

SUPREME COURT OF CALIFORNIA

People v. Williams

26 Cal. 4th 779, 111 Cal. Rptr. 2d 114, 29 P.3d 197 (Cal. 2001) · No. No. S076262 · Decided August 23, 2001

SUMMARY

The California Supreme Court clarified the mental state required for assault under Penal Code section 240. The court held that assault is a general-intent crime requiring an intentional act and actual knowledge of facts establishing that the act would probably and directly result in the application of physical force, but not a specific intent to injure or subjective awareness of the risk. The court found any ambiguity in the jury instruction harmless beyond a reasonable doubt and reversed the Court of Appeal's judgment.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Brown, J.; George, C.J.; Baxter, J.; Chin, J.; Kennard, J.; Werdegar, J.
JURISDICTION	California
DECIDED	August 23, 2001
DOCKET	No. S076262
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Defendant appealed his assault conviction after the Court of Appeal reversed on the ground that the jury instruction misstated the mental state required for assault. The California Supreme Court granted review to clarify the mental state for assault.
STANDARD OF REVIEW	Instructional error is reviewed for prejudice under the federal harmless-error standard; an instructional error is harmless beyond a reasonable doubt when the reviewing court determines the verdict would not have differed absent the error.
PRECEDENTIAL VALUE	Published California Supreme Court precedent
PARTIES	Lebarron Keith Williams v. The People

TOPICS

- mens rea
- jury instructions
- criminal procedure
- statutory interpretation

PRACTICE AREAS

criminal law

criminal procedure

jury instructions

mens rea

statutory interpretation

QUESTIONS PRESENTED

1. What mental state is required to commit assault under California Penal Code section 240?
2. Does assault require a specific intent to injure or a subjective awareness of the risk that injury will occur?
3. Did the former CALJIC No. 9.00 assault instruction omit or misstate the required knowledge element?
4. Was any instructional error harmless beyond a reasonable doubt under the facts of the case?

HOLDINGS

1. Assault is a general-intent crime that requires an intentional act and actual knowledge of the facts sufficient to establish that the act, by its nature, will probably and directly result in the application of physical force against another person.
2. Assault does not require a specific intent to injure the victim or a subjective awareness of the risk that injury will occur.
3. The former CALJIC No. 9.00 instruction was potentially ambiguous because its objective natural-and-probable-consequences language could permit conviction based on facts the defendant should have known but did not actually know.
4. Any ambiguity in the assault instruction was harmless beyond a reasonable doubt.

KEY QUOTATIONS

“Today, we once again clarify the mental state for assault and hold that assault requires actual knowledge of the facts sufficient to establish that the defendant’s act by its nature will probably and directly result in injury to another.” (26 Cal. 4th 783)

“Accordingly, we hold that assault does not require a specific intent to cause injury or a subjective awareness of the risk that an injury might occur. Rather, assault only requires an intentional act and actual knowledge of those facts sufficient to establish that the act by its nature will probably and directly result in the application of physical force against another.” (26 Cal. 4th 790)

“Accordingly, any minor ambiguity in the instruction was harmless beyond a reasonable doubt.” (26 Cal. 4th 791)

FACTUAL BACKGROUND

After a confrontation at Deborah Nicholson's home, Williams loaded a shotgun and fired a warning shot into the rear passenger-side wheel well of Gregory King's pickup truck. Williams testified that King was crouched approximately a foot and a half from the truck's rear fender and that he did not see King's two sons before firing; King testified that his sons were getting into the truck. The shot struck the truck but did not hit King or either

son. Williams was convicted of assaulting King with a firearm, while the jury deadlocked on the counts involving King's sons.

PROCEDURAL HISTORY

Williams was convicted of assault with a firearm against Gregory King; the jury deadlocked on three additional assault counts, which the trial court dismissed in the interests of justice. The Court of Appeal found the assault instruction erroneous and prejudicial and reversed the conviction. The California Supreme Court reversed the Court of Appeal's judgment and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings consistent with the opinion.

CASES CITED

- People v. Rocha, 3 Cal. 3d 893, 92 Cal. Rptr. 172, 479 P.2d 372 (1971)
- People v. Colantuono, 7 Cal. 4th 206, 26 Cal. Rptr. 2d 908, 865 P.2d 704 (1994)
- People v. Hood, 1 Cal. 3d 444, 82 Cal. Rptr. 618, 462 P.2d 370 (1969)
- People v. Hering, 20 Cal. 4th 440, 84 Cal. Rptr. 2d 839, 976 P.2d 210 (1999)
- People v. Rathert, 24 Cal. 4th 200, 99 Cal. Rptr. 2d 779, 6 P.3d 700 (2000)
- People v. Garcia, 25 Cal. 4th 744, 107 Cal. Rptr. 2d 355, 23 P.3d 590 (2001)
- People v. Kipp, 18 Cal. 4th 349, 75 Cal. Rptr. 2d 716, 956 P.2d 1169 (1998)
- People v. McCaffrey, 118 Cal. App. 2d 611, 258 P.2d 557 (1953)
- People v. Lathus, 35 Cal. App. 3d 466, 110 Cal. Rptr. 921 (1973)
- People v. Carmen, 36 Cal. 2d 768, 228 P.2d 281 (1951)
- Walker v. Superior Court, 47 Cal. 3d 112, 136, 253 Cal. Rptr. 1, 763 P.2d 852 (1988)
- People v. Whitfield, 7 Cal. 4th 437, 448, 27 Cal. Rptr. 2d 858, 868 P.2d 272 (1994)
- Cel-Tech Communications, Inc. v. Los Angeles Cellular Telephone Co., 20 Cal. 4th 163, 178, 83 Cal. Rptr. 2d 548, 973 P.2d 527 (1999)
- People v. Smith, 57 Cal. App. 4th 1470, 67 Cal. Rptr. 2d 604 (1997)
- Neder v. United States, 527 U.S. 1, 7-10, 119 S. Ct. 1827, 144 L. Ed. 2d 35 (1999)