daniel Chernobieff v. State of Idaho

TOPICS

fourth amendment

search and seizure

warrant requirement

exclusionary rule

suppression of evidence

PRACTICE AREAS

criminal procedure

constitutional law

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether exigent circumstances under the Fourth Amendment and Article I, section 17 of the Idaho Constitution justified obtaining Chernobieff's blood without a warrant.
2. Whether the district court erred in affirming the magistrate court's denial of the motion to suppress.

HOLDINGS

1. Under the totality of the circumstances, the dissipation of alcohol, the lateness of the hour, the delays in the warrant process, and the prosecutor's good-faith but unsuccessful efforts to reach the on-call magistrate established exigent circumstances sufficient to justify the warrantless blood draw.
2. Delay caused by a defendant's exercise of constitutional rights may not be considered in determining whether exigent circumstances justified a warrantless search.

KEY QUOTATIONS

“The proper analysis for determining if exigent circumstances exist is whether, under the totality of the circumstances of the case, the needs of law enforcement were sufficiently compelling that it was reasonable to conduct the blood draw without a warrant.” (4)

“Any delay caused by Chernobieff’s exercise of his Constitutional rights may not be considered.” (4)

FACTUAL BACKGROUND

After a traffic stop, an Idaho State Police corporal observed signs of intoxication, including an odor of alcohol, glassy and bloodshot eyes, slow and lethargic speech, agitation, and difficulty answering questions. Chernobieff refused field sobriety tests and a breath test. Officers and the prosecutor attempted several times over approximately ten minutes to contact the on-call magistrate for a warrant, but were unsuccessful; the prosecutor then directed a warrantless blood draw based on exigent circumstances, and the blood alcohol result was 0.226.

PROCEDURAL HISTORY

The magistrate court denied Chernobieff's motion to suppress, finding exigent circumstances justified the warrantless blood draw. Chernobieff entered a conditional guilty plea and appealed to the district court, which affirmed. The Idaho Court of Appeals also affirmed, and the Idaho Supreme Court granted review and affirmed the district court.

DISPOSITION

affirmed

CASES CITED

- State v. Lute, 150 Idaho 837, 252 P.3d 1255 (2011)
- In re Doe, 147 Idaho 243, 207 P.3d 974 (2009)
- State v. Donato, 135 Idaho 469, 20 P.3d 5 (2001)
- State v. Wulff, 157 Idaho 416, 337 P.3d 575 (2014)
- Missouri v. McNeely, 133 S. Ct. 1552 (2013)
- Poole v. Davis, 153 Idaho 604, 288 P.3d 821 (2012)

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