

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Samuels, 566 Pa. 109

778 A.2d 638 (Pa. 2001) · Decided August 28, 2001

SUMMARY

The Supreme Court of Pennsylvania considered whether criminal negligence is a required culpability element for homicide by vehicle while driving under the influence under 75 Pa.C.S. § 3735. The court held that criminal negligence is required by analogy to its precedent concerning homicide by vehicle, but concluded that any instructional error was harmless because the jury convicted the defendant of involuntary manslaughter, which required a finding of criminal negligence. The judgment of sentence was affirmed.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Flaherty, C.J.; Zappala, J.; Cappy, J.; Castille, J.; Nigro, J.; Newman, J.; Saylor, J.
JURISDICTION	Pennsylvania
DECIDED	August 28, 2001
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a criminal conviction after the Superior Court affirmed the judgment of sentence. The Supreme Court of Pennsylvania granted review to determine whether the trial court erred by refusing to instruct the jury that criminal negligence was a culpability requirement for homicide by vehicle while DUI.
STANDARD OF REVIEW	Harmless-error review beyond a reasonable doubt; the judgment is affirmed if the trial court's instructional error did not contribute to the verdict.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Matthew Samuels v. Commonwealth of Pennsylvania

TOPICS

- mens rea
- statutory interpretation
- criminal procedure
- harmless error
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether homicide by vehicle while DUI under 75 Pa.C.S. § 3735 requires proof of criminal negligence.
2. Whether the trial court's failure to instruct the jury that criminal negligence was an element of homicide by vehicle while DUI required a new trial.
3. Whether the instructional error was harmless beyond a reasonable doubt in light of the jury's separate conviction for involuntary manslaughter.

HOLDINGS

1. Homicide by vehicle while DUI under 75 Pa.C.S. § 3735 requires proof of criminal negligence as the minimum level of culpability.
2. The trial court erred by refusing to instruct the jury that criminal negligence was the culpability requirement for homicide by vehicle while DUI, but the error was harmless.

KEY QUOTATIONS

“If we adhere to the rationale of Heck, it would follow that 75 Pa.C.S. § 3735 requires proof of criminal negligence.” (640)

“Although the trial court may have erred by refusing to charge the jury that criminal negligence is the culpability requirement for the offense of DUI-related vehicular homicide, any error in this regard is harmless in this case and a new trial is not warranted.” (641)

“The jury's finding of guilt as to involuntary manslaughter necessarily included a finding of criminal negligence.” (641)

FACTUAL BACKGROUND

After drinking extensively at a bar, Samuels became involved in a confrontation with James DiAmicis and others. Samuels drove his pickup truck into a vehicle, reversed, and then changed direction to run over DiAmicis, killing him. He subsequently washed the truck, fled to Colorado, and was later apprehended and returned to Pennsylvania.

PROCEDURAL HISTORY

A jury convicted Samuels of involuntary manslaughter, DUI, homicide by vehicle while DUI, and accident involving death or bodily injury. The trial court imposed an aggregate sentence of five to eleven years, and the Superior Court affirmed. The Supreme Court granted allowance of appeal, held that the requested criminal-negligence instruction should have been given, but concluded that the error was harmless because the jury separately convicted Samuels of involuntary manslaughter under a criminal-negligence instruction.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Heck, 517 Pa. 192, 535 A.2d 575 (1987)
- Commonwealth v. McCurdy, 558 Pa. 65, 735 A.2d 681 (1999)
- Commonwealth v. Field, 490 Pa. 519, 417 A.2d 160 (1980)
- Commonwealth v. Wright, 560 Pa. 34, 742 A.2d 661 (1999)
- Commonwealth v. Koczwar, 397 Pa. 575, 155 A.2d 825 (1959)
- Commonwealth v. Parmar, 551 Pa. 318, 710 A.2d 1083 (1998)
- Commonwealth v. Hicks, 502 Pa. 344, 466 A.2d 613 (1983)
- Commonwealth v. Barone, 276 Pa. Super. 282, 419 A.2d 457 (1980)
- Commonwealth v. Koch, 297 Pa. Super. 350, 443 A.2d 1157 (1982)
- Commonwealth v. Houtz, 496 Pa. 345, 437 A.2d 385 (1981)
- Commonwealth v. O'Hanlon, 539 Pa. 478, 653 A.2d 616 (1995)
- Commonwealth v. Collins, 564 Pa. 144, 764 A.2d 1056 (2001)
- Mayhugh v. Coon, 460 Pa. 128, 331 A.2d 452 (1975)
- Ayala v. Philadelphia Board of Public Education, 453 Pa. 584, 305 A.2d 877 (1973)
- Commonwealth v. Mikulan, 504 Pa. 244, 470 A.2d 1339 (1983)
- United States v. Cordoba-Hincapie, 825 F. Supp. 485 (E.D.N.Y. 1993)
- Staples v. United States, 511 U.S. 600 (1994)
- Morissette v. United States, 342 U.S. 246 (1952)
- Payne v. Tennessee, 501 U.S. 808 (1991)

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