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State v. Medina, 222 A.3d 1246 (R.I. 2020)

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Evidence. *State v. Medina*, 222 A.3d 1246 (R.I. 2020). The Rhode Island Supreme Court will not overturn a trial justice’s decision regarding the admissibility of evidence unless there has been a clear abuse of discretion. If charges against a Victim were dismissed, the trial justice has adequate grounds to support the decision to grant a motion *in limine* and prevent the Defendant from using such charges at trial. Furthermore, video evidence of the Victim’s acts of violence are properly excluded when a trial justice determines that the videos would inflame the jurors’ passion and cause confusion.

FACTS AND TRAVEL

On April 3, 2016, Josephine L. Medina (Defendant) allegedly assaulted her half-sister, Emily Correa (Victim), with a knife.¹ The Defendant and the Victim had previously maintained a close relationship, living together with the father of the Victim’s son, Garen Bartlett (Bartlett).² The relationship between the Defendant and the Victim was irreparably damaged when Bartlett kicked the Victim out of the shared residence, and began a relationship with the Defendant.³

On the day of the alleged assault, the Victim contacted Bartlett to obtain funds to purchase necessities for their son.⁴ The Victim received a ride from a close friend, Corina Walker (Walker), to meet Bartlett.⁵ When the Victim and Walker arrived at the predetermined location, “Bartlett pulled up behind them driving the Defendant’s vehicle.”⁶ When the Victim approached the driver’s side of the Defendant’s vehicle, she noticed the Defendant, sitting in the front passenger seat, “reach toward the center console and

1. *State v. Medina*, 222 A.3d 1246, 1247 (R.I. 2020).

2. *Id.*

3. *Id.*

4. *Id.*

5. *Id.*

6. *Id.*

retrieve a black case.”⁷ The Victim testified that she reached into the car to see what the object was and by the time that she turned around the Defendant had exited the car.⁸ The Defendant ran around the back of the car and proceeded to stab the Victim in the chest.⁹ The Victim tried to run but the Defendant kept slashing at her with the knife, also cutting the Victim’s wrist.¹⁰ The Defendant finally stopped pursuing the Victim “but only after Walker helped the Victim back into Walker’s car.”¹¹

Although the Defendant did not testify at trial, her police interview was admitted into evidence as a full exhibit.¹² The Defendant admitted to stabbing the Victim, but claimed that it was done in self-defense because the Victim possessed her own knife.¹³ The Defendant alleged that the Victim initially attacked Bartlett while he sat in the driver’s seat and then tried to attack the Defendant.¹⁴ According to the Defendant, the Victim rushed at her once she exited the vehicle and attempted to stab the Defendant even though the Victim saw the Defendant’s knife.¹⁵ The Defendant admitted to stabbing the Victim first.¹⁶

The State filed a motion *in limine* prior to trial regarding the Victim’s criminal convictions and prior contacts with the police.¹⁷ The State acknowledged that the Victim had been convicted of possession of a controlled substance and conspiracy to violate the Controlled Substances Act.¹⁸ The State, however, sought to prevent the admission of the portion of the Defendant’s statement to the police where the Defendant indicated that the Victim was convicted of possessing heroin.¹⁹ The State, more importantly, also

7. *Id.*

8. *Id.*

9. *Id.*

10. *Id.*

11. *Id.*

12. *Id.*

13. *Id.* at 1247–48.

14. *Id.* at 1248.

15. *Id.*

16. *Id.*

17. *Id.*

18. *Id.*

19. *Id.*

attempted to preclude the jury from learning that the Victim had previously been arrested on gun-related charges.²⁰

The Defendant argued, in opposing the motion *in limine*, that the Victim's gun charges were "relevant to the claim of self-defense" because of the "[Victim's] alleged bias toward [the] Defendant and [the] Defendant's state of mind and motive stabbing [the Victim]."²¹ The Defendant alleged that the Victim believed that the Defendant "snitched" on the Victim and Bartlett, which led to their arrest on gun crimes.²² The trial justice granted the State's motion, finding significance in the fact that the Victim did not plead to specific gun charges and that the current case was not a gun case.²³ The judge also found that though the record of the drug conviction was admissible, the defense could not reference the term "heroin."²⁴ Finally, the trial justice permitted the Defendant to question the Victim regarding "the issue of snitching[,] motive, and bias toward [the] Defendant through her conviction for drug charges alone."²⁵

