STATE OF MINNESOTA
IN COURT OF APPEALS
A24-0565

State of Minnesota,
Respondent,

vs.

Joshua Lee Beaulieu,
Appellant.

Filed May 5, 2025
Affirmed
Wheelock, Judge

Beltrami County District Court
File No. 04-CR-23-1240

Keith Ellison, Attorney General, Peter Magnuson, Assistant Attorney General, St. Paul, Minnesota; and

David Hanson, Beltrami County Attorney, Bemidji, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, St. Paul, Minnesota; and

Paul J. Maravigli, Special Assistant Public Defender, Minneapolis, Minnesota (for appellant)

Considered and decided by Connolly, Presiding Judge; Worke, Judge; and Wheelock, Judge.

NONPRECEDENTIAL OPINION

WHEELOCK, Judge

Appellant challenges his judgments of conviction for two counts of second-degree assault and one count of first-degree property damage following a jury trial, arguing that

(1) the district court erred by admitting the victim's medical record, (2) the state failed to prove beyond a reasonable doubt that appellant inflicted substantial bodily harm, and (3) the district court abused its discretion by admitting a squad-car video of appellant talking to a deputy. We affirm.

FACTS

The following facts are from the evidence submitted to the jury at trial and other evidence from the record to provide context for the issues on appeal. On the evening of May 6, 2023, appellant Joshua Lee Beaulieu was "chilling" with K.K. and two of K.K.'s sons, Ke.K. and 14-year-old A.K. The group drove around in K.K.'s car for a while, eventually parking outside the home of N.J., Ke.K.'s mother. It is clear from the testimony at trial that Beaulieu, K.K., and Ke.K. had been drinking in the car all night.

Sometime around 6:00 a.m. the next day, a fight broke out between Beaulieu, K.K., and Ke.K. that was observed by a few other people. Although each witness testified to a slightly different version of events, the witnesses agreed on most of the relevant details. All of the witnesses—except for Beaulieu—agree that Beaulieu had a knife that he used to stab K.K. in the face and that he had it in his hand as he fought Ke.K. K.K. testified that, after being stabbed, he thought he lost consciousness because he remembered being lightheaded and landing in the grass, which is supported by other testimony. K.K. then retreated inside N.J.'s home.

N.J. called 911 to report that there was a fight in which someone had been stabbed, and she remained on the phone until law enforcement arrived. C.T., who was staying with N.J. at the time, testified that, when she arrived home around 6:10 a.m. and saw the fight,

she grabbed a bat next to the front door of the home, swung it at Beaulieu in an attempt to knock the knife out of his hand, and then retreated into the home. After C.T. retreated, Beaulieu grabbed a different bat and began attacking C.T.'s minivan, smashing the windshield and all three windows on the driver's side. Beaulieu eventually put the bat in K.K.'s car.

Officers arrived and detained Beaulieu. One officer saw drops of blood on the ground leading into N.J.'s home, and he found K.K. inside. An investigator responded to the scene, conducted interviews with several witnesses, took photos of the scene, and searched K.K.'s car. Inside the car, the investigator found drops of blood, the bat that was used to smash the minivan's windows, a box cutter, a Gerber-knife sheath, and a black Gerber folding knife. He ultimately suspected that the Gerber knife was the knife involved in the assault because he identified a dark stain that appeared to be blood on both sides of the blade and K.K. mentioned a Gerber knife during his interview with the investigator.

After officers arrested Beaulieu, a deputy transported him to jail. The deputy testified that, during the transport, Beaulieu said that K.K. stabbed Beaulieu and then stabbed himself. The deputy's body-worn camera recorded the interaction in the squad car (the squad-car video) between the deputy and Beaulieu, who made several statements during his transport. In the squad-car video, Beaulieu asked the deputy about the crime and the knife. Beaulieu then made multiple assertions that are not supported by the evidence, including that he owned K.K.'s car and N.J.'s trailer, he called 911, another person hit his mom's car with a bat, and his "baby momma" was "punching out windows out of [his] f*ckin' car." In the video, Beaulieu also directed comments at the deputy,

claiming that there would be "a purge" to get rid of "people like [the deputy]," threatening to "kick the f*ck out of [the deputy]," and calling the deputy a "ret*rd," a "dumb*ss n***er," a "dumb*ss h*e," and a "dumb*ss b*tch." Beaulieu also said, "I hate white people." Beaulieu objected to the admission of this video before trial, but the district court overruled the objection, finding that the video was relevant and that its probative value outweighed any unfair prejudice. Prior to publishing the squad-car video to the jury, the state removed references to Beaulieu's prior offenses and the level of charging.

