

SUPREME COURT OF SOUTH CAROLINA

State v. Williams

369 S.C. 69 (2006) · Decided May 30, 2006

SUMMARY

The South Carolina Supreme Court reviewed the closure of a pretrial suppression hearing in a capital murder case. The court held that the trial court's concerns about publicity, domestic violence, and racial issues did not satisfy the constitutional requirements for closure because closing the hearing would not prevent the anticipated prejudice, and it reversed the closure order while rejecting the media appellants' procedural due process claim.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Chief Justice Toal; Toal; Moore; Waller; Burnett; Pleicones
JURISDICTION	South Carolina
DECIDED	May 30, 2006
DISPOSITION	reversed
PROCEDURAL POSTURE	Media organizations appealed the trial court's order closing the courtroom during a pretrial suppression hearing in a capital murder case.
STANDARD OF REVIEW	De novo review of the propriety of courtroom closure, based on the specific findings required by the constitutional closure standard.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Hearst-Argyle Television, The Greenville News v. State of South Carolina, Charles Christopher Williams

TOPICS

- criminal procedure
- first amendment
- procedural due process
- appellate procedure
- suppression of evidence

PRACTICE AREAS

- criminal procedure
- constitutional law
- appellate procedure
- media law

QUESTIONS PRESENTED

1. Whether the trial court closed the pretrial suppression hearing without sufficient constitutional justification.
2. Whether the trial court violated the appellants' procedural due process rights by closing the courtroom without adequate notice and a meaningful opportunity to be heard.

HOLDINGS

1. The test for reviewing the propriety of closing a courtroom under the South Carolina Constitution is identical to the First Amendment analysis: closure requires specific findings establishing a substantial probability of prejudice, a substantial probability that closure will prevent the prejudice, and the inadequacy of reasonable alternatives.
2. The closure was improper because the trial court's concerns about additional publicity, domestic violence, racial issues, and disclosure of confession details did not establish that closure would prevent prejudice; reasonable alternatives, including limiting the hearing to legal arguments and using voir dire, were available.
3. The trial court did not violate the appellants' procedural due process rights because the appellants were alerted to the proposed closure, requested a hearing, and received a meaningful opportunity to present arguments through counsel.

KEY QUOTATIONS

“we now hold that the test for reviewing the propriety of closing a courtroom under the South Carolina Constitution is identical to the First Amendment analysis of the issue.” (at 76)

“Because closing the courtroom had no effect on preventing additional publicity regarding Defendant’s case, the case as it related to the issue of domestic violence in South Carolina, or any racial issues involved in the trial, we reverse the trial court’s decision closing the pre-trial suppression hearing.” (at 77)

“In closed courtroom cases, individual notice is not required.” (at 79)

FACTUAL BACKGROUND

Charles Christopher Williams was charged with murder after police found his former girlfriend dead from shotgun wounds during a hostage incident at her workplace. The case received extensive media coverage, and Williams moved before trial to suppress statements to a forensic psychiatrist and a journal discovered through information derived from those statements. When reporters appeared at the suppression hearing, the trial court closed the courtroom based on concerns that publicity about domestic violence and racial issues could prejudice Williams's right to an impartial jury.

PROCEDURAL HISTORY

The trial court closed the suppression hearing after considering concerns about pretrial publicity, domestic violence, racial issues, and disclosure of incriminating evidence. The court later denied the defendant's suppression motion, and the defendant was convicted and sentenced to death. The media organizations appealed

the closure order directly to the South Carolina Supreme Court; although the hearing had concluded, the court reviewed the issue under the capable-of-repetition-yet-evading-review exception to mootness.

DISPOSITION

reversed

CASES CITED

- In re S.C. Press Ass'n, 946 F.2d 1037 (4th Cir. 1991)
- Ex parte Columbia Newspapers, Inc., 286 S.C. 116, 333 S.E.2d 337 (1985)
- Gannett Co. v. DePasquale, 443 U.S. 368 (1979)
- Steinle v. Lollis, 279 S.C. 375, 307 S.E.2d 230 (1983)
- Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555 (1980)
- In re Charlotte Observer, 882 F.2d 850 (4th Cir. 1989)
- In re Knight Publishing Co., 743 F.2d 231 (4th Cir. 1984)
- Press-Enterprise Co. v. Superior Court of California, 478 U.S. 1 (1986)
- Press-Enterprise Co. v. Superior Court, 464 U.S. 501 (1984)
- Ex parte Island Packet, 308 S.C. 198, 417 S.E.2d 575 (1992)
- State v. Lagerquist, 254 S.C. 501, 176 S.E.2d 141 (1970)
- In re Greenville News, 332 S.C. 394, 505 S.E.2d 340 (1998)
- Waller v. Georgia, 467 U.S. 39 (1984)
- Sheppard v. Maxwell, 384 U.S. 333 (1966)