

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Steele, 599 Pa. 341

961 A.2d 786 (2008) · No. No. 358 CAP · Decided December 18, 2008

SUMMARY

The Supreme Court of Pennsylvania reviews Roland William Steele’s appeal from the denial of post-conviction relief following his convictions for three first-degree murders, robbery, and theft. The court addresses claims concerning expert hair-analysis evidence, discovery, trial counsel’s effectiveness, and waiver, and affirms the PCRA court’s denial of relief.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Baer, J.; Castille, C.J.; Saylor, J.; Eakin, J.; Todd, J.; McCaffery, J.; Greenspan, J.
JURISDICTION	Pennsylvania
DECIDED	December 18, 2008
DOCKET	No. 358 CAP
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of post-conviction relief in a capital case.
STANDARD OF REVIEW	The Supreme Court reviews whether the PCRA court's ruling is supported by the record and free of legal error. Ineffectiveness claims require proof by a preponderance of the evidence of arguable merit, lack of a reasonable basis, and prejudice.
PRECEDENTIAL VALUE	precedential
PARTIES	Roland William Steele v. Commonwealth of Pennsylvania

TOPICS

- state post-conviction relief
- post-conviction relief
- ineffective assistance
- sentencing
- criminal procedure

PRACTICE AREAS

- state post-conviction relief
- capital criminal procedure
- ineffective assistance of counsel
- sentencing
- evidence

QUESTIONS PRESENTED

1. Whether Steele's claims concerning the admission and reliability of hair-comparison evidence were waived under the PCRA.
2. Whether trial and appellate counsel were ineffective concerning the hair evidence, discovery, expert assistance, voir dire, identification testimony, jury instructions, prosecutorial argument, and jury deliberations.
3. Whether the PCRA court properly denied relief on Steele's claim that penalty-phase counsel was ineffective under Strickland or that counsel's performance constituted a complete denial of counsel under Cronic.
4. Whether counsel was ineffective for failing to investigate and present life-history, mental-health, and prison-conduct mitigating evidence.
5. Whether Steele's Atkins claim was properly raised in the PCRA appeal or had to be presented in a subsequent PCRA petition.

HOLDINGS

1. A PCRA petitioner must prove entitlement to relief by a preponderance of the evidence, and claims that could have been raised previously are waived; the relaxed waiver doctrine does not apply in capital PCRA appeals.
2. A petitioner claiming ineffective assistance must plead and prove arguable merit, the absence of a reasonable basis for counsel's conduct, and prejudice; an undeveloped claim that does not meaningfully address all three prongs does not warrant relief.
3. Counsel's brief penalty-phase closing argument and departure from the courtroom did not constitute a complete denial of counsel under *United States v. Cronic*; Steele was required to prove prejudice under Strickland.
4. Steele failed to establish that counsel were ineffective for not presenting additional evidence concerning his impoverished and difficult childhood.
5. Steele failed to establish that counsel were ineffective for not investigating or presenting additional mental-health mitigation.
6. Steele's Atkins claim was not properly before the court on this PCRA appeal and was dismissed without prejudice to presentation in a subsequent PCRA petition subject to the statutory time-bar exceptions.

KEY QUOTATIONS

"In order to be entitled to relief on a claim of ineffective assistance of counsel, the PCRA petitioner must plead and prove by a preponderance of the evidence that (1) the underlying claim has arguable merit; (2) counsel whose effectiveness is at issue did not have a reasonable basis for his action or inaction; and (3) the PCRA petitioner suffered prejudice as a result of counsel's action or inaction." (at 797)

"In Nixon, the High Court reiterated that Cronic is limited to situations where counsel's failure is complete, i.e., where 'counsel has entirely failed to function as the client's advocate.'" (at 812)

“If the jury does not unanimously agree, a life sentence must be imposed.” (at 813)

FACTUAL BACKGROUND

Three elderly women were found beaten to death in a secluded wooded area of Cecil Township on June 22, 1985. Trial evidence placed Steele with the victims shortly before the killings, driving the victims' vehicle later that day, possessing property connected to the victims and a nearby burglary, and in the vicinity of the crime scene. The prosecution also introduced hair-comparison evidence, eyewitness testimony, evidence of Steele's martial-arts training, and evidence concerning a prior incident in which he attempted to gain access to another woman's vehicle by falsely claiming it had a flat tire.

