



TETON COUNTY OFFICE OF THE
PROSECUTING ATTORNEY

FOR IMMEDIATE RELEASE

November 10, 2022

Guilty Verdict in 2019 Felony DUI Case

On November 3, 2022, the Teton County Office of the Prosecuting Attorney (TCPA) obtained a guilty verdict in *State v. Nelson*, CR41-19-0130, a felony case filed in February 2019, following a three-day jury trial. Defendant Edwin Nelson was convicted on all counts, including one count of Operating a Motor Vehicle Under the Influence (with a prior felony Driving Under the Influence conviction within the past 15 years), a felony, and one count of Resisting, Delaying or Obstructing an Officer, a misdemeanor. Teton County Prosecuting Attorney Bailey Smith tried the case before District Judge Steven Boyce. Sentencing is scheduled for January 17, 2023. Mr. Nelson faces a minimum of 30 days and up to 10 years imprisonment, up to \$5000 fine, 1-5 years driver's license suspension and installation of an ignition interlock device as a result of the conviction, as well as restitution to the State for the costs of investigating and prosecuting the case.

During the almost four years that this case was litigated, Defendant Nelson filed numerous pretrial motions, including eight motions seeking to exclude State evidence, such as blood alcohol test results demonstrating that Mr. Nelson's BAC was 0.26 g/100cc blood. TCPA, via three different prosecutors – prior elected Prosecuting Attorney Billie Siddoway, prior Deputy Prosecuting Attorney Richard Friess, and Bailey Smith, as prior Chief Deputy Prosecuting Attorney and now elected Prosecuting Attorney – litigated and obtained denials on each of these motions. During litigation of the case, Mr. Nelson retained two different expert witnesses to testify about scientific principles purportedly demonstrating that Mr. Nelson's blood alcohol test results were unreliable, Mr. Ken Meneely and Ms. Suzanne Perry. Ms. Smith filed motions to exclude the majority testimony by these witnesses on the grounds that such testimony was speculative and lacked a basis in any scientific methodology, and therefore was inadmissible under the Idaho Rules of Evidence. Following the State's motions, Mr. Nelson withdrew his proffer of Mr. Meneely and the Court granted the motion to exclude the majority of Mr. Perry's proffered opinions. At the time of trial, this case was one of the oldest DUI cases in the State of Idaho.

The verdict in this case was the result of excellent police work by the Teton County Sheriff's Office and substantial assistance from the Idaho State Police Forensics Laboratory.



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Links:

Case filings in *State v. Nelson*, CR41-19-0130, can be found on the iCourt Portal [here](#).