

Case Overview: *Weaver v. Massachusetts* (2017) - **EFFECTIVE**

(*Brooks v. Massachusetts* - class file)

Supreme Court of the United States

Issue: Must a defendant who asserts a claim of ineffective assistance of counsel demonstrate prejudice when the alleged ineffective assistance resulted in a structural error?

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Summary of Case Facts

- **Defendant:** Kentel Myrone Weaver
- **Crime:** In 2003, Weaver was arrested for killing another teenager. Weaver admitted to killing the teen to the police. He went to trial and was found guilty of first-degree murder
- **Defense Strategy at Sentencing:** Due to the seriousness and high-profile nature of this first-degree murder case, approximately 100 potential jurors were selected to be screened by both attorneys. To avoid overcrowding in the courtroom, a court officer made the decision to close the courtroom to anyone that was not a potential juror. Weaver's attorney did not object to this move and they proceeded with sitting the jury.
- **Request after Sentencing:** Following his sentencing, Weaver requested a new trial arguing his attorney had provided ineffective counsel during his case.
 - Weaver maintained that his attorney was ineffective because he did not object to the courtroom being closed during jury selection.
 - Weaver claimed this violated his 6th Amendment rights to an open and public trial.
 - Weaver believed that if his mother and her minister were allowed in the courtroom during the jury selection, the jury would "see" that he had support for him.
 - The court maintained that the move to close the courtroom during jury selection was a procedural error, but did not have any impact on the outcome of the case.
 - The trial itself was not concluded in secret or in a remote location, so the court contends there is no basis for concern.
 - Weaver's case was taken up by the Supreme Court **claiming ineffective counsel** because of the decision to not object to the closed courtroom during jury selection.

Supreme Court Ruling (2017)

- 7-2 Decision in favor of Massachusetts - Weaver was **unable to prove prejudice**, he **did not meet both parts** of the Strickland test.
- Even if his attorney made a mistake by not objecting to the courtroom closure, there was **no evidence that it harmed his defense**, so the **second prong - prejudice - was missing**.

- Ultimately, Weaver failed to prove that the mistake **impacted the outcome of the trial**.

Strickland Test Breakdown

Teachers can use this to guide student responses to Question #4. - How the case fails the Strickland Test.

1. Performance Prong:

Was the attorney's performance so deficient that they were not functioning as the "counsel" guaranteed by the Sixth Amendment?

- a. The Court **assumed (but did not decide)** that the attorney's failure to object was a mistake.
- b. Even if it was a mistake, the focus was mainly on the second prong - prejudice.

2. Prejudice Prong:

Is there a reasonable probability that, but for the attorney's errors, the result of the proceeding would have been different?

- a. To meet the prejudice prong, Weaver had to show that his attorney's failure **likely changed the outcome** of the trial.
- b. Weaver **did not show** that the courtroom closure affected the fairness of his trial - the jury was properly selected, the evidence was presented fairly, and the verdict was **based on strong evidence**.
- c. Therefore, the Court found **no reasonable probability** that the result of the trial would have been different if the courtroom had stayed open.