

SUPREME COURT OF RHODE ISLAND

DeCiantis v. State of Rhode Island

24 A.3d 557 (R.I. 2011) · No. No. 2008-156-Appeal · Decided July 12, 2011

SUMMARY

Anthony DeCiantis appealed the denial of his application for postconviction relief following his first-degree murder conviction. He alleged that the prosecution withheld exculpatory and impeachment evidence concerning witness William Ferle, including Ferle’s criminal activity and benefits received while cooperating with the state. The Supreme Court of Rhode Island affirmed the Superior Court’s judgment, concluding that the asserted nondisclosures did not warrant relief.

CASE DETAILS

COURT	Supreme Court of Rhode Island
WRITING FOR THE COURT	Justice Robinson; Chief Justice Suttell; Justice Flaherty
JURISDICTION	Rhode Island
DECIDED	July 12, 2011
DOCKET	No. 2008-156-Appeal
DISPOSITION	affirmed
PROCEDURAL POSTURE	Applicant appealed from a Superior Court judgment dismissing his third application for postconviction relief, which alleged that the prosecution intentionally withheld exculpatory and impeachment evidence concerning prosecution witness William Ferle and committed prosecutorial misconduct.
STANDARD OF REVIEW	The Supreme Court will not disturb postconviction-relief findings absent clear error or a showing that the hearing justice overlooked or misconceived material evidence. Questions of fact concerning constitutional violations and mixed questions of law and fact with constitutional implications are reviewed de novo, while substantial deference is given to historical factual findings and inferences drawn from them.
PRECEDENTIAL VALUE	Published Rhode Island Supreme Court majority opinion; precedential.
PARTIES	Anthony DeCiantis v. State of Rhode Island

TOPICS

state post-conviction relief

post-conviction relief

prosecutorial misconduct

discovery criminal

appellate procedure

PRACTICE AREAS

criminal procedure

post-conviction relief

constitutional criminal procedure

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QUESTIONS PRESENTED

1. Whether the prosecution deliberately withheld exculpatory or impeachment evidence concerning witness William Ferle in violation of due process and discovery obligations.
2. Whether the prosecution was required to disclose Ferle's uncharged criminal acts that could have been used to impeach him.
3. Whether the hearing justice applied an improper materiality standard to alleged deliberate nondisclosure.
4. Whether the hearing justice clearly erred in finding that no prosecutorial misconduct occurred and that the undisclosed evidence was not material.

HOLDINGS

1. A deliberate nondisclosure of favorable evidence constitutes grounds for a new trial regardless of the degree of harm to the defendant; when nondisclosure is not deliberate, the applicant must establish materiality by showing a reasonable probability that disclosure would have changed the proceeding's result.
2. The prosecution's disclosure obligations extend to uncharged alleged crimes of a witness when those acts may be favorable impeachment evidence, even though Rule 16 expressly refers to records of prior convictions.
3. DeCiantis failed to establish that the undisclosed additional criminal activity, expenditures, or arrangements involving Ferle were material because there was no reasonable probability that disclosure would have changed the result.
4. The hearing justice did not clearly err in crediting prosecutor Leach's testimony, finding no deliberate nondisclosure, and concluding that no prosecutorial misconduct occurred.

KEY QUOTATIONS

"It is clear to this Court that any uncharged alleged crimes of Mr. Ferle should have been disclosed to defense counsel—because counsel might have used them to further impeach Mr. Ferle's testimony." (572)

"We are unpersuaded that evidence of additional criminal activity on the part of Mr. Ferle would have materially changed the jury's evaluation of him as a witness or would have changed the ultimate result of the proceeding." (573)

FACTUAL BACKGROUND

Anthony DeCiantis was convicted of first-degree murder based in part on testimony from William Ferle, who testified that DeCiantis admitted killing Dennis Roche. At trial, Ferle was cross-examined about a prior conviction, multiple pending charges, his desire for protection and favorable treatment, and the support provided to him and his family while in State Police custody. In postconviction proceedings, DeCiantis asserted that the prosecution had failed to disclose additional criminal activity, financial support, and arrangements involving Ferle. The evidence showed that the additional information would have been cumulative of extensive impeachment already conducted at trial.

PROCEDURAL HISTORY

DeCiantis was convicted of first-degree murder in 1984, and the Supreme Court of Rhode Island affirmed the conviction in *State v. DeCiantis*, 501 A.2d 365 (R.I. 1985). He filed two prior applications for postconviction relief, both of which were denied. In 1998, he filed the application at issue; after hearings in 2005 and 2006, the Superior Court denied and dismissed the application on March 27, 2007. The Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- *State v. DeCiantis*, 501 A.2d 365 (R.I. 1985)
- *DeCiantis v. State*, 666 A.2d 410 (R.I. 1995)
- *DeCiantis v. State*, 599 A.2d 734 (R.I. 1991)
- *Page v. State*, 995 A.2d 934, 942 (R.I. 2010)
- *Mattatall v. State*, 947 A.2d 896, 901 (R.I. 2008)
- *Washington v. State*, 989 A.2d 94, 98 (R.I. 2010)
- *Ouimette v. State*, 785 A.2d 1132, 1135 (R.I. 2001)
- *State v. Briggs*, 886 A.2d 735, 754-55 (R.I. 2005)
- *State v. Langstaff*, 994 A.2d 1216, 1219 (R.I. 2010)
- *State v. Chalk*, 816 A.2d 413, 418-19 (R.I. 2002)
- *State v. Brown*, 709 A.2d 465, 469 (R.I. 1998)
- *State v. McManus*, 941 A.2d 222, 229-30 (R.I. 2008)
- *State v. Wyche*, 518 A.2d 907, 910 (R.I. 1986)
- *United States v. Keogh*, 391 F.2d 138, 146-47 (2d Cir. 1968)
- *Strickler v. Greene*, 527 U.S. 263, 280 (1999)
- *State v. Stravato*, 935 A.2d 948, 953 (R.I. 2007)
- *B.S. International Ltd. v. JMAM, LLC*, 13 A.3d 1057, 1062 (R.I. 2011)