PROCEDURAL HISTORY

Following a 1986 jury trial, Steele was convicted of three counts of first-degree murder, two counts of robbery, and two counts of theft, and received three death sentences. The Supreme Court of Pennsylvania affirmed the convictions and sentences on direct appeal. Steele filed a pro se PCRA petition in 1996 and a counseled amended petition in 2000; after a limited evidentiary hearing, the PCRA court denied relief, and Steele appealed directly to the Supreme Court of Pennsylvania.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Steele, 522 Pa. 61, 559 A.2d 904 (1989)
- Commonwealth v. Washington, 592 Pa. 698, 927 A.2d 586 (2007)
- Commonwealth v. Breakiron, 566 Pa. 323, 781 A.2d 94 (2001)
- Commonwealth v. Strong, 563 Pa. 455, 761 A.2d 1167 (2000)
- Commonwealth v. Albrecht, 554 Pa. 31, 720 A.2d 693 (1998)
- Commonwealth v. McGill, 574 Pa. 574, 832 A.2d 1014 (2003)
- Strickland v. Washington, 466 U.S. 668 (1984)
- Commonwealth v. Rios, 591 Pa. 583, 920 A.2d 790 (2007)
- Commonwealth v. Bracey, 568 Pa. 264, 795 A.2d 935 (2001)
- Frye v. United States, 293 F. 1013 (D.C. Cir. 1923)
- Commonwealth v. Topa, 471 Pa. 223, 369 A.2d 1277 (1977)
- Ake v. Oklahoma, 470 U.S. 68 (1985)
- Commonwealth v. Carter, 537 Pa. 233, 643 A.2d 61 (1994)
- Commonwealth v. Richardson, 504 Pa. 358, 473 A.2d 1361 (1984)
- Commonwealth v. Henry, 550 Pa. 346, 706 A.2d 313 (1997)
- Morgan v. Illinois, 504 U.S. 719 (1992)
- Commonwealth v. Blystone, 555 Pa. 565, 725 A.2d 1197 (1999)

- Commonwealth v. Chester, 526 Pa. 578, 587 A.2d 1367 (1991)
- Carter v. U.S. Steel Corp., 529 Pa. 409, 604 A.2d 1010 (1992)
- Atkins v. Virginia, 536 U.S. 304 (2002)
- Commonwealth v. Lark, 560 Pa. 487, 746 A.2d 585 (2000)
- United States v. Cronin, 466 U.S. 648 (1984)
- Florida v. Nixon, 543 U.S. 175 (2004)
- Commonwealth v. Mallory, 596 Pa. 172, 941 A.2d 686 (2008)
- Commonwealth v. Reaves, 592 Pa. 134, 923 A.2d 1119 (2007)
- Commonwealth v. Puksar, 951 A.2d 267 (Pa. 2008)
- Commonwealth v. Marshall, 571 Pa. 289, 812 A.2d 539 (2002)
- Commonwealth v. Jones, 590 Pa. 202, 912 A.2d 268 (2006)
- Wiggins v. Smith, 539 U.S. 510 (2003)
- Commonwealth v. Brown, 582 Pa. 461, 872 A.2d 1139 (2005)
- Commonwealth v. Peterkin, 511 Pa. 299, 513 A.2d 373 (1986)
- Commonwealth v. Uderra, 550 Pa. 389, 706 A.2d 334 (1998)
- Skipper v. South Carolina, 476 U.S. 1 (1986)

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