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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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HOLMES v. SOUTH CAROLINA

CERTIORARI TO THE SUPREME COURT OF SOUTH CAROLINA

No. 04–1327. Argued February 22, 2006—Decided May 1, 2006

At petitioner’s South Carolina trial for murder and related crimes, the prosecution relied heavily on forensic evidence that strongly supported petitioner’s guilt. Petitioner sought to undermine the State’s forensic evidence by introducing expert testimony suggesting that the evidence had been contaminated and that the police had engaged in a plot to frame him. Petitioner also sought to introduce evidence that another man, Jimmy McCaw White, had been in the victim’s neighborhood on the morning of the assault and that White had either acknowledged petitioner’s innocence or admitted to committing the crimes himself. In White’s pretrial testimony, he denied making the incriminating statements and provided an alibi for the time of the assault.

The trial court excluded petitioner’s third-party guilt evidence citing the State Supreme Court’s *Gregory* decision, which held such evidence admissible if it raises a reasonable inference as to the defendant’s own innocence, but inadmissible if it merely casts a bare suspicion or raises a conjectural inference as to another’s guilt. Affirming the trial court, the State Supreme Court cited both *Gregory* and its later decision in *Gay*, and held that where there is strong forensic evidence of an appellant’s guilt, proffered evidence about a third party’s alleged guilt does not raise a reasonable inference as to the appellant’s own innocence. Applying this standard, the court held that petitioner could not overcome the forensic evidence against him.

Held: A criminal defendant’s federal constitutional rights are violated by an evidence rule under which the defendant may not introduce evidence of third-party guilt if the prosecution has introduced forensic evidence that, if believed, strongly supports a guilty verdict. “[S]tate and federal rulemakers have broad latitude under the Con-

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stitution to establish rules excluding evidence from criminal trials.” *United States v. Scheffer*, 523 U. S. 303, 308. This latitude, however, has limits. “Whether rooted directly in the Due Process Clause of the Fourteenth Amendment or in the Compulsory Process or Confrontation clauses of the Sixth Amendment, the Constitution guarantees criminal defendants ‘a meaningful opportunity to present a complete defense.’” *Crane v. Kentucky*, 476 U. S. 683, 690. This right is abridged by evidence rules that “infring[e] upon a weighty interest of the accused” and are “‘arbitrary’ or ‘disproportionate to the purposes they are designed to serve.’” *Scheffer, supra*, at 308.

While the Constitution thus prohibits the exclusion of defense evidence under rules that serve no legitimate purpose or that are disproportionate to the ends that they are asserted to promote, well-established rules of evidence permit trial judges to exclude evidence if its probative value is outweighed by certain other factors such as unfair prejudice, confusion of the issues, or potential to mislead the jury. An application of this principle is found in rules regulating the admission of evidence proffered by criminal defendants to show that someone else committed the crime with which they are charged. Such rules are widely accepted and are not challenged here.

In *Gregory*, the South Carolina Supreme Court adopted and applied a rule intended to be of this type. In *Gay* and this case, however, that court radically changed and extended the *Gregory* rule by holding that, where there is strong evidence of a defendant’s guilt, especially strong forensic evidence, proffered evidence about a third party’s alleged guilt may (or perhaps must) be excluded. Under this rule, the trial judge does not focus on the probative value or the potential adverse effects of admitting the defense evidence of third-party guilt. Instead, the critical inquiry concerns the strength of the prosecution’s case: If the prosecution’s case is strong enough, the evidence of third-party guilt is excluded even if that evidence, if viewed independently, would have great probative value and even if it would not pose an undue risk of harassment, prejudice, or confusion of the issues. Furthermore, as applied below, the rule seems to call for little, if any, examination of the credibility of the prosecution’s witnesses or the reliability of its evidence.

By evaluating the strength of only one party’s evidence, no logical conclusion can be reached regarding the strength of contrary evidence offered by the other side to rebut or cast doubt. Because the rule applied below did not heed this point, the rule is “arbitrary” in the sense that it does not rationally serve the end that the *Gregory* rule and other similar third-party guilt rules were designed to further. Nor has the State identified any other legitimate end served by

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the rule. Thus, the rule violates a criminal defendant’s right to have “‘a meaningful opportunity to present a complete defense.’” *Crane, supra*, at 690. Pp. 4–11.

361 S. C. 333, 605 S. E. 2d 19, vacated and remanded.

ALITO, J., delivered the opinion for a unanimous Court.