

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Williams

Commonwealth v. Williams · No. Nos. 668 CAP and 669 CAP; J-97A-2016 and J-97B-2016 · Decided August 22, 2017

SUMMARY

The Supreme Court of Pennsylvania considers the Commonwealth's appeals from an order granting Terrance Williams post-conviction relief and a new penalty-phase trial. The opinion concludes that the Commonwealth willfully suppressed material exculpatory evidence concerning the victim's alleged sexual conduct and that the suppression prejudiced Williams under *Brady v. Maryland*. The court affirms the PCRA court's determination granting relief and a new penalty phase.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice Donohue; Justice Wecht
JURISDICTION	Pennsylvania
DECIDED	August 22, 2017
DOCKET	Nos. 668 CAP and 669 CAP; J-97A-2016 and J-97B-2016
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Commonwealth appealed orders of the Philadelphia County Court of Common Pleas granting Williams post-conviction relief, vacating his death sentence, and ordering a new penalty-phase trial. The Pennsylvania Supreme Court considered the appeal after the United States Supreme Court vacated the Pennsylvania Supreme Court's prior decision and remanded for further proceedings.
STANDARD OF REVIEW	The Court reviews the PCRA court's factual findings and the evidence presented at the PCRA hearing in the light most favorable to the prevailing party, giving great deference to supported credibility findings. A <i>Brady</i> claim requires proof that the Commonwealth suppressed evidence, the evidence was favorable to the defense, and the suppression was material and prejudicial.
PRECEDENTIAL VALUE	Opinion in Support of Affirmance; joined by Justice Wecht. The precedential effect of the fractured decision is not otherwise specified in the supplied text.

PARTIES

Commonwealth of Pennsylvania v. Terrance Williams, Terrance L. Williams

TOPICS

state post-conviction relief

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Williams's fourth PCRA petition satisfied the governmental-interference exception to the PCRA's one-year time bar.
2. Whether the Commonwealth violated Brady by willfully suppressing material exculpatory and impeachment evidence concerning Amos Norwood's sexual misconduct and related evidence.
3. Whether the suppression prejudiced Williams during the penalty phase and warranted a new penalty-phase trial.
4. Whether the court should defer to the PCRA court's factual and credibility findings.

HOLDINGS

1. A properly pleaded Brady claim may satisfy the PCRA governmental-interference exception when governmental interference prevented the petitioner from discovering and presenting the claim earlier and the petitioner could not have discovered the interference through reasonable diligence. Williams satisfied those requirements.
2. The Commonwealth violated Brady by willfully suppressing favorable evidence, including sanitized witness statements and reports concerning Norwood's sexual improprieties and the circumstances of the offense.
3. The Commonwealth's suppression was material and prejudicial because disclosure could have enabled competent defense counsel to alter trial preparation and strategy and could have caused the jury to view the offense and Williams's conduct through a mitigating lens.
4. The appellate court must defer to the PCRA court's supported factual and credibility findings and may not conduct its own fact-finding in contradiction to those findings.

KEY QUOTATIONS

“Accordingly, to satisfy the governmental interference exception, the petitioner must demonstrate (1) that interference by governmental officials prevented him from discovering and bringing his Brady claim sooner, and (2) that he could not have known of the governmental interference earlier through the exercise of reasonable diligence.” (at 16-17)

“[T]his Court has explained that, in order to establish a Brady violation, a defendant must show that: (1) evidence was suppressed by the state, either willfully or inadvertently; (2) the evidence was favorable to the defendant, either because it was exculpatory or because it could have been used for impeachment; and (3) the evidence was material, in that its omission resulted in prejudice to the defendant.” (at 21-22)

“As such, rather than follow the Commonwealth’s proposed analysis of attempting to speculate as to what Williams would have done if the information had been disclosed, the proper course is to conduct an objective analysis as to what capable defense counsel could have done with the suppressed evidence to achieve a contrary result at trial.” (at 26)

FACTUAL BACKGROUND

Williams and Marc Draper robbed and killed Amos Norwood in 1984 after Norwood drove them to a secluded location. At the 1986 penalty phase, the Commonwealth presented Norwood as a kind and innocent man, while its files contained evidence that Norwood may have sexually abused or propositioned adolescent boys, possibly including Williams. The Commonwealth provided the defense with sanitized witness statements, withheld police and prosecutorial records, and later represented in 1998 that no evidence existed concerning Norwood's sexual misconduct. The jury returned a death sentence, which the PCRA court found was materially affected by the suppression.

PROCEDURAL HISTORY

Williams was convicted of first-degree murder, robbery, and criminal conspiracy, and received a death sentence in 1986. He filed a fourth PCRA petition in 2012 alleging, among other things, that the Commonwealth suppressed exculpatory evidence concerning the victim's sexual abuse of adolescent boys and the prosecution's pressure on co-defendant Marc Draper. The PCRA court granted relief, finding a timely and meritorious Brady violation and ordering a new penalty phase. The Pennsylvania Supreme Court previously vacated that order and reinstated the death sentence, but the United States Supreme Court vacated the decision and remanded. This opinion affirms the PCRA court's order and remands for a new penalty-phase trial.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The order of the PCRA court is affirmed, and the matter is remanded to the Court of Common Pleas of Philadelphia County for a new penalty-phase trial. Ancillary motions are denied as moot.

CASES CITED

- Commonwealth v. Williams, 863 A.2d 505, 509 (Pa. 2004)
- Commonwealth v. Williams, 570 A.2d 75 (Pa. 1990)
- Williams v. Pennsylvania, 135 S. Ct. 1899 (2016)
- Commonwealth v. Jones, 912 A.2d 268, 293 (Pa. 2006)

- Commonwealth v. Meadius, 870 A.2d 802, 805 (Pa. 2005)
- Commonwealth v. Sullivan, 371 A.2d 468, 476 (Pa. 1977)
- Brady v. Maryland, 373 U.S. 83 (1963)
- Cone v. Bell, 556 U.S. 449 (2009)
- Commonwealth v. Abu-Jamal, 941 A.2d 1263, 1268 (Pa. 2008)
- Commonwealth v. Howard, 788 A.2d 351, 355 (Pa. 2002)
- Commonwealth v. Breakiron, 781 A.2d 94, 98 (Pa. 2001)
- Commonwealth v. Willis, 46 A.3d 648, 653, 656, 670 (Pa. 2012)
- Commonwealth v. Lambert, 884 A.2d 848, 854 (Pa. 2005)
- Commonwealth v. Collins, 888 A.2d 564, 577-78 (Pa. 2005)
- Commonwealth v. Chambers, 807 A.2d 872, 887-88 (Pa. 2002)
- United States v. Bagley, 473 U.S. 667, 676 (1985)
- Simmons v. Beard, 590 F.3d 223, 238 (3d Cir. 2009)
- Commonwealth v. Carson, 741 A.2d 686, 689 (Pa. 1999)
- United States v. Agurs, 427 U.S. 97 (1976)
- Williams v. Beard, 637 F.3d 195, 229 n.26, 233-35 (3d Cir. 2011)

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