

SUPREME COURT OF PENNSYLVANIA

Commonwealth of Pennsylvania v. Stevenson Leon Rose

Commonwealth v. Rose · No. No. 26 WAP 2014 · Decided November 18, 2015

SUMMARY

This concurring opinion addresses whether applying an intervening legislative enactment to criminal conduct completed before the enactment's effective date violates the constitutional prohibition against ex post facto laws. The opinion emphasizes fair notice and culpability requirements under the Pennsylvania Crimes Code and distinguishes the Commonwealth's position concerning crimes that were not fully consummated when the legislation took effect. Chief Justice Saylor joins the majority subject to these differences.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Chief Justice Saylor; Todd, J.
JURISDICTION	Pennsylvania
DECIDED	November 18, 2015
DOCKET	No. 26 WAP 2014
DISPOSITION	other
PROCEDURAL POSTURE	The Commonwealth appealed from the Superior Court's order vacating the judgment of sentence and remanding the matter.
PRECEDENTIAL VALUE	Published concurring opinion; the concurrence's reasoning is nonbinding apart from any propositions adopted by the majority opinion.
PARTIES	Commonwealth of Pennsylvania v. Stevenson Leon Rose

TOPICS

ex post facto constitutional law criminal procedure appellate procedure

PRACTICE AREAS

constitutional law criminal law appellate law

QUESTIONS PRESENTED

1. Whether the ex post facto prohibition is implicated when legislation increases the adverse legal consequences of criminal conduct completed before the legislation's effective date.
2. Whether, for ex post facto purposes, the date of the offense generally is the date the relevant conduct occurred when the conduct was fully consummated before the intervening legislation took effect.
3. Whether analysis should focus on the broader culpability requirements of the Pennsylvania Crimes Code and the government's obligation to provide fair notice of criminal-law consequences.

HOLDINGS

1. As a general rule, the ex post facto prohibition is implicated when a legislative enactment increases the adverse legal consequences of criminal acts completed before the law's effective date.
2. Ex post facto analysis should address the culpability requirements of the Pennsylvania Crimes Code and the government's obligation to provide notice of the criminal-law consequences of conduct, rather than focusing narrowly on whether a crime is intentional or unintentional.

KEY QUOTATIONS

“where the relevant conduct is fully consummated before the implementation of a crime-creating or penalty-enhancing law, the date of the offense, for ex post facto purposes, generally should be the date the conduct occurred, and subsequently ensuing results should be treated as relating back to such date.” (slip op. at 1)

“the salient consideration is the requirement for the government to provide notice pertinent to conduct in the first instance.” (slip op. at 3)

FACTUAL BACKGROUND

The concurrence addresses the ex post facto implications of legislation applied to criminal conduct whose results or legally significant consequences occurred after the legislation's effective date. The opinion focuses on whether the date of the offense for ex post facto purposes is the date of the defendant's conduct when that conduct was fully consummated before the intervening law took effect.

PROCEDURAL HISTORY

The Court of Common Pleas of Allegheny County entered a judgment of sentence on December 7, 2010. The Superior Court entered an order on November 25, 2013, vacating the judgment of sentence and remanding. The Commonwealth appealed to the Supreme Court of Pennsylvania.

DISPOSITION

other

CASES CITED

- *Calder v. Bull*, 3 U.S. (3 Dall.) 386 (1798)
- *Collins v. Youngblood*, 497 U.S. 37, 45, 110 S. Ct. 2715, 2721 (1990)

- Commonwealth v. Roebuck, 612 Pa. 642, 649, 32 A.3d 613, 618 (2011)
- Miller v. Florida, 482 U.S. 423, 430, 107 S. Ct. 2446, 2451 (1987)
- California Department of Corrections v. Morales, 514 U.S. 499, 506 n.3, 115 S. Ct. 1597, 1602 n.3 (1995)
- Carmell v. Texas, 529 U.S. 513, 531 n.21, 120 S. Ct. 1620, 1632 n.21 (2000)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/pennsylvania-supreme-court-of-pennsylvania/2015/commonwealth-of-pennsylvania-v-stevenson-leon-rose-7fi4l904>