

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Cullen-Doyle

164 A.3d 1239 (Pa. 2017) · No. 16 WAP 2016 · Decided July 20, 2017

SUMMARY

The Supreme Court of Pennsylvania held that a single present conviction for a violent crime does not, by itself, constitute a "history of present or past violent behavior" disqualifying an offender from eligibility under the Recidivism Risk Reduction Incentive Act. The Court vacated the Superior Court's order and remanded for further proceedings, including consideration of whether the appellant had a prior burglary conviction.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Chief Justice Saylor; Justice Baer; Justice Todd; Justice Donohue; Justice Dougherty; Justice Wecht; Justice Mundy
JURISDICTION	Pennsylvania
DECIDED	July 20, 2017
DOCKET	16 WAP 2016
DISPOSITION	vacated
PROCEDURAL POSTURE	Appellant sought further review of a Superior Court decision affirming his ineligibility for Pennsylvania's Recidivism Risk Reduction Incentive program based solely on his present conviction for burglary, a crime of violence.
STANDARD OF REVIEW	De novo and plenary review of statutory interpretation.
PRECEDENTIAL VALUE	published precedential opinion of the Supreme Court of Pennsylvania
PARTIES	Sean Cullen-Doyle v. Commonwealth of Pennsylvania

TOPICS

statutory interpretation legislative intent rule of lenity sentencing appellate procedure

PRACTICE AREAS

criminal law sentencing statutory interpretation appellate procedure

QUESTIONS PRESENTED

1. Whether a single present conviction for burglary, which the parties agreed demonstrates violent behavior, constitutes a history of present or past violent behavior under the RRRI Act.
2. Whether the RRRI Act's ambiguous eligibility language must be construed in favor of eligibility under the rule of lenity.

HOLDINGS

1. A single present conviction for a violent crime does not, by itself, constitute a history of present or past violent behavior under 61 Pa.C.S. § 4503.

KEY QUOTATIONS

“Thus, any ambiguity surrounding the meaning of the word “history” should be resolved in favor of those seeking admission into the program.” (164 A.3d at 1244)

“Accordingly, we vacate the order of the Superior Court, and remand for further proceedings.” (164 A.3d at 1244)

FACTUAL BACKGROUND

The Commonwealth charged Cullen-Doyle with burglary, conspiracy, and theft-related offenses. He pleaded guilty to several conspiracy counts involving first-degree felony burglary and one count of first-degree felony burglary. He sought sentencing under the RRRI Act, but the trial court found him ineligible, apparently relying on the present burglary conviction or possibly an unclear reference to a prior burglary conviction; the Commonwealth later acknowledged it could find no indication of a prior burglary conviction.

PROCEDURAL HISTORY

Cullen-Doyle pleaded guilty to several counts of conspiracy to commit first-degree felony burglary and one count of first-degree felony burglary. The Court of Common Pleas of Allegheny County found him ineligible for the RRRI program and imposed a sentence of three to six years' imprisonment followed by an aggregate fifteen-year probationary term. The Superior Court affirmed, holding that the present burglary conviction alone established a history of violent behavior. The Supreme Court of Pennsylvania granted further review, vacated the Superior Court's order, and remanded for further proceedings.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The Superior Court must determine in the first instance whether any further issues remain to be resolved, including whether clarification of Appellant's prior record is necessary, before remanding to the Court of Common Pleas.

CASES CITED

- Commonwealth v. Chester, 101 A.3d 56 (Pa. 2014)
- Commonwealth v. Cullen-Doyle, 133 A.3d 14 (Pa. Super. 2016)
- In re Estate of Wilner, 142 A.3d 796 (Pa. 2016)
- Commonwealth v. Griffith, 32 A.3d 1231 (Pa. 2011)
- Commonwealth v. Corban Corp., 957 A.2d 274 (Pa. 2008)
- Dauphin Cnty. Pub. Defender's Office v. Court of Common Pleas of Dauphin Cnty., 849 A.2d 1145 (Pa. 2004)
- Commonwealth v. Booth, 766 A.2d 843 (Pa. 2001)
- United States v. R.L.C., 503 U.S. 291 (1992)
- Commonwealth v. Shiffler, 879 A.2d 185 (Pa. 2005)
- Wellington v. Daniels, 717 F.2d 932 (4th Cir. 1983)
- In re Marriage of Forbes, 570 N.W.2d 757 (Iowa 1997)
- Simmons v. Simmons, 649 So. 2d 799 (La. Ct. App. 1995)

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