K.K. testified that he was stabbed on the left side of his nose and guessed that he received eight stitches for the stab wound. Photos show that the laceration left "a piece of skin hanging" from his nose. K.K. testified that, because of the stab wound, he no longer had feeling on the left side of his nose and it was frequently clogged, which required him to use saline solution to unclog it. While K.K.'s medical record admitted at trial stated that K.K.'s nose was fractured, it also stated that the doctor suspected "some of the findings were old" and indicated that K.K.'s nose may have been fractured prior to the fight with Beaulieu.

Respondent State of Minnesota charged Beaulieu with four felony offenses: (1) first-degree assault inflicting great bodily harm in violation of Minn. Stat. § 609.221, subd. 1 (2022); (2) second-degree assault with a dangerous weapon inflicting substantial bodily harm in violation of Minn. Stat. § 609.222, subd. 2 (2022); (3) second-degree assault with a dangerous weapon in violation of Minn. Stat. § 609.222, subd. 1 (2022); and (4) first-degree damage to property in violation of Minn. Stat. § 609.595, subd. 1(4) (2022). The state identified the victim in count two as K.K. and the victim in count three as Ke.K.

The state moved for an aggravated sentence because the charged assaults occurred in the presence of a child (A.K.), and the district court granted the motion and bifurcated the trial after finding that the state had shown that there was probable cause to support the charges. *See* Minn. R. Crim. P. 11.04, subd. 2 (explaining the procedure to bifurcate a trial when the prosecutor seeks an aggravated sentence). Thereafter, the district court held a trial on the charges and a separate *Blakely*[1] trial on the aggravating factors.

The jury trial was held over four days in December 2023, and the state presented testimony from K.K., Ke.K., A.K., N.J., C.T., the hospital's information supervisor, and five different law-enforcement officers. Beaulieu testified on his own behalf.

The jury returned a not-guilty verdict on the first-degree assault charge, but guilty verdicts on both second-degree assault charges and the property-damage charge. Afterward, the jury considered interrogatories related to the aggravated sentencing that asked whether Beaulieu was a danger to public safety and whether the second-degree assaults were committed in the presence of a child. The jury answered, "Yes," to both interrogatories. The district court sentenced Beaulieu to concurrent prison sentences of 120 months and 57 months for the second-degree assault convictions. It also imposed a sentence for the property-damage conviction but determined that Beaulieu's jail credit satisfied this sentence.

Beaulieu appeals.

[1] A criminal defendant is entitled to jury determination of the facts supporting an aggravated sentence. *Blakely v. Washington*, 542 U.S. 296, 301 (2004).

DECISION

Beaulieu presents three arguments on appeal, but the first two arguments relate only to his conviction for count two, the assault against K.K. First, he argues that the district court erred by admitting K.K.'s medical record and that the admission violated his constitutional rights under the Confrontation Clause. Second, he argues that the state failed to prove beyond a reasonable doubt that he inflicted substantial bodily harm on K.K. And third, he argues that the district court abused its discretion by admitting the squad-car video because the video was irrelevant and more prejudicial than probative. We address each argument in the order in which it is presented in Beaulieu's brief.

I. The district court did not err by admitting K.K.'s medical record.

Beaulieu raises two separate arguments related to the admission of K.K.'s medical record. First, Beaulieu argues that the state did not lay adequate foundation for the admission of the medical record[2] because the witness used to provide foundation for the record was unfamiliar with the procedures used to diagnose K.K. and, therefore, the record was not properly admitted under the business-records exception.[3] Second, Beaulieu argues that the state violated his constitutional rights under the Confrontation Clause because the medical record was testimonial in nature and the state did not present the doctor who created the record for cross-examination. The state contends that the admission of the

[2] The state asserts that Beaulieu did not raise this foundation objection in district court, but that is incorrect, and thus, we address this argument under the harmless-error standard.

[3] Beaulieu also argues that the record was inadmissible under the medical-records exception, but that was not the exception argued in district court, and the state agrees that exception would not apply here; thus, we do not address this argument.

medical record was not an error because a business record is inherently trustworthy and that, even if it was an error, the error was harmless because it did not significantly affect the verdict. The state also contends that, because the medical record was not testimonial, its admission did not violate the Confrontation Clause.

