

SUPREME COURT OF GEORGIA

Lucas v. State, 274 Ga. 640

555 S.E.2d 440 (2001) · No. S01P1069 · Decided November 19, 2001

SUMMARY

The Supreme Court of Georgia affirmed Daniel Anthony Lucas's convictions and death sentences for three murders and related offenses arising from the deaths of members of the Moss family. The court rejected claims concerning victim-impact evidence, venue, confession voluntariness, juror qualifications, evidentiary rulings, sentencing instructions, constitutional challenges, and proportionality review, while finding certain errors harmless beyond a reasonable doubt.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Fletcher, Chief Justice; Sears, Presiding Justice; Carley, Justice; All other Justices of the Supreme Court of Georgia
JURISDICTION	Georgia
DECIDED	November 19, 2001
DOCKET	S01P1069
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from convictions for three counts of malice murder, three counts of felony murder, two counts of burglary, and kidnapping with bodily injury, and from three death sentences.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence under the rational-trier-of-fact standard, reviewed most evidentiary and trial-management rulings for abuse of discretion, reviewed juror-qualification findings with due deference, assessed constitutional trial error for harmlessness beyond a reasonable doubt, and conducted the statutory review required for death sentences under OCGA § 17-10-35.
PARTIES	Daniel Anthony Lucas v. The State

QUESTIONS PRESENTED

1. Whether victim-worth and victim-impact comments in the State's opening statement and testimony during the guilt-or-innocence phase required reversal.
2. Whether the trial court properly handled the change of venue and jury-selection location.

3. Whether Lucas's videotaped confession was voluntary, obtained after a valid Miranda waiver, and not induced by hope of benefit or fear of injury.
4. Whether Lucas preserved a Fourth Amendment challenge to the manner in which he was located, transported, and questioned.
5. Whether the trial court properly denied continuances and Lucas's demurrer to the indictment.
6. Whether disclosure of a codefendant's psychiatric records was barred by the psychiatrist-patient privilege.
7. Whether the trial court properly qualified prospective jurors and limited voir dire concerning death-penalty views and mitigating evidence.
8. Whether alleged juror misrepresentations warranted a new trial.
9. Whether the State violated Brady by failing to obtain or disclose a witness's criminal history.
10. Whether photographs of the victims and crime scene were properly admitted.
11. Whether sentencing-phase evidentiary rulings, cross-examination, jury instructions, and aggravating-circumstance findings required reversal.
12. Whether Georgia's death-penalty procedures and the sentences imposed violated the United States Constitution.
13. Whether the death sentences were supported by sufficient aggravating circumstances, were excessive or disproportionate, or were imposed under passion, prejudice, or another arbitrary factor.

HOLDINGS

1. The trial court erred by permitting irrelevant references to the victims' personal characteristics, worth, and family circumstances during the guilt-or-innocence phase, but the error was harmless beyond a reasonable doubt and did not require reversal.
2. The evidence was sufficient for a rational trier of fact to find beyond a reasonable doubt that Lucas was guilty of all charged offenses and that the statutory aggravating circumstances supporting the death sentences existed.
3. The trial court did not err in finding that Lucas's videotaped confession was voluntary, followed a valid waiver of Miranda rights, and was not induced by the slightest hope of benefit or remotest fear of injury.
4. The court would not consider Lucas's Fourth Amendment challenge to the manner in which he was located, transported, and questioned because he did not assert that claim in the trial court.
5. The trial court did not err in withholding portions of the codefendant's psychiatric-treatment records because the psychiatrist-patient privilege applied, regardless of whether the treatment was voluntary, and Lucas did not show the necessity required to abrogate the privilege.
6. The trial court did not abuse its discretion in qualifying the challenged prospective jurors or in limiting voir dire concerning specific mitigating evidence and hypothetical sentencing circumstances.
7. The State did not violate Brady v. Maryland by failing to obtain and disclose the criminal history of a rebuttal expert witness because the State was not required to obtain the criminal histories of its

witnesses.

8. The three death sentences were not excessive or disproportionate, were supported by statutory aggravating circumstances, and were not imposed under the influence of passion, prejudice, or another arbitrary factor.

KEY QUOTATIONS

“Some information about victims can offer jurors “those details of context that allow them to understand what is being described” in the guilt/innocence phase” (Div. 2(b))

“A juror who will automatically vote for the death penalty in every case” (Div. 9)

“is whether the juror's views would “prevent or substantially impair the performance of his duties as a juror in accordance with his instructions and” (Div. 9)

FACTUAL BACKGROUND

Lucas and Brandon Joseph Rhode burglarized the Moss family home twice on April 23, 1998. During the second burglary, Lucas and Rhode confronted the three Moss children and their father; Lucas shot Bryan Moss multiple times and also shot Kristin Moss, while Rhode shot Kristin and Steven Moss. Lucas was convicted based in part on a videotaped confession, an inculpatory statement to a friend, eyewitness testimony, and physical and expert evidence connecting the getaway vehicle to the crime scene.

PROCEDURAL HISTORY

Lucas was indicted by a Jones County grand jury on June 30, 1998. A jury convicted him on all charged offenses on September 16, 1999, and imposed death sentences for each of the three murders on September 17, 1999; the trial court imposed the death sentences and consecutive sentences for the kidnapping and burglaries. The trial court denied Lucas's motion for new trial, and the Supreme Court of Georgia affirmed the convictions and sentences on direct appeal.

DISPOSITION

affirmed