The State filed another motion *in limine* to prevent the Defendant from introducing into evidence three Facebook videos that "showed the Victim engaged in prior acts of aggression."²⁶ The State argued that "the videos were inadmissible under Rule 403 of the Rhode Island Rules of Evidence because they were needless, cumulative, and inflammatory" and that unfair prejudice outweighed any probative value to the Defendant.²⁷ The Victim was expected to testify that she had carried a knife in the past, had been arrested the previous December with a knife in her possession, and had stabbed someone before.²⁸ The State argued, in accordance with *State v. Tribble*,²⁹ that the Defendant needed to prove that she was aware of each of these acts before the incident in question, which would lead to mini-trials within the trial to determine when each video was taken, and when the Defendant learned of the acts

20. *Id.*

21. *Id.*

22. *Id.*

23. *Id.*

24. *Id.*

25. *Id.*

26. *Id.*

27. *Id.*

28. *Id.*

29. *State v. Tribble*, 428 A.2d 1079 (R.I. 1981).

shown in each video.³⁰ The State argued that because the Victim would testify to engaging in violent behavior in the past the only purpose the videos would serve was to inflame the jury.³¹ The Defendant argued that the videos should be admissible because they displayed what “created the fear in her.”³² The Defendant also argued that the videos “showed the level of [the Victim]’s aggression and what she was capable of doing.”³³

After viewing the three videos, the trial justice granted the State’s motion because the Victim was going to “testify to the information in the videos and would not deny that she had stabbed people in the past.”³⁴ The trial justice found that one of the videos was too remote in time from the April 2016 incident, and that the other two videos “would be offered solely to inflame the passions of the jurors” and would lead to confusion “as to what the ultimate issue in [the] case was.”³⁵ The videos were not entered into evidence.³⁶

The Defendant was found guilty of assault with a dangerous weapon.³⁷ She then filed a motion for a new trial, which was denied by the trial justice.³⁸ The Defendant was sentenced to serve five years at the Adult Correctional Institute, which the trial justice suspended, placing her on probation for those five years.³⁹ The Defendant appealed this decision to the Rhode Island Supreme Court.⁴⁰

ANALYSIS AND HOLDING

In determining the admissibility of the disputed evidence, the Court looked to *State v. Perez*⁴¹ to establish the standard of

30. *Id.*

31. *Id.* at 1248–49.

32. *Id.* at 1249.

33. *Id.*

34. *Id.*

35. *Id.*

36. *Id.*

37. *Id.*

38. *Id.*

39. *Id.*

40. *Id.*

41. *State v. Perez*, 161 A.3d 487, 493 (R.I. 2017).

review.⁴² The Court will not interfere with the decisions of a trial court justice unless there was clear abuse of discretion⁴³ and as long as the trial justice has some grounds for supporting his or her decision, the Court will not find that he or she abused their discretion.⁴⁴

The Court first addressed the State's motion *in limine* regarding the admission of the evidence of the Victim's arrest on gun charges.⁴⁵ The Defendant argued that the admission of this evidence "would have helped the jury to understand why the Defendant struck the 'first physical blow'" during the fight and why it was done in self-defense.⁴⁶ The Defendant argued that, based on the Victim's belief that the Defendant played a role in her gun charge arrest, and the fact that gun charges carry longer mandatory sentences than drug charges, "[the Victim] would be even more biased toward [her]."⁴⁷ The Court determined that "[t]he trial justice provided more-than-adequate grounds" to support the decision to grant the State's motion barring the Defendant from mentioning that the Victim was previously arrested on gun charges.⁴⁸ The trial justice noted that the gun charges against the Victim were dismissed, and importantly, "the use of a gun was not an issue in the present case."⁴⁹ The trial justice also determined that the Defendant was able to, and in fact did, establish that the Victim was "snitching" without introducing evidence of the gun charge.⁵⁰

The Court next took up the State's motion *in limine* regarding the admission of the Facebook videos, reaffirming that a defendant claiming self-defense was entitled to introduce evidence of specific acts of violence perpetrated by a victim, as long as the defendant was aware of these acts at the time of his or her encounter with the victim.⁵¹ The Court noted that there were limitations to this rule,

42. State v. Medina, 222 A.3d 1246, 1249 (R.I. 2020).

43. *Id.* (quoting *Perez*, 161 A.3d at 493).

