

SUPREME COURT OF CALIFORNIA

People v. Harris

37 Cal. 4th 310, 118 P.3d 545, 33 Cal. Rptr. 3d 509 (Cal. 2005) · No. S058092 · Decided August 29, 2005

SUMMARY

The California Supreme Court reviews the automatic appeal of Maurice Lydell Harris's convictions for attempted murder, multiple murders, robbery, and burglary, including a death sentence for the murder of Alicia Allen. Harris challenged jury selection and the admission of a videotape depicting the victim before her death. The court affirmed the judgment.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Chin, J.; Kennard, J.
JURISDICTION	California
DECIDED	August 29, 2005
DOCKET	S058092
DISPOSITION	affirmed
PROCEDURAL POSTURE	Automatic appeal from a judgment imposing a death sentence for the murder of Alicia Allen and life without the possibility of parole for the murder of Allen's fetus, following convictions for attempted murder, two murders, robbery, and burglary.
STANDARD OF REVIEW	The court applied issue-specific standards, including abuse of discretion for evidentiary rulings, review of juror-excusals when fairly supported by the record, deference to trial-court determinations concerning equivocal juror responses, and abuse of discretion in determining whether a jury had a reasonable probability of reaching a verdict. Preserved nonconstitutional evidentiary error was reviewed under the reasonable-probability standard of <i>People v. Watson</i> ; constitutional error, when applicable, was reviewed for harmlessness beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published California Supreme Court opinion; precedential.
PARTIES	Maurice Lydell Harris v. The People

TOPICS

criminal procedure

evidence

jury selection

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the trial court improperly excused prospective jurors whose views on the death penalty substantially impaired their ability to perform their duties.
2. Whether the trial court abused its discretion by admitting or excluding challenged guilt-phase and penalty-phase evidence.
3. Whether the admission of Canto's preliminary-hearing testimony violated the confrontation clause or hearsay rules.
4. Whether the prosecutor committed misconduct by seeking a conflict-of-interest hearing, allegedly interfering with defense witnesses, presenting or opposing evidence, and making arguments concerning motive and future dangerousness.
5. Whether the trial judge's comments, evidentiary interventions, and questioning of Harris demonstrated judicial bias or deprived Harris of a fair trial.
6. Whether the jury instructions concerning circumstantial evidence, victim impact, lingering doubt, prior criminal activity, remorse, and penalty factors were constitutionally adequate.
7. Whether the trial court improperly limited penalty-phase argument concerning juror responsibility, societal protection, and the manner of execution.
8. Whether the trial court abused its discretion by requiring further penalty deliberations rather than declaring a mistrial after reports of deadlock.

HOLDINGS

1. A trial court may excuse a prospective juror whose views on the death penalty would prevent or substantially impair the performance of the juror's duties, and its determination is entitled to deference when supported by the record, particularly where the juror's responses are conflicting or equivocal.
2. When a witness is unavailable and the defendant had a prior opportunity and similar motive to cross-examine the witness at a prior proceeding, the prior testimony may be admitted consistently with the confrontation clause and Evidence Code section 1291.
3. Evidence of another person's motive or opportunity to commit a crime, without direct or circumstantial evidence linking that person to the actual perpetration, is insufficient to require admission as third-party culpability evidence.
4. The prosecutor did not commit reversible misconduct by seeking pretrial clarification of a possible defense-counsel conflict, contacting potential witnesses or their attorneys, litigating evidentiary issues, or making closing arguments supported by the evidence.

5. A trial judge's control of examination, evidentiary interventions, and questioning of a testifying defendant do not establish judicial bias absent conduct so prejudicial that it denies a fair trial or improperly allies the judge with the prosecution.
6. The trial court properly admitted relevant victim-impact evidence and properly limited arguments and evidence that were irrelevant, speculative, misleading, or invited consideration of improper emotional or societal-protection factors.
7. A trial court may direct a capital sentencing jury to continue deliberating when the record supports a reasonable probability that the jury can reach a verdict, provided the court does not coerce jurors to abandon independent judgment.

KEY QUOTATIONS

“Evidence of mere motive or opportunity to commit the crime in another person, without more, will not suffice to raise a reasonable doubt about a defendant's guilt: there must be direct or circumstantial evidence linking the third person to the actual perpetration of the crime.” (534)

“Although the court must take care to exercise its power without coercing the jury into abdicating its independent judgment in favor of considerations of compromise and expediency, the court may direct further deliberations upon its reasonable conclusion that such direction would be perceived as a means of enabling the jurors to enhance their understanding of the case rather than as mere pressure to reach a verdict.” (553)

FACTUAL BACKGROUND

Harris arranged to meet Bernard Canto, whom he knew through automobile and drug dealings, and shot Canto near Harris's apartment complex. Canto's fiancée, Alicia Allen, who was 17 weeks pregnant, was later found bound and shot to death in the couple's home; her fetus also died. The same nine-millimeter handgun was linked to the shootings of Canto and Allen, and evidence connected Harris to the crime, including blood evidence, injuries consistent with the shootings, flight, false identification, and statements reported by a witness. Harris denied the murders and claimed that a drug deal had gone bad and that unidentified men had attacked him at Canto's house.

PROCEDURAL HISTORY

A jury convicted Harris of attempted murder, the murders of Alicia Allen and her fetus, robbery, and burglary, and found firearm, arming, great-bodily-injury, and special-circumstance allegations true. After a penalty trial, the jury returned a death verdict for Allen's murder and a life-without-parole verdict for the murder of the fetus. The trial court denied the automatic motion to modify the death verdict and imposed sentence. The California Supreme Court reviewed the judgment on automatic appeal and affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Smith, 30 Cal. 4th 581, 601-602 (2003)
- Wainwright v. Witt, 469 U.S. 412 (1985)
- People v. Cromer, 24 Cal. 4th 889, 892 (2001)
- People v. Alcala, 4 Cal. 4th 742, 784 (1992)
- People v. Samayoa, 15 Cal. 4th 795, 850 (1997)
- People v. Wilson, 36 Cal. 4th 309, 343 (2005)
- California v. Green, 399 U.S. 149 (1970)
- People v. Hall, 41 Cal. 3d 826, 833-834 (1986)
- People v. Benavides, 35 Cal. 4th 69, 108 (2005)
- In re Martin, 44 Cal. 3d 1, 29-32 (1987)
- People v. Snow, 30 Cal. 4th 43, 78 (2003)
- People v. Fudge, 7 Cal. 4th 1075, 1108 (1994)
- People v. Hawkins, 10 Cal. 4th 920, 948 (1995)
- Payne v. Tennessee, 501 U.S. 808, 825 (1991)
- People v. Boyette, 29 Cal. 4th 381, 443-445, 463 (2002)
- People v. Proctor, 4 Cal. 4th 499, 539 (1992)
- People v. Watson, 46 Cal. 2d 818, 836 (1956)
- Chapman v. California, 386 U.S. 18 (1967)