

## ***Cooper v. Oklahoma (1996)***

**Nature of the Case:** Burden of proof for competency to stand trial

**Facts:** In 1989, Byron Keith Cooper was charged with the murder of an 86-year-old man in the course of a burglary. The issue of Mr. Cooper's competency to stand trial was brought before the court on five separate occasions both before and during the trial. Despite an initial finding of not competent by a trial judge, advisement from Mr. Cooper's counsel that he behaved oddly, and conflicting expert testimony regarding Mr. Cooper's competency, the trial judge ruled that Mr. Cooper did not meet the burden of proof standard of clear and convincing evidence and proceeded with the trial. Oklahoma statute outline that defendants are presumed competent to stand trial unless they prove they are not competent by clear and convincing evidence. Therefore, a defendant could stand trial even though it was, "more likely than not that he was not competent." Mr. Cooper was found guilty and sentenced to death. Subsequently, he appealed the conviction to the Oklahoma Court of Criminal Appeals on the basis that Oklahoma's presumption of competence combined with the statutory requirement that a defendant prove a lack of competence by clear and convincing evidence placed "such an onerous burden on the defendant as to violate the accused rights to due process." The Oklahoma Court of Criminal Appeals affirmed the trial court's ruling and held that the standard did not violate the due process clause of the 14th amendment. Mr. Cooper appealed and the USSC granted certiorari.

**Issue:** Is due process violated if the defendant is required to prove a lack of competence to stand trial by clear and convincing evidence?

**Holding:** Requiring a defendant to prove a lack of competence to stand trial by clear and convincing evidence violates the due process clause of the 14th amendment.

**Rationale:** The USSC ruled unanimously that Oklahoma's statute violated an accused's right to due process by stating 1) the higher standard of determining competency was not historically practiced by most courts and a burden of proof more protective of a person's rights is more widespread; 2) Oklahoma's heightened standard imposed a significant risk of an erroneous determination of competence which would threaten "a fundamental component of the criminal justice system." An erroneous conclusion of not competent that might result from a lower burden of proof would create a modest risk to the state; 3) the accused's fundamental right to be tried

only while competent outweighed the state's interest in the efficient operation of the criminal justice system. This ruling protects due process rights of defendants found not competent to stand trial but may not be able to satisfy the more stringent clear and convincing evidence burden of proof.