

SUPREME COURT OF TENNESSEE

State of Tennessee v. Paul Dennis Reid, Jr.

State v. Reid, 164 S.W.3d 286 (Tenn. 2005) · Decided May 24, 2005

SUMMARY

The Supreme Court of Tennessee affirmed Paul Dennis Reid, Jr.'s convictions for two counts of premeditated first-degree murder, especially aggravated kidnapping, and especially aggravated robbery, as well as his two death sentences. The court addressed competency to stand trial, evidentiary and indictment issues, sufficiency of the evidence and aggravating circumstances, constitutional challenges to Tennessee's capital sentencing statutes, and alleged prosecutorial misconduct. Justice Adolpho A. Birch, Jr., filed a separate concurring and dissenting opinion.

CASE DETAILS

COURT	Supreme Court of Tennessee
WRITING FOR THE COURT	E. Riley Anderson, J.; Frank F. Drowota, III, C.J.; Janice M. Holder, J.; William M. Barker, J.; Adolpho A. Birch, Jr., J.
JURISDICTION	Tennessee
DECIDED	May 24, 2005
DISPOSITION	affirmed
PROCEDURAL POSTURE	Automatic direct appeal from a capital criminal judgment. Reid was convicted of two counts of premeditated first-degree murder, two counts of especially aggravated kidnapping, and one count of especially aggravated robbery, and was sentenced to death for each murder. The Tennessee Court of Criminal Appeals affirmed, and the Tennessee Supreme Court affirmed.

STANDARD OF REVIEW	Competency findings are conclusive unless the evidence preponderates otherwise. Sufficiency of the evidence is reviewed under whether any rational trier of fact could have found the essential elements beyond a reasonable doubt, viewing the evidence in the light most favorable to the prosecution. Sufficiency of aggravating circumstances is reviewed under whether a rational trier of fact could have found the circumstance beyond a reasonable doubt. Evidentiary rulings concerning photographs and control of closing argument are reviewed for abuse of discretion. Application of law to suppression-hearing facts is reviewed de novo. Prosecutorial misconduct warrants reversal only if it affected the outcome to the defendant's prejudice.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Paul Dennis Reid, Jr. v. State of Tennessee

TOPICS

criminal procedure sentencing evidence due process appellate procedure

PRACTICE AREAS

criminal law capital punishment criminal procedure evidence constitutional law appellate procedure

QUESTIONS PRESENTED

1. Whether Reid was competent to stand trial and whether the trial court properly placed the burden on him to prove incompetency by a preponderance of the evidence.
2. Whether the trial court properly excluded testimony protected by clergy-penitent and attorney-client privileges during the competency hearing.
3. Whether the trial court erred in refusing to hold a new competency hearing based on an alleged bias or conflict involving the court-appointed expert.
4. Whether the evidence was sufficient to support the convictions and the aggravating circumstances.
5. Whether aggravating circumstances had to be charged in the indictment.
6. Whether the trial court properly permitted amendment of the indictment changing the predicate felony from especially aggravated robbery to robbery.
7. Whether the trial court improperly limited extrinsic evidence of prior inconsistent statements under Tennessee Rule of Evidence 613(b).
8. Whether Tennessee's capital-sentencing statutes violated due process or confrontation rights by permitting sentencing evidence outside the ordinary rules of evidence.
9. Whether the death sentences were arbitrary or disproportionate.
10. Whether the trial court improperly admitted crime-scene photographs during sentencing.

11. Whether failure to instruct on the statutory catch-all mitigating circumstance constituted reversible or plain error.
12. Whether prosecutorial misconduct during penalty-phase argument required a new sentencing hearing.

