



Iowa General Assembly

2006 Legal Updates

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FELONY-MURDER RULE - DISCLOSURE OF MEDICAL RECORDS

Filed by the Iowa Supreme Court

August 25, 2006

State of Iowa vs. Rodney Heemstra

No. 18/04-0058

http://www.judicial.state.ia.us/Supreme_Court/Recent_Opinions/20060825/04-0058.pdf?search=04-0058#_1

Factual Background. In July of 2002, Rodney Heemstra (Heemstra) purchased farmland which was being rented by Tom Lyon (Lyon). As a renter in possession of the farmland, Lyon was legally entitled to be on the farm until March 1, 2003. Lyon had hoped to purchase the farm and relations with Heemstra became strained after the sale. On January 13, 2003, both Heemstra and Lyon were driving on the same road near Lyon's home when both men stopped their trucks, a confrontation ensued, and Heemstra shot Lyon to death. Heemstra admitted he pointed a gun at Lyon and shot him to death, but claimed he shot him in self defense. It was later determined Lyon was unarmed.

Definition of Felony-Murder. Under Iowa law a person commits felony-murder when the person commits a murder while participating in the commission of a forcible felony. A person convicted of felony-murder is guilty of murder in the first degree and this crime is punishable as a class "A" felony which carries a sentence of life imprisonment.

Procedural Background Felony-Murder. Heemstra was charged with murder in the first degree. The state proceeded under the following alternative theories of murder in the first degree: 1) Heemstra willfully, deliberately, and with premeditation killed Lyon, or 2) Heemstra killed Lyon while participating in a forcible felony. The state contends that the felony-murder rule applies because Heemstra pointed his gun at Lyon just prior to shooting him which is willful injury and classified as a forcible felony.

Issue—Felony-Murder. Does a forcible felony need to be committed independent of the murder for the felony-murder rule to apply?

Analysis—Felony-Murder. The Supreme Court held that a forcible felony must be committed independent of the murder in order for the felony-murder rule to apply. The Court reasoned the commission of any forcible felony that immediately proceeds a murder could "bootstrap" any charge into a murder in the first degree and all the distinctions between murder in the first degree and murder in the second degree would disappear. The Court concluded a person pointing a gun at a person (willful injury) and then immediately murdering that person is all one action and the acts merge into just one crime. The Court essentially stated that if the forcible felony merges into the same actions as the murder (i.e., pointing the gun and then shooting the gun), then the prosecution must prove a forcible felony independent of the murder for the felony-murder rule to apply (i.e., robbing a store then shooting a clerk while leaving the store).

Procedural Background—Physician-Patient Privilege. Heemstra also requested to view Lyon's medical records to determine if any direct threats were made by Lyon against Heemstra and to determine if the records may lead to witnesses that could testify about Lyon's relationship with Heemstra. The district court reviewed the records and denied Heemstra's request to view the records because a physician-patient privilege exists between the physician and Lyon. Heemstra argues that the Court should adopt a balancing test under which the Court weighs the patient's need for privacy and confidentiality against the defendant's need for the information to effectively defend the case.

Issue—Physician-Patient Privilege. Should a victim's medical records be disclosed to the defendant in a criminal proceeding.

Analysis—Physician-Patient Privilege. The Court concluded a limited disclosure of medical records should be ordered in the case because in this criminal case Heemstra is facing the most severe penalty provided by law. The Court stated that by ordering disclosure the physician-patient privilege is neither abridged nor waived. The Court ordered the district court to review the records again and to make the records available to the defense and prosecution under a protective order prohibiting any further dissemination without court approval.

Conclusion. The Supreme Court reversed and remanded the case for a new trial because the Court was unable to determine whether the jury reached its verdict based upon the improper instruction for felony-murder or whether the jury concluded that Heemstra willfully, deliberately, and with premeditation murdered Lyon.

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