

SUPREME COURT OF MONTANA

State of Montana v. Beth Mount Joy Williams

2018 MT 19N (Mont. 2018) · No. DA 17-0077 · Decided February 6, 2018

SUMMARY

The Montana Supreme Court affirmed the denial of Beth Williams’s motion to exclude Intoxilyzer 8000 breath-test evidence in a DUI proceeding. The court held that civil spoliation remedies do not apply in criminal cases and that the State’s failure to maintain accessible COBRA data did not constitute a due-process violation because Williams did not show bad faith. The memorandum opinion is noncitable and does not establish precedent.

CASE DETAILS

COURT	Supreme Court of Montana
WRITING FOR THE COURT	Justice Laurie McKinnon; Justice Mike McGrath; Justice James Jeremiah Shea; Justice Beth Baker; Justice Jim Rice
JURISDICTION	Montana
DECIDED	February 6, 2018
DOCKET	DA 17-0077
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from an order of the Fourth Judicial District Court denying Williams's motion to exclude Intoxilyzer 8000 breath-test evidence in a DUI proceeding. The case reached the Montana Supreme Court after Williams appealed her Justice Court conviction de novo to the District Court, entered a no-contest plea after the motion was denied, and received a reduced charge.
STANDARD OF REVIEW	The opinion does not expressly state a standard of review; it reviews the District Court's ruling on the motion to exclude and its due-process determination.
PRECEDENTIAL VALUE	Nonprecedential; memorandum opinion expressly designated noncitable under Montana Supreme Court Internal Operating Rules § I, ¶ 3(c).
PARTIES	Beth Mount Joy Williams v. State of Montana

TOPICS

criminal procedure

due process

suppression of evidence

evidence

appellate procedure

PRACTICE AREAS

criminal law

criminal procedure

DUI

QUESTIONS PRESENTED

1. Whether spoliation remedies apply in a criminal proceeding when the State allegedly fails to preserve COBRA data underlying an Intoxilyzer 8000 breath-test result.
2. Whether the State's failure to maintain software making potentially useful COBRA data accessible denied Williams due process under *Arizona v. Youngblood*.

HOLDINGS

1. Spoliation is not applicable in this criminal proceeding because the Montana Rules of Criminal Procedure, rather than the Montana Rules of Civil Procedure, govern criminal cases.
2. The State's failure to maintain software making potentially useful COBRA data accessible did not deny Williams due process because the failure was not undertaken in bad faith.

KEY QUOTATIONS

“unless a criminal defendant can show bad faith on the part of the police, failure to preserve potentially useful evidence does not constitute a denial of due process of law.” (¶ 7)

FACTUAL BACKGROUND

A highway patrol trooper observed Williams driving at varying speeds, signaling when no turn was possible, weaving, and crossing the fog line. After the stop, the trooper observed signs of impairment, arrested Williams for DUI, and obtained a breath sample showing an alcohol concentration of 0.145 on an Intoxilyzer 8000. Williams sought exclusion of the result because the State had not preserved COBRA data in an accessible format, but the evidence showed no reported instrument error and no indication that the State acted to dispose of evidence.

PROCEDURAL HISTORY

The Missoula County Justice Court convicted Williams of DUI. She appealed de novo to the Fourth Judicial District Court and moved to exclude her breath-test results based on the State's failure to preserve COBRA data. After an evidentiary hearing, the District Court denied the motion, concluding that Williams had not shown the data would contain significant favorable or exculpatory evidence and that the State had not acted in bad faith. Williams then changed her plea to no contest, obtained a reduced charge, and appealed; the Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Oliver v. Stimson Lumber Co., 1999 MT 328, ¶ 31, 297 Mont. 336, 993 P.2d 11
- Spotted Horse v. BNSF Ry. Co., 2015 MT 148, ¶ 20, 379 Mont. 314, 350 P.3d 52
- State v. Jeffries, 2018 MT 17, ¶¶ 21, 25, ___ Mont. ___, ___ P.3d ___
- Arizona v. Youngblood, 488 U.S. 51, 58, 109 S. Ct. 333, 337 (1988)

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