44. *Id.* (quoting State v. Evans, 742 A.2d 715, 719 (R.I. 1999)).

45. *Id.*

46. *Id.* at 1249–50.

47. *Id.* at 1250.

48. *Id.*

49. *Id.*

50. *Id.*

51. *Id.* at 1250 (quoting State v. Tribble, 428 A.2d 1079, 1085 (R.I. 1981)).

such as when this type of evidence may confuse the principal issue.⁵² To introduce this evidence, the “defendant must show awareness of the ‘specific acts of violence,’” and those acts must not be too remote in time and must be “capable of contributing to the defendant’s fear of the victim.”⁵³

Here, the Court held that the trial justice did not abuse her discretion by barring the admission of the Facebook videos.⁵⁴ During the trial, the Victim admitted to the actions that were displayed in the video, and further admitted that she would have stabbed the Defendant on the date of the incident if given the opportunity.⁵⁵ The Court agreed that the “videos were significantly supported by the record,” and the trial justice did not abuse her discretion in excluding them as the videos would “inflame the passion of the jurors” and confuse the ultimate issue.⁵⁶ According to the Court, “the trial justice did not abuse her discretion by granting either of the State’s motions *in limine*.”⁵⁷

COMMENTARY

The Rhode Island Supreme Court reaffirmed that it would defer to the trial justice’s decisions regarding the admissibility of evidence “unless a clear abuse of that discretion is apparent.”⁵⁸ Here, the Defendant sought to have the Court overturn both of the State’s motions *in limine*: (1) precluding the jury from hearing evidence about the alleged Victim’s arrest for gun charges and (2) barring the admission of videos exhibiting the Victim engaging in “acts of violence.”⁵⁹ The Court agreed with the trial justice’s decision to grant both of the State’s motions, making it evident that it will not interfere with a lower court justice’s determination on admission of evidence unless there has been a clear abuse of discretion.⁶⁰

52. *Id.*

53. *Id.* (quoting *Tribble*, 428 A.2d at 1085).

54. *Id.* at 1251.

55. *Id.*

56. *Id.*

57. *Id.*

58. *Id.* at 1249 (quoting *State v. Perez*, 161 A.3d 487, 493 (R.I. 2017)).

59. *Id.* at 1249–50.

60. *Id.* at 1251.

When reviewing the trial justice's decision to bar the admission of the Facebook videos, the Court looked to rules 403 and 404(b) of the Rhode Island Rules of Evidence.⁶¹ The Court agreed with the trial justice's decision not to admit evidence of the gun charges, as they were eventually dismissed and the usage of a gun was not at issue in this case.⁶² The Court agreed that there were adequate grounds to exclude the gun charges, while also emphasizing that there were alternate methods for the Defendant to introduce the desired inferences from this evidence without its introduction.⁶³ The Court also agreed with the decision to exclude the videos the Defendant sought to introduce based on the remoteness in time for the first video and the fact that the second and third videos were "highly inflammatory" and would only serve to "inflame the passions of the jurors," and confuse the ultimate issue.⁶⁴ The trial justice highlighted the fact that the Victim admitted to the conduct displayed in the video, even acknowledging that she would have stabbed the Defendant if she did have a knife in her possession that day.⁶⁵ The Court will recognize a lower court's decision to exclude evidence that would only serve to inflame the jurors' emotions.

CONCLUSION

The Rhode Island Supreme Court held that it will not interfere with a trial justice's determination on the admissibility of evidence unless there is a clear abuse of discretion.⁶⁶ Here, the gun charges against the Victim that the Defendant sought to introduce were rightfully excluded because they were eventually dismissed, the use of a gun was not at issue in the matter at hand, and the Defendant had an alternative way of establishing the Victim's bias toward the Defendant.⁶⁷ Additionally, the trial justice rightfully denied the admission of videos of the Victim fighting because the videos were

61. *Id.* at 1250.

62. *Id.*

63. *Id.*

64. *Id.* at 1251.

65. *Id.*

66. *Id.* at 1249 (citing *State v. Perez*, 161 A.3d 487, 493 (R.I. 2017)).

67. *Id.* at 1250.

too remote in time and would only serve to “inflame the passion of the jurors” while confusing the ultimate issue in the case.⁶⁸

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68. *Id.* at 1251.