

SUPREME COURT OF VERMONT

State v. Williams, 2010 VT 77

9 A.3d 315 (Vt. 2010) · No. No. 09-253 · Decided August 20, 2010

SUMMARY

The Vermont Supreme Court affirmed Michael A. Williams's conviction for aggravated domestic assault. The court held that evidence of his prior assaults against the complainant was admissible under Vermont Rule of Evidence 404(b) to provide context regarding the abusive relationship and to address claims concerning the complainant's conduct, motive, and fabrication.

CASE DETAILS

COURT	Supreme Court of Vermont
WRITING FOR THE COURT	Reiber, C.J.; Dooley, J.; Johnson, J.; Skoglund, J.; Burgess, J.
JURISDICTION	Vermont
DECIDED	August 20, 2010
DOCKET	No. 09-253
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of conviction entered after a jury found him guilty of aggravated domestic assault, challenging the admission of evidence of his prior assaults against the complainant.
STANDARD OF REVIEW	The admission of prior-bad-acts evidence is reviewed for abuse of discretion resulting in prejudice.
PRECEDENTIAL VALUE	Published Vermont Supreme Court opinion; precedential.
PARTIES	Michael A. Williams v. State of Vermont

TOPICS

- character evidence
- evidence
- standard of review
- criminal procedure
- appellate procedure

PRACTICE AREAS

- evidence
- criminal procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by admitting evidence of Williams's two prior assaults against the complainant under Vermont Rule of Evidence 404(b).
2. Whether the probative value of the prior-assault evidence was substantially outweighed by the danger of unfair prejudice.
3. Whether the trial court's pretrial inquiry into the admissibility of the prior-bad-acts evidence was adequate.

HOLDINGS

1. Prior-bad-acts evidence involving the same defendant and domestic-assault victim is not automatically admissible, but may be admitted under Vermont Rule of Evidence 404(b) when it is genuinely relevant and material to a separate issue, including the context or dynamics of the relationship, and is not offered merely to prove propensity.
2. The trial court did not abuse its discretion in concluding that the probative value of the prior-assault evidence was not substantially outweighed by the danger of unfair prejudice.
3. Although the State's pretrial presentation was boilerplate and the trial court should conduct a more probing inquiry or defer ruling until the factual context develops, the error, if any, did not require reversal because the evidence became relevant to issues fully developed at trial.

KEY QUOTATIONS

“Our decisions do not, however, mean that prior bad acts—even by the same defendant against the same domestic-assault victim—are automatically admissible.” (318)

“The State continues to bear the burden of establishing that the evidence does not simply show a propensity to commit the crime charged, but instead is relevant to a genuine, separate issue in the case and that its probative value outweighs the potential for unfair prejudice.” (318)

“This is just the sort of incongruity that “context” evidence is meant to remedy in domestic-violence cases.” (320)

FACTUAL BACKGROUND

The complainant, who had been in an intimate relationship with Williams and was pregnant with his child, obtained a relief-from-abuse order after ending the relationship. She testified that Williams later entered her apartment, struck and repeatedly choked her, threatened to kill her and harm her family, and left. The State also introduced evidence that Williams had assaulted and choked the complainant during two earlier incidents. Williams presented an alibi defense and argued that the complainant's continued contact with him and delayed report of the incident made her allegations implausible or fabricated.

PROCEDURAL HISTORY

Williams was charged with aggravated domestic assault after an alleged assault on the complainant. Before trial, the State gave notice that it intended to introduce evidence of two prior assaults under Vermont Rule of Evidence 404(b); the trial court admitted the evidence after a pretrial hearing. A jury convicted Williams, the trial court

denied his motion for a new trial, and he was sentenced to ten to fifteen years. The Supreme Court of Vermont affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Sanders, 168 Vt. 60, 716 A.2d 11 (1998)
- State v. Hendricks, 173 Vt. 132, 787 A.2d 1270 (2001)
- State v. Laprade, 2008 VT 83, 184 Vt. 251, 958 A.2d 1179
- State v. Lipka, 174 Vt. 377, 817 A.2d 27 (2002)
- United States v. Lawless, No. 97-2281, 1998 WL 438662, at *4 (10th Cir. July 15, 1998)
- State v. Longley, 2007 VT 101, 182 Vt. 452, 939 A.2d 1028
- United States v. Tunkara, 385 F. Supp. 2d 1119, 1121 (D. Kan. 2005)
- State v. Hester, 114 Idaho 688, 760 P.2d 27, 39 (1988)
- State v. Oscarson, 2004 VT 4, 176 Vt. 176, 845 A.2d 337
- State v. Carpenter, 170 Vt. 371, 749 A.2d 1137 (2000)