

Case Summary: *State v. Stoots*, No. 23–601 (S.C. Jan. 23, 2025)

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In *State v. Stoots*, Jason Edwin Stoots faced charges of domestic violence resulting from an altercation with his wife, Kimberly, in a Taco Bell drive-thru. Stoots testified that Kimberly “started throwing her arms” and “started hitting” him, to which he “grabbed both her arms” in what he described as a defensive “push and pull encounter.”¹ Stoots claimed that his response was accidental, asserting that he had no intent to harm his wife.² However, Kimberly stated, “Not once in that van did I touch him before he hit me.”³ Medical documentation revealed a significant amount of bleeding and facial bruising, requiring prompt medical treatment.⁴

During the charge conference, Stoots’ lawyer requested jury instructions on self-defense and accident as defenses, arguing that Stoots accidentally struck Kimberly while protecting himself. These instructions would have prompted the jury to evaluate whether Stoots’ defense was lawful and whether the actions harming his

¹ *State v. Stoots*, No. 23–601, slip op. at 2 (S.C. Jan. 23, 2025).

² *Id.* at 2. (“I was just holding her wrist and all that and it was going back and forth. It was accidental. . . . There was no intent whatsoever.”).

³ *Id.* at 2.

⁴ *Id.* at 2. (“Dr. Christopher Carey, the physician who treated Kimberly at the emergency room, testified that when Kimberly arrived, ‘she had swelling and bruising to the face. There was a cut to her inner lip, one of her upper teeth was displaced posteriorly, it was pushed back. And she had . . . a significant amount of bleeding from her tooth and from her inner mouth.’”).

wife were intentional. The trial judge denied this request, reasoning that Stoots' physical contact was not an accident and that he could have avoided the confrontation by leaving the vehicle. After deliberation, the jury found Stoots guilty of second-degree domestic violence—a charge involving an attempt to inflict moderate injuries on a household member.⁵ When Stoots appealed based on the trial court's refusal of instructions, the South Carolina Court of Appeals upheld the conviction.⁶ Later, the Supreme Court of South Carolina granted certiorari to determine if the trial court's refusal to instruct the jury on self-defense and accident was erroneous.

The Supreme Court held that the trial court should have instructed the jury on self-defense, rejecting the explanation that Stoots' response was disproportionate due to size difference or his better position to leave the altercation.⁷ The Court claimed that proportionality is “almost always a jury question,” and that determining self-defense does not require belief of an imminent threat of serious bodily injury.⁸ However, the Court affirmed the trial court's refusal of an accident instruction, holding that the jury had already been properly instructed that the State must prove

⁵ *Id.* at 2. (“At the conclusion of the presentation of evidence at trial, Stoots requested the trial court instruct the jury on the law of self-defense and accident, but the trial court refused.”).

⁶ *Id.* at 3. (“The jury found Stoots guilty of the lesser-included offense of second-degree domestic violence. Stoots appealed based on the trial court's refusal to charge self-defense and accident, and the court of appeals affirmed.”).

⁷ *Id.* at 6. (“To the extent the trial court found as a matter of law that Stoots was required to exit his own vehicle when his wife started hitting him in a fast-food drive-thru line instead of grabbing her arms to prevent his own injury, that was error.”).

⁸ *Id.* at 4. (“The court of appeals held ‘Stoots used excessive force towards Victim,’ and it cited a case about proportionality. Stoots, Op. No. 2023-UP-051 (citing *Golden v. State*, 1 S.C. 292, 296 (1870)). We agree proportionality is a critical concern in all non-deadly force cases. . . . Whether the defendant's response was proportional, however, is almost always a jury question. See *State v. McGowan*, 347 S.C. 618, 624, 557 S.E.2d 657, 660 (2001) ([W]hether or not [the defendant's] response was proportional to the threatened arrest was a matter for the jury.”).

criminal intent as “a mental state of conscious wrongdoing.”⁹ The Court deemed the judge’s regular instruction on criminal intent sufficient. Of the *Brown* elements—intention, lawful activity, and negligence—requested by the defense counsel, only intentionality was relevant.¹⁰ Thus, there was no reversible error in the trial court’s refusal to provide a jury instruction on accident.

In a unanimous opinion authored by Justice Few and joined by the rest of the bench, the Court reversed Stoots’ conviction and remanded the case for a new trial.¹¹ The court cited the long-standing principle in South Carolina law that requires a self-defense instruction “if there is any evidence from which the jury could reasonably conclude the defendant acted in self-defense.”¹² Because Stoots testified that he had grabbed Kimberly’s arms to protect himself from perceived harm, the trial court was required to instruct the jury on self-defense.¹³ The Court explained that reasonableness often takes precedence over rigid rules in such cases.

⁹ *Id.* at 3. (“It is not necessary to establish intent by direct evidence. Intent may be established by circumstantial evidence taking into account the circumstantial evidence that are at issue. Criminal intent is a mental state of conscious wrongdoing.”).

¹⁰ *Id.* at 6–7. (“In *Brown*, we held that under the law of accident ‘no criminal responsibility attaches . . . [i]f it be shown that the killing was unintentional; that it was done while the perpetrator was engaged in a lawful enterprise, and was not the result of negligence.’ 205 S.C. at 521, 32 S.E.2d at 828. *Brown* was an involuntary manslaughter case in which the criminal intent the State was required to prove was negligence. In recent years, however, we have used the same three elements to define the law of accident in homicide cases. See, e.g., *State v. Commander*, 396 S.C. 254, 271, 721 S.E.2d 413, 422 (2011) (quoting *State v. Chatman*, 336 S.C. 149, 153, 519 S.E.2d 100, 102 (1999)). Charging the jury on those three elements has become standard when a defendant claims the ‘defense’ of accident.”).

¹¹ *Id.* at 10. (“In conclusion, the trial court erred by refusing to charge self-defense. We reverse the court of appeals and remand to the court of general sessions for a new trial.”).

¹² *Id.* at 3.

¹³ *Id.* at 4. (“If there is any evidence the defendant was acting in self-defense—which there is here—the trial court must charge it and let the jury sort out whether it believes the State’s version of events.”).

State v. Stoots powerfully influences cases of domestic violence and lower assault, particularly those occurring in closed meetings, which often involve contradictory testimony. The unanimous decision underscores the defendant’s right to jury consideration in cases of claimed self–defense, even when supporting evidence is limited or contested. This powerful legal protection gives voice to vulnerable individuals, preventing wrongful convictions in the common case of minor defense against minor unlawful aggression.

Moving forward, this stricter standard for instructions may increase complexity in prosecutions, as it may become easier for defendants to avoid conviction when evidence of self–defense is raised. Thus, prosecutors must thoroughly refute ambiguous evidence of intent to prove that the defendant’s actions were not justified.¹⁴ This case has the potential to increase fairness in verdicts and trust in the justice system, as evidence for self–defense is less likely to be ignored. These implications will most directly affect South Carolina defense practice by emphasizing defendants’ rights to jury instructions when evidence is presented. As a landmark case related to domestic violence, *Stoots* will impact prosecutions statewide by minimizing judicial discretion during charge conferences. This may prompt reforms in jury instruction and acknowledgement of self–defense claims.

¹⁴ *Id.* at 3. (“We have held many times that if there is any evidence from which the jury could reasonably conclude the defendant acted in self–defense, it is reversible error for the trial court to refuse to instruct the jury on the point.”).