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 Lumber Co.,* 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

MEDINA *v.* CALIFORNIA

CERTIORARI TO THE SUPREME COURT OF CALIFORNIA

No. 90–8370. Argued February 25, 1992—Decided June 22, 1992

Before petitioner Medina's trial for, *inter alia,* first-degree murder, the California court granted his motion for a competency hearing pursuant to a state law that forbids a mentally incompetent person to be tried or punished, establishes a presumption of competence, and placed on petitioner the burden of proving incompetence by a preponderance of the evidence. The jury empaneled for the competency hearing found Medina competent to stand trial and, subsequently, he was convicted and sentenced to death. The State Supreme Court affirmed, rejecting Medina's claim that the competency statute's burden of proof and presumption provisions violated his right to due process.

Held:

1.The Due Process Clause permits a State to require that a defendant claiming incompetence to stand trial bear the burden of proving so by a preponderance of the evidence. Pp.4–15.

(a)Contrary to Medina's argument, the *Mathews* v. *Eldridge,* 424 U.S. 319, test for evaluating procedural due process claims does not provide the appropriate framework for assessing the validity of state procedural rules that are part of the criminal law process. It is not at all clear that *Mathews* was essential to the results in *United States* v. *Raddatz,* 447 U.S. 667, or *Ake* v. *Oklahoma,* 470 U.S. 68, the only criminal law cases in which this Court has invoked *Mathews* in resolving due process claims. Rather, the proper analytical approach is that set forth in *Patterson* v. *New York,* 432 U.S. 197, in which this Court held that the power of a State to regulate procedures for carrying out its criminal laws, including the burdens of producing evidence and persuasion, is not subject to proscription under the Due Process Clause unless ```it offends some principle of justice so rooted in the traditions and conscience of our people as to be ranked as fundamental.''' *Id.,* at 201–202. Pp.4–7.

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(b)There is no historical basis for concluding that allocating the burden of proof to a criminal defendant to prove incompetence violates due process. While the rule that an incompetent criminal defendant should not be required to stand trial has deep roots in this country's common-law heritage, no settled tradition exists for the proper allocation of the burden of proof in a competency proceeding. Moreover, contemporary practice demonstrates that there remains no settled view on where the burden should lie. Pp.8–10.

(c)Nor does the State's allocation of the burden of proof to a defendant transgress any recognized principle of ``fundamental fairness'' in operation. This Court's decision in *Leland* v. *Oregon,* 343 U.S. 790—which upheld a State's right to place on a defendant the burden of proving the defense of insanity—does not compel the conclusion that the procedural rule at issue is constitutional, because there are significant differences between a claim of incompetence and a plea of not guilty by reason of insanity. Nonetheless, once the State has met its due process obligation of providing a defendant access to procedures for making a competency evaluation, there is no basis for requiring it to assume the burden of vindicating the defendant's constitutional right not to be tried while legally incompetent by persuading the trier of fact that the defendant is competent to stand trial. Pp.10–11.

(d)Allocating the burden to the defendant is not inconsistent with this Court's holding in *Pate* v. *Robinson,* 383 U.S. 375, 384, that a defendant whose competence is in doubt cannot be deemed to have waived his right to a competency hearing, because the question whether a defendant whose competence is in doubt can be deemed to have made a knowing and intelligent waiver is quite different from the question presented here. Although psychiatry is an inexact science and reasonable minds may differ as to the wisdom of placing the burden of proof on the defendant in these circumstances, the State is not required to adopt one procedure over another on the basis that it may produce results more favorable to the accused. In addition, the fact that the burden of proof has been allocated to the State on a variety of other issues implicating a criminal defendant's constitutional rights does not mean that the burden must be placed on the State here. *Lego* v. *Twomey,* 404 U.S. 477, 489, distinguished. Pp.11–14.

2.For the same reasons discussed herein with regard to the allocation of the burden of proof, the presumption of competence does not violate due process. There is no reason to disturb the State Supreme Court's conclusion that, in

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essence, the challenged presumption is a restatement of that burden. P.14.

51 Cal.3d 870, 799 P.2d 1282, affirmed.

KENNEDY, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and WHITE, SCALIA, and THOMAS, JJ., joined. O'CONNOR, J., filed an opinion concurring in the judgment, in which SOUTER, J., joined. BLACKMUN, J., filed a dissenting opinion, in which STEVENS, J., joined.