

SUPREME COURT OF KENTUCKY

Saylor v. Commonwealth

144 S.W.3d 812 (Ky. 2004) · No. 2002-SC-0456-DG · Decided September 23, 2004

SUMMARY

The Supreme Court of Kentucky affirmed Gregory Saylor’s conviction for first-degree manslaughter arising from the stabbing death of Roy Thomas Faulconer. The court rejected claims concerning discovery of the victim’s police records, a Batson challenge, the sufficiency and competency of the Commonwealth’s evidence, the theory of wanton murder, and the lack of stand-alone instructions on second-degree manslaughter and reckless homicide. The court held that evidence of specific prior violent acts was admissible only to show the defendant’s state of mind if he knew of those acts, and that the instructions adequately addressed the evidentiary theories supported by the case.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Justice Cooper
JURISDICTION	Kentucky
DECIDED	September 23, 2004
DOCKET	2002-SC-0456-DG
DISPOSITION	affirmed
PROCEDURAL POSTURE	After a jury convicted Saylor of first-degree manslaughter and sentenced him to eighteen years, the Kentucky Court of Appeals affirmed. The Supreme Court of Kentucky granted discretionary review and affirmed.
STANDARD OF REVIEW	The trial court's Batson finding was reviewed for clear error. The directed-verdict claims were reviewed under the applicable sufficiency-of-the-evidence standard. Instructional error was reviewed based on the instructions given, the evidence supporting them, and the preservation of the objection.
PRECEDENTIAL VALUE	Published Kentucky Supreme Court opinion; precedential within Kentucky.
PARTIES	Gregory Saylor v. Commonwealth of Kentucky

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QUESTIONS PRESENTED

1. Whether the Commonwealth violated its discovery obligations by failing to provide the entire Covington Police Department file concerning the victim's prior violence.
2. Whether the prosecutor's peremptory strike of the lone African-American juror violated Batson v. Kentucky.
3. Whether the Commonwealth failed to prove its case because crime-scene evidence and cause-of-death evidence were presented by witnesses other than the coroner.
4. Whether Saylor was entitled to a directed verdict on the Commonwealth's theory of wanton murder based on a mistaken belief in the need for self-defense.
5. Whether the trial court was required to give separate stand-alone instructions on second-degree manslaughter and reckless homicide.

HOLDINGS

1. A homicide defendant claiming self-defense may introduce evidence of the victim's character for violence through reputation or opinion testimony, but specific acts of misconduct are generally inadmissible to prove the victim's violent character. Evidence of the victim's prior violent acts may be admitted to show the defendant's state of mind only when the defendant knew of those acts at the time of the encounter. Because evidence of unknown acts in the police records would have been inadmissible and therefore was not exculpatory, failure to provide it did not prejudice Saylor.
2. The prosecutor's peremptory strike did not violate Batson because the prosecutor gave a race-neutral explanation—that the office had previously prosecuted members of the juror's family—and the trial court did not clearly err in finding the explanation nonpretextual.
3. KRS 72.020(2) is not an evidentiary rule requiring the coroner to present all crime-scene and cause-of-death evidence. Any violation of the statute's duties would not require exclusion of otherwise relevant, competent, and properly identified evidence, and Saylor's failure to make contemporaneous objections independently defeated the claim.
4. A defendant's actual subjective belief in the need to act in self-protection necessarily precludes the extreme-indifference element required for wanton murder. The trial court effectively granted Saylor a directed verdict on that theory by omitting it from the jury instructions, and Saylor could not show prejudice from the timing of the ruling.
5. The trial court was not required to give stand-alone instructions on second-degree manslaughter and reckless homicide because the evidence supported only the theories based on a mistaken belief in the need for self-protection, not theories based on an unintentional killing. The instructions adequately submitted the supported lesser offenses through the self-protection instruction.

KEY QUOTATIONS

“Generally, a homicide defendant may introduce evidence of the victim's character for violence in support of a claim that he acted in self-defense or that the victim was the initial aggressor.” (815)

“Manifestly, this statute is not a rule of evidence.” (817)

“We specifically rejected that theory in Elliott v. Commonwealth, Ky., 976 S.W.2d 416 (1998): [T]he “wanton or reckless belief” analysis has no application to a charge of wanton murder, because the existence of an actual subjective belief in the need to act in self-protection necessarily precludes a finding of the element of “extreme indifference to the value of human life” required by KRS 507.020(1)(b).” (817)

FACTUAL BACKGROUND

Roy Thomas Faulconer was found stabbed to death at his Covington residence on August 26, 1999. Saylor admitted killing Faulconer but testified that Faulconer and another man had threatened and assaulted him and that he used deadly force in self-defense. The evidence also included testimony suggesting that Saylor may have returned to the residence after 8:00 a.m. and killed Faulconer later, as well as physical evidence linking Saylor to the killing.

PROCEDURAL HISTORY

Saylor was tried in the Kenton Circuit Court for the stabbing death of Roy Thomas Faulconer. He admitted killing Faulconer but claimed self-defense. The jury convicted him of first-degree manslaughter and imposed an eighteen-year sentence. The Court of Appeals affirmed, and the Supreme Court of Kentucky affirmed on discretionary review after rejecting claims concerning discovery, a Batson challenge, directed verdicts, and jury instructions.

DISPOSITION

affirmed

CASES CITED

- Batson v. Kentucky, 476 U.S. 79 (1986)
- Johnson v. Commonwealth, 477 S.W.2d 159, 161 (Ky. 1972)
- Commonwealth v. Higgs, 59 S.W.3d 886, 892 (Ky. 2001)
- Commonwealth v. Davis, 14 S.W.3d 9, 14 (Ky. 2000)
- Wilson v. Commonwealth, 880 S.W.2d 877, 878 (Ky. App. 1994)
- Baze v. Commonwealth, 965 S.W.2d 817, 824-825 (Ky. 1997)
- Campbell v. Louisiana, 523 U.S. 392 (1998)
- Powers v. Ohio, 499 U.S. 400 (1991)
- Caudill v. Commonwealth, 120 S.W.3d 635, 667 (Ky. 2003)
- Berry v. Commonwealth, 84 S.W.3d 82, 88-89 (Ky. App. 2001)
- Brock v. Commonwealth, 947 S.W.2d 24, 29 (Ky. 1997)

- Elliott v. Commonwealth, 976 S.W.2d 416, 419-420 & n.3 (Ky. 1998)
- Commonwealth v. Hager, 41 S.W.3d 828, 842, 845-847 (Ky. 2001)
- Kotila v. Commonwealth, 114 S.W.3d 226, 236 (Ky. 2003)

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