

## **SUMMARY STATEMENT**

*State of Idaho v. Matthew W. Hanson*, Docket No. 38512

The Supreme Court vacated the district court's judgment and remanded for resentencing, holding that 1) a defendant who waives the Fifth Amendment privilege against self-incrimination in order to submit to a psychological evaluation is not precluded from asserting the privilege with respect to participation in the presentence investigation, and 2) the record showed that Hanson's mental health was a significant factor at sentencing, triggering the mandatory provision of I.C. § 19-2522, which requires a district court to order a psychological evaluation prior to imposing sentence.