The state introduced K.K.'s medical record through the testimony of the hospital's release-of-information supervisor, who testified that one component of her job is to prepare medical records for court cases. She also testified that the exhibit containing K.K.'s medical record was a true and accurate copy of the medical record. Beaulieu objected to the exhibit, arguing that the supervisor could not provide foundation for the record and that testimony about the contents of the record amounted to expert testimony because the dispute was not whether there was a laceration or whether K.K. needed stitches, but rather whether the fracture of his nose was caused by the events that occurred on May 7. The district court ruled that the medical record was admissible under the business-records exception, which includes medical diagnoses; that the supervisor was "a person with knowledge, based on the practices of the business"; and that "[t]he diagnosis is included as part of that record." It reasoned that the state had established how the records were compiled and brought to court and that "[t]here is a level of trustworthiness based on that compilation of that information." At Beaulieu's request, the district court also admitted the additional page of the medical record that included the doctor's statement about the timing of the nose fracture.

A. Beaulieu has not shown that the medical record was irrelevant or that its admission was unfairly prejudicial.

"Evidentiary rulings rest within the sound discretion of the district court, and [appellate courts] will not reverse an evidentiary ruling absent a clear abuse of discretion." *State v. Ali*, 855 N.W.2d 235, 249 (Minn. 2014). "A district court abuses its discretion when its decision is based on an erroneous view of the law or is against logic and the facts in the record." *State v. Jaros*, 932 N.W.2d 466, 472 (Minn. 2019) (quotation omitted). However, to receive a new trial, an appellant must also demonstrate that "there is a reasonable possibility that the wrongfully admitted evidence significantly affected the verdict." *Id.* (quotation omitted). This is known as the harmless-error standard of review. *State v. Matthews*, 800 N.W.2d 629, 633 (Minn. 2011). When conducting a harmless-error review, appellate courts consider factors such as how the evidence was presented, whether the evidence was persuasive, whether the evidence was mentioned in the closing argument, whether the evidence was countered, and the strength of the evidence supporting the state's case. *State v. Bigbear*, 10 N.W.3d 48, 54 (Minn. 2024).

Here, we need not determine whether the district court's admission of the medical record was an abuse of discretion because we conclude that the admission was harmless. To prove count two, the second-degree assault offense against K.K., the state had to prove that Beaulieu (1) assaulted K.K. (2) with a dangerous weapon and (3) inflicted substantial bodily harm. Minn. Stat. § 609.222, subd. 2. "Substantial bodily harm" is defined as "bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or

organ, or which causes a fracture of any bodily member." Minn. Stat. § 609.02, subd. 7a (2022). The state introduced K.K.'s medical record to prove the third element. Although Beaulieu disputed whether K.K.'s nose was broken during the fight, his nose fracture was only one of the three types of substantial bodily harm identified by the defining statute. Based on that definition, there are three types of substantial bodily harm, any of which—when proved—is sufficient to satisfy the third element of second-degree assault. Here, the state asserted that it could establish substantial bodily harm through each of these three means and that the medical record was relevant to only one of the three means—the fracture of a bodily member.

When reviewing the *Bigbear* factors, we conclude that the error was harmless because Beaulieu countered the evidence by successfully adding the second page of the record, including the doctor's observation that the fracture may have been old, and the state produced strong direct evidence to prove that Beaulieu inflicted substantial bodily harm. Even if the district court erred by admitting the medical record, there is not a reasonable possibility that the evidence affected the jury's verdict because the state proved that Beaulieu inflicted one of the other types of substantial bodily harm—"temporary but substantial disfigurement" of K.K.—without relying on the medical record, as discussed in the next section of this opinion. Although Beaulieu could not question the doctor who provided the information contained within the record, the additional page of the record provides reasonable doubt that Beaulieu caused the fracture. Because any error in admitting the medical record was harmless, the district court did not abuse its discretion.

B. The district court's admission of the medical record did not violate Beaulieu's rights under the Confrontation Clause.