HOLDINGS

1. A criminal defendant may constitutionally be required to establish incompetency to stand trial by a preponderance of the evidence, and the evidence did not preponderate against the trial court's finding that Reid was competent.
2. The trial court did not err in excluding testimony from a minister and a public-defense social worker because Reid invoked applicable privileges and the evidence already presented permitted a full assessment of competency.
3. The evidence was sufficient to support Reid's convictions for two counts of premeditated first-degree murder, especially aggravated kidnapping, and especially aggravated robbery.
4. Tennessee's capital-sentencing scheme did not require aggravating circumstances to be stated in the indictment.
5. The trial court properly permitted amendment of the felony-murder counts from an allegation based on especially aggravated robbery to one based on robbery because the amendment charged no new or different offense and did not prejudice Reid's substantial rights.
6. The trial court erred under Tennessee Rule of Evidence 613(b) by excluding written summaries of prior inconsistent statements after the witnesses had been given an opportunity to explain or deny them, but the error was harmless.
7. The evidence was sufficient to support all three aggravating circumstances, the finding that aggravating circumstances outweighed mitigating circumstances, and the death sentences were not arbitrary or disproportionate.
8. Tennessee's capital-sentencing statute did not violate due process or confrontation by permitting relevant sentencing evidence outside the strict rules of evidence.
9. The trial court did not abuse its discretion by admitting one crime-scene photograph of each victim during the penalty phase.
10. Although the trial court should instruct on the statutory catch-all mitigating provision, its omission was not plain error because the instructions as a whole informed the jury that it could consider all mitigating circumstances raised by the evidence.
11. Some prosecutorial remarks were erroneous, but the misconduct did not affect the outcome and did not require a new sentencing hearing.

KEY QUOTATIONS

“the better reasoned choice is the standard that requires defendants to establish their incompetency by a preponderance of the evidence.” (307)

“Rule 613(b) requires only that the witnesses be given an opportunity to explain or deny their prior statement.” (314)

“Although the prosecutor's argument was prosecutorial misconduct and error, the defendant objected, and the trial court sustained the objection and gave curative instructions.” (323)

FACTUAL BACKGROUND

On April 23, 1997, Angela Holmes and Michelle Mace were working at a Baskin-Robbins store in Clarksville, Tennessee. The victims disappeared after the store closed, and their bodies were found the next morning at Dunbar Cave State Natural Area with multiple stab wounds, including deep wounds to their necks. Evidence connecting Reid to the crimes included sightings of a similar red car, a gasoline purchase near the store, DNA-consistent blood on Reid's shoes, and fibers on the victims' clothing consistent with fibers from Reid's car. The jury also heard extensive mitigation evidence concerning Reid's mental illness, brain injuries, and delusions, as well as evidence of prior violent felony convictions.

PROCEDURAL HISTORY

The trial court found Reid competent to stand trial, admitted the challenged evidence, and entered convictions and death sentences after a jury trial and capital sentencing hearing. The Court of Criminal Appeals affirmed the convictions and sentences. The Tennessee Supreme Court reviewed numerous identified issues, including competency, sufficiency of the evidence, indictment defects, evidentiary rulings, aggravating circumstances, proportionality, capital-sentencing procedures, photographs, jury instructions, and prosecutorial misconduct, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Pate v. Robinson, 383 U.S. 375 (1966)
- State v. Black, 815 S.W.2d 166 (Tenn. 1991)
- State v. Oody, 823 S.W.2d 554 (Tenn. Crim. App. 1991)
- Medina v. California, 505 U.S. 437 (1992)
- Cooper v. Oklahoma, 517 U.S. 348 (1996)
- Jackson v. Virginia, 443 U.S. 307 (1979)
- Apprendi v. New Jersey, 530 U.S. 466 (2000)
- Ring v. Arizona, 536 U.S. 584 (2002)
- State v. Bland, 958 S.W.2d 651 (Tenn. 1997)
- State v. Berry, 141 S.W.3d 549 (Tenn. 2004)
- State v. Bigbee, 885 S.W.2d 797 (Tenn. 1994)
- State v. Odom, 137 S.W.3d 572 (Tenn. 2004)

- State v. Chalmers, 28 S.W.3d 913 (Tenn. 2000)
- State v. Keough, 18 S.W.3d 175 (Tenn. 2000)
- State v. Williams, 690 S.W.2d 517 (Tenn. 1985)
- State v. Morris, 24 S.W.3d 788 (Tenn. 2000)

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