

SUPREME COURT OF ARKANSAS

Roberts v. State

2016 Ark. 118 (2016) · No. CR-15-417 · Decided March 17, 2016

SUMMARY

The Supreme Court of Arkansas held that the circuit court clearly erred in finding Karl D. Roberts competent to choose between life and death and to knowingly and intelligently waive postconviction relief. The court reversed and remanded for postconviction proceedings under Arkansas Rule of Criminal Procedure 37.5. The court also referred to the Committee on Criminal Practice the question whether postconviction review should be mandatory in capital cases.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Rhonda K. Wood, Associate Justice; Howard W. Brill, Chief Justice; Danielson, Justice; Courtney Hudson Goodson, Justice
JURISDICTION	Arkansas
DECIDED	March 17, 2016
DOCKET	CR-15-417
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from the Polk County Circuit Court's finding that Roberts was competent to choose between life and death and to knowingly and intelligently waive postconviction relief in a capital case.
STANDARD OF REVIEW	The circuit court's competency determination is reviewed for clear error. A finding is clearly erroneous when, although supported by evidence, the appellate court, after reviewing the entire record, is left with a definite and firm conviction that a mistake has been made. The sufficiency of written findings is reviewed to determine whether meaningful appellate review is possible.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court opinion; precedential.
PARTIES	Karl D. Roberts v. State of Arkansas

TOPICS

- competency to be executed
- post-conviction relief
- sentencing
- appellate procedure
- standard of review

PRACTICE AREAS

capital postconviction relief

competency to be executed

criminal procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the circuit court made sufficiently specific findings of fact and conclusions of law to permit meaningful appellate review under Arkansas Rule of Criminal Procedure 37.5(i).
2. Whether Roberts was competent to choose between life and death and knowingly and intelligently waive his postconviction remedies.
3. Whether Arkansas should require mandatory Rule 37.5 postconviction review in all capital cases notwithstanding a defendant's waiver.
4. Whether acceptance of Roberts's waiver violated the solid-footing doctrine.

HOLDINGS

1. The circuit court's concise findings sufficiently specified the basis for its ruling and permitted meaningful appellate review under Rule 37.5(i).
2. A death-sentenced defendant may waive postconviction remedies only if judicially determined to have the capacity to understand the choice between life and death and to knowingly and intelligently waive the rights at issue.
3. The circuit court clearly erred in finding that Roberts was competent to waive postconviction review.
4. The court declined to extend mandatory appellate review to Rule 37.5 postconviction proceedings at this time, but referred the issue to the Committee on Criminal Practice for consideration.

KEY QUOTATIONS

“[A] defendant sentenced to death will be able to forego a state appeal only if he has been judicially determined to have the capacity to understand the choice between life and death and to knowingly and intelligently waive any and all rights to appeal his sentence.” (2016 Ark. 118, at 5)

“We hold that the circuit court was clearly erroneous when it concluded that Roberts was competent to waive postconviction review.” (2016 Ark. 118, at 8)

FACTUAL BACKGROUND

Roberts was convicted of capital murder and sentenced to death for murdering his twelve-year-old niece. He suffers from schizophrenia, including auditory and visual hallucinations and delusional beliefs. At the competency hearing, the State's expert declined to reach an ultimate conclusion about whether Roberts could rationally and stably choose death, while Roberts's expert opined that schizophrenia prevented him from choosing between life and death or knowingly and intelligently waiving postconviction rights. The circuit court accepted Roberts's waiver, but the Arkansas Supreme Court concluded that his psychosis affected the decision and that the competency finding was clearly erroneous.

PROCEDURAL HISTORY

Roberts was convicted of capital murder and sentenced to death. He repeatedly waived direct appeal and state postconviction review, but later sought to reopen the proceedings after a federal habeas proceeding was stayed to permit exhaustion of state claims. The Arkansas Supreme Court previously granted his motion to reopen and required a current competency evaluation. After a competency hearing, the circuit court accepted Roberts's waiver and dismissed his Rule 37.5 petition; Roberts appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the competency determination and remand to the circuit court for postconviction proceedings under Arkansas Rule of Criminal Procedure 37.5.

CASES CITED

- State v. Robbins, 339 Ark. 379, 5 S.W.3d 51 (1999)
- Roberts v. State, 352 Ark. 489, 102 S.W.3d 482 (2003)
- Roberts v. State, 354 Ark. 399, 123 S.W.3d 881 (2003)
- Roberts v. Norris, 526 F. Supp. 2d 926 (E.D. Ark. 2007)
- Roberts v. State, 2013 Ark. 57, 426 S.W.3d 372
- Franz v. State, 296 Ark. 181, 754 S.W.2d 839 (1988)
- Sartin v. State, 2012 Ark. 155, 400 S.W.3d 694
- Charland v. State, 2012 Ark. 246
- Porter v. State, 332 Ark. 186, 964 S.W.2d 184 (1998)
- Newman v. State, 2014 Ark. 7
- Harris v. State, 238 Ark. 780, 384 S.W.2d 477 (1964)
- Decay v. State, 2013 Ark. 185
- Echols v. State, 344 Ark. 513, 42 S.W.3d 467 (2001)
- Wooten v. State, 338 Ark. 691, 1 S.W.3d 8 (1999)
- Gregg v. Georgia, 428 U.S. 153 (1976)
- American Civil Liberties Union v. State, 339 Ark. 314, 5 S.W.3d 418 (1999)
- Collins v. State, 261 Ark. 195, 548 S.W.2d 106 (1977)
- Mills v. State, 351 Ark. 523, 95 S.W.3d 796 (2003)
- Sanford v. State, 331 Ark. 334, 962 S.W.2d 335 (1998)
- United States v. Oregon Medical Society, 343 U.S. 326 (1952)
- Marshall v. Lonberger, 459 U.S. 422, 434 (1983)