Criminal defendants have a right to confront their accusers under the Sixth Amendment to the United States Constitution. U.S. Const. amend. VI. The Supreme Court has explained that, "[w]here testimonial evidence is at issue . . . the Sixth Amendment demands what the common law required: unavailability and a prior opportunity for cross-examination." *Crawford v. Washington*, 541 U.S. 36, 68 (2004). Stated another way, the admission of a testimonial statement into evidence without providing the criminal defendant the ability to cross-examine the declarant is a violation of the Confrontation Clause. *Id.*; *State v. Caulfield*, 722 N.W.2d 304, 308 (Minn. 2006). Three types of statements that are testimonial are (1) "ex parte in-court testimony or its functional equivalent"; (2) "extrajudicial statements contained in formalized testimonial materials"; and (3) "statements that were made under circumstances which would lead an objective witness reasonably to believe that the statement would be available for use at a later trial." *Crawford*, 541 U.S. at 51-52 (quotations omitted). A statement within a scientific report may be testimonial, but such statements do not fall clearly under any of the three *Crawford* types. *See Caulfield*, 722 N.W.2d at 309 (stating that a "BCA lab report bears characteristics of each" *Crawford* type). Rather, the "critical determinative factor" for a statement contained in a scientific report is "whether a statement was prepared for litigation." *State v. Andersen*, 900 N.W.2d 438, 443 (Minn. App. 2017) (quoting *Caulfield*, 722 N.W.2d at 309).

Appellate courts review de novo whether the admission of evidence violates a person's rights under the Confrontation Clause. *Caulfield*, 722 N.W.2d at 308. A violation of this right requires a reversal of the conviction "unless the violation is harmless beyond a reasonable doubt." *Andersen*, 900 N.W.2d at 442. Whether evidence is admissible does not determine the outcome of a Confrontation Clause challenge. *See State v. Jackson*, 764 N.W.2d 612, 617 (Minn. App. 2009) (explaining that our court, following the United States Supreme Court's opinions, has rejected arguments that a Confrontation Clause analysis "turns solely on the nature or scope of a particular hearsay exception"), *rev. denied* (Minn. July 22, 2009).

To persuade us that we should reverse his conviction on count two, Beaulieu argues that the medical report is testimonial and that, therefore, the district court violated his rights under the Confrontation Clause; he also relies heavily on *Andersen*, arguing that the facts of his case are similar to those in that case. Beaulieu argues that the facts show that police brought K.K. to the hospital for treatment and that the police report was prepared prior to the medical record. He contends, therefore, that the treating physicians knew that the medical record may be used for litigation, which means that the medical record was testimonial.

In *Andersen*, the victim went to the hospital and received x-rays of their injuries that a radiologist used to prepare a report stating that the victim "had suffered a nasal fracture." 900 N.W.2d at 440. The state moved for admission of the report at trial but did not call the radiologist as a witness. *Id.* The defendant in *Andersen* claimed that admission of the report violated the Confrontation Clause because, once a police report is received, any

subsequent medical reports are made "during the course of criminal investigations" and thus are "prepared for litigation." *Id.* at 442-43. Notwithstanding that the police received a report of assault before receiving the radiologist's report, *id.* at 440, we concluded that the radiologist's report was not prepared for litigation because it was created contemporaneously with the assault victim's police report. *Id.* at 444. Beaulieu argues that K.K.'s medical record must be testimonial under *Andersen* because K.K.'s medical record was created after the police brought K.K. to the hospital and thus after the police report was made. However, Beaulieu neglects the key reasoning in *Andersen* that led us to conclude that the radiologist's report was not testimonial. In *Andersen*, we went on to say, "More important [than the timing of the record's creation] is the material difference in the nature of the challenged statements." *Id.* (quotation omitted). Because the radiologist's report "was standard practice for providing treatment, not for providing evidence in litigation," we concluded that the report was not testimonial and did not implicate the defendant's rights under the Confrontation Clause. *Id.* The same logic and conclusion apply here.

Although K.K. was transported from the scene of the assault to the hospital in an ambulance and police went to the hospital to talk to K.K., the medical report to which Beaulieu objects is not testimonial because it was prepared as part of a "standard practice for providing treatment, not for providing evidence in litigation." *Id.* The report includes information commonly found in a medical summary, including K.K.'s insurance information, demographic information, admission and discharge information, and a description of the treatment and medications administered. The details contained in the

medical record are not consistent with a report made for purposes of litigation; rather, they are consistent with a report made for continuing medical care and recordkeeping. Because the medical record was not prepared for litigation, we conclude that Beaulieu's rights under the Confrontation Clause were not implicated and that the district court did not err on this basis.

