

SUPREME COURT OF CALIFORNIA

People v. Veamatahau

No. S249872, Supreme Court of California (February 27, 2020)

SUMMARY

Expert testimony regarding the contents of a drug identification database, stating that pills with a certain imprint contain a controlled substance, constitutes permissible background information rather than inadmissible case-specific hearsay under Evidence Code sections 801 and 802 and **People v. Sanchez** (2016) 63 Cal.4th 665. The California Supreme Court held that an expert may relate such database information as general knowledge, even if consulted specifically for the case, because it does not concern the particular pills at issue. The court also found substantial evidence supported a conviction for possession of alprazolam based on the expert's visual identification, a police officer's testimony, and the defendant's own admissions, without requiring chemical testing.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Cantil-Sakauye; Chin; Corrigan; Liu; Cuéllar; Kruger; Groban
JURISDICTION	California
DECIDED	February 27, 2020
DOCKET	S249872
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Court of Appeal, First Appellate District, Division One, which affirmed the trial court's judgment. The Supreme Court granted review to resolve the conflict between the decision below and <i>People v. Stamps</i> .
STANDARD OF REVIEW	For the hearsay issue, the court reviews de novo whether the expert testimony was admissible. For the sufficiency of the evidence claim, the court reviews the record in the light most favorable to the judgment to determine whether any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.
PRECEDENTIAL VALUE	published
PARTIES	Joseph Veamatahau v. The People

TOPICS

evidence

hearsay

expert testimony

criminal procedure

PRACTICE AREAS

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Evidence

QUESTIONS PRESENTED

1. Whether the expert's testimony relating the contents of a drug identification database constituted inadmissible case-specific hearsay under *People v. Sanchez*.
2. Whether substantial evidence supported the defendant's conviction for possession of alprazolam.

HOLDINGS

1. The expert's testimony about the contents of the database was not case-specific hearsay but general background information that an expert may properly relate to the jury under Evidence Code sections 801 and 802.
2. Substantial circumstantial evidence supported the conviction, including the expert's opinion, the police officer's testimony, and the defendant's admission.

KEY QUOTATIONS

"The background or case-specific character of the information does not change because of the source from which an expert acquired his or her knowledge." (at 16-17)

"Substantial circumstantial evidence supports defendant's conviction. In addition to Rienhardt's testimony, the jury heard Sergeant Simmont's identification of the pills. The sergeant made this identification twice, once at trial when he referred to the pills by the brand name of Xanax and once during the interrogation when he referred to them as Xanibars." (at 24-25)

FACTUAL BACKGROUND

In June 2015, an East Palo Alto police officer stopped defendant Joseph Veamatahau for an unlawful turn. Defendant fled but was apprehended. A search revealed a plastic bag containing cocaine base and pills wrapped in cellophane. During interrogation, defendant admitted to taking 'Xanibars' and said he took 'four or five' pills every day. At trial, Sergeant Simmont testified that the pills were Xanax. Criminalist Scott Rienhardt testified that he identified the pills as containing alprazolam by comparing their visual characteristics (imprints 'GG32' or '249') against a database of pharmaceutical pills. Rienhardt stated that this method was generally accepted in the scientific community. The court designated Rienhardt as an expert in forensic testing of controlled substances. No chemical test was performed on the pills.

PROCEDURAL HISTORY

The defendant was convicted of possession of alprazolam in San Mateo County Superior Court. He appealed, arguing that the expert's testimony violated *Sanchez*. The Court of Appeal affirmed the conviction. The California Supreme Court granted review to resolve a conflict with *People v. Stamps*.

DISPOSITION

affirmed

CASES CITED

- People v. Sanchez (2016) 63 Cal.4th 665
- People v. Stamps (2016) 3 Cal.App.5th 988
- People v. Iraheta (2017) 14 Cal.App.5th 1228
- People v. Vega-Robles (2017) 9 Cal.App.5th 382
- People v. Meraz (2016) 6 Cal.App.5th 1162
- People v. Garton (2018) 4 Cal.5th 485
- People v. Anthony (2019) 32 Cal.App.5th 1102
- People v. Espinoza (2018) 23 Cal.App.5th 317
- People v. Blessett (2018) 22 Cal.App.5th 903
- People v. Francis (1969) 71 Cal.2d 66
- People v. Palaschak (1995) 9 Cal.4th 1236
- People v. Sonleitner (1986) 183 Cal.App.3d 364
- People v. Galfund (1968) 267 Cal.App.2d 317
- People v. Bailey (1991) 1 Cal.App.4th 459
- People v. Marinos (1968) 260 Cal.App.2d 735
- People v. Williams (1971) 5 Cal.3d 211
- People v. Gomez (2018) 6 Cal.5th 243
- People v. Houston (2012) 54 Cal.4th 1186
- Sargon Enterprises, Inc. v. University of Southern California, Sargon Enterprises, Inc. v. University of Southern California (2012) 55 Cal.4th 747
- People v. Richardson (2008) 43 Cal.4th 959
- People v. Clark (2016) 63 Cal.4th 522
- People v. Karis (1988) 46 Cal.3d 612
- People v. Nelson (2012) 209 Cal.App.4th 698
- People v. Mooring (2017) 15 Cal.App.5th 928
- People v. Perez (Feb. 27, 2020, S082101) __ Cal.5th __
- People v. Wright (2016) 4 Cal.App.5th 537
- State v. Ward (2010) 364 N.C. 133
- Vest v. United States (D.C. 2006) 905 A.2d 263
- State v. Carter (La. Ct. App. 2008) 981 So.2d 734
- United States v. Walters (1st Cir. 1990) 904 F.2d 765
- United States v. Agueci (2d Cir. 1962) 310 F.2d 817

- Griffin v. Spratt (3d Cir. 1992) 969 F.2d 16
- United States v. Dolan (4th Cir. 1976) 544 F.2d 1219
- United States v. Osgood (5th Cir. 1986) 794 F.2d 1087
- United States v. Schrock (6th Cir. 1988) 855 F.2d 327
- United States v. Coleman (7th Cir. 1999) 179 F.3d 1056
- United States v. Westbrook (8th Cir. 1990) 896 F.2d 330
- United States v. Durham (9th Cir. 2006) 464 F.3d 976
- United States v. Sanchez De Fundora (10th Cir. 1990) 893 F.2d 1173
- United States v. Harrell (11th Cir. 1984) 737 F.2d 971

CITED IN

- People v. Veamatahau, People v. Veamatahau, 9 Cal. 5th 16 (2020)