II. The state provided sufficient evidence to prove beyond a reasonable doubt that Beaulieu inflicted substantial bodily harm.

Beaulieu next argues that the state failed to provide sufficient circumstantial evidence to prove that Beaulieu inflicted, and K.K. suffered, substantial bodily harm. Beaulieu contends that the state did not prove that any of K.K.'s bodily harm was substantial. The state asserts, first, that the direct-evidence standard of review applies because the record supporting this determination is testimony, K.K.'s medical record, and photos and, second, that there was sufficient evidence. We first determine which standard of review applies here, then consider the merits of Beaulieu's challenge.

The standard of review that appellate courts apply when evaluating the sufficiency of the evidence depends on whether direct or circumstantial evidence supports the element of the offense challenged on appeal. *State v. Stein*, 776 N.W.2d 709, 714 (Minn. 2010) ("A conviction based on circumstantial evidence receives stricter scrutiny than a conviction based on direct evidence."). "Direct evidence is evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption." *State v. Jones*, 4 N.W.3d 495, 501 (Minn. 2024) (quotations omitted). A witness's testimony about what they saw or heard is direct evidence. *State v. Brazil*, 906 N.W.2d

274, 278 (Minn. App. 2017), *rev. denied* (Minn. Mar. 20, 2018). "In contrast, circumstantial evidence is defined as evidence from which the factfinder can infer whether the facts in dispute existed or did not exist. Accordingly, circumstantial evidence always requires an inferential step to prove a fact that is not required with direct evidence." *Jones*, 4 N.W.3d at 501 (quotations omitted).

Because Beaulieu challenges the substantial-bodily-harm element, we must determine whether the state provided direct or circumstantial evidence to prove this element. "Substantial bodily harm" is defined as "bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member." Minn. Stat. § 609.02, subd. 7a. Thus, substantial bodily harm may be proved in any of these three ways. The state need not prove each type to satisfy the element; thus, so long as the state provided sufficient evidence of at least one type of substantial bodily harm, we will affirm the conviction.

At trial, the state offered evidence that Beaulieu inflicted all three types of substantial bodily harm, including testimony and photos to prove that Beaulieu inflicted "temporary but substantial disfigurement." Because testimony and photos are direct evidence, we apply the direct-evidence standard of review.

When a conviction is supported by direct evidence, appellate courts apply the traditional standard of review: "whether, given the facts in the record and the legitimate inferences that can be drawn from those facts, a jury could reasonably conclude that the defendant was guilty of the offense charged." *Jones*, 4 N.W.3d at 501-02 (quotation

omitted). Appellate courts consider only the evidence consistent with the verdict "because the jury is in the best position to evaluate the credibility of the evidence." *State v. Silvernail*, 831 N.W.2d 594, 599 (Minn. 2013). A conviction will not be reversed "if the jury, acting with due regard for the presumption of innocence and for the necessity of overcoming it by proof beyond a reasonable doubt, could reasonably conclude that a defendant was proven guilty of the offense charged." *Bernhardt v. State*, 684 N.W.2d 465, 476-77 (Minn. 2004) (quotation omitted).

To prove that K.K. sustained "temporary but substantial disfigurement," the state provided the following evidence:

- photos of K.K.'s wound;
- a deputy's testimony that the knife wound left "a piece of skin hanging" from K.K.'s nose;
- a medical record that explains that one reason for K.K.'s admission to the hospital was a laceration;
- K.K.'s testimony that he thought he received eight stitches for the wound;
- photos of a knife with a dark red stain on it inside K.K.'s car;
- testimony from multiple witnesses that Beaulieu wielded a knife during the fight; and
- testimony from multiple witnesses that Beaulieu stabbed K.K. in the face with a knife during the fight.

This evidence permits a jury to reasonably conclude, without inference, that Beaulieu stabbed K.K. in the face with a knife, leaving K.K.'s face temporarily disfigured and requiring eight stitches. There is persuasive caselaw explaining that an "open, bleeding stab wound was a temporary but substantial disfigurement" and that "a knife-inflicted wound, blood loss, and scar . . . prove substantial bodily harm." *State v. Meyer*,

No. A19-2020, 2020 WL 7490647, at *2 (Minn. App. Dec. 21, 2020).[4] Because a laceration that requires multiple stitches and is caused by a knife can satisfy the statutory definition of substantial bodily harm as a temporary but substantial disfigurement, *see Meyer*, 2020 WL 7490647, at *2, and the state proved this with direct evidence, the state provided sufficient evidence to prove beyond a reasonable doubt that Beaulieu inflicted substantial bodily harm.

III. The district court did not abuse its discretion by admitting the squad-car video into evidence.

Beaulieu's final argument is that the district court abused its discretion by admitting into evidence the squad-car video of him during his transport to the jail because the video was irrelevant and more prejudicial than probative. Specifically, he argues that the video was prejudicial because the prosecutor focused on it during trial, it amounted to character evidence, and the district court failed to provide a cautionary instruction to the jury. The state asserts that the district court did not abuse its discretion because the video showed Beaulieu's temperament when he was angry, which was consistent with his actions during the altercation, and the parts of the video that were not probative were redacted. The state further contends that, even if the district court erroneously admitted statements that were more prejudicial than probative, the error would not require a new trial.

On the morning trial began, Beaulieu moved to exclude the video, arguing that it was not relevant and that "the language involves some very racially charged . . . words and

[4] "Nonprecedential opinions . . . may be cited as persuasive authority." Minn. R. Civ. App. P. 136.01, subd. 1(c).

epithets" that made it highly prejudicial. The district court determined, however, that the video included statements "that are pertinent to the allegations to the evidence [and] also include[d] some self-serving statements" and that it was "relevant and more probative in value than prejudicial," and the district court denied Beaulieu's motion to exclude it. Because Beaulieu did not limit his motion to specific statements or timeframes within the video, arguing instead that the entire video should be excluded, the district court decided the motion as to the video in its entirety, and that is the decision we review on appeal.

A district court has broad discretion to make evidentiary rulings, and we will reverse them only if the district court abused its discretion, *State v. Amos*, 658 N.W.2d 201, 203 (Minn. 2003), and the abuse of discretion was harmful, meaning that the "wrongfully admitted evidence significantly affected the verdict," *Jaros*, 932 N.W.2d at 472. District courts have "broad discretion in weighing probative value against unfair prejudice." *State v. Smith*, 876 N.W.2d 310, 332 (Minn. 2016).

For evidence to be admitted, it must be relevant. Minn. R. Evid. 402. Evidence is relevant if it tends "to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence." Minn. R. Evid. 401. A fact is of consequence if, "when taken alone or in connection of other facts," it assists a fact-finder, even remotely, in drawing a logical inference to determine "the issue in question." *State v. Schulz*, 691 N.W.2d 474, 478 (Minn. 2005). Relevant evidence "may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice." Minn. R. Evid. 403. And "[t]he rule favors admission of relevant evidence, as the probative value of the evidence must be substantially

outweighed by prejudice." *Schulz*, 691 N.W.2d at 478 (quotation omitted). The supreme court has stated "that the term prejudice in Rule 403 does not mean the damage to the opponent's case that results from the legitimate probative force of the evidence; rather, it refers to the unfair advantage that results from the capacity of the evidence to persuade by illegitimate means." *State v. Hallmark*, 927 N.W.2d 281, 299 (Minn. 2019) (quotations omitted). Even if the evidence "arouse[s] the passions of the jury," the evidence may not be unfairly prejudicial. *Schulz*, 691 N.W.2d at 478.

Although the squad-car video contains both probative and prejudicial statements, we conclude that the district court did not abuse its discretion in admitting it because, as a whole, the video is more probative than not and the prejudicial statements in the video do not rise to the level of an unfair advantage. The video includes statements from Beaulieu that suggest several different versions of the events at the scene and demonstrate that he knew a knife was involved in the altercation. These statements are all relevant for the jury to determine Beaulieu's mental state and credibility. The prejudicial statements in the video, including Beaulieu's statements that may be considered to have threatened the deputy or statements that might have offended members of the jury, do not rise to the level of substantially outweighing the video's probative value such that exclusion of the entire video is warranted. Therefore, the district court did not abuse its discretion when it determined that the video's probative value was not substantially outweighed by the danger of unfair prejudice and admitted the video into evidence.

In sum, the district court did not err by admitting into evidence K.K.'s medical record or the squad-car video, and the state provided sufficient evidence to prove that Beaulieu inflicted substantial bodily harm.

Affirmed.