

COURT OF APPEALS OF MARYLAND

Danny Trotman v. State of Maryland, 463 Md. 526

206 A.3d 315 (2019) · No. No. 8, September Term, 2019 · Decided October 18, 2019

SUMMARY

The Maryland Court of Appeals held that a trial court may not summarily excuse prospective jurors because of disabilities. A prospective juror may be excused on disability-related grounds only when no reasonable accommodation is possible and the particular disability would prevent satisfactory jury service at the trial. The court upheld the excusal of four prospective jurors who could not use the staircase leading to the jury room because the trial court found that no alternative courtroom was available.

CASE DETAILS

COURT	Court of Appeals of Maryland
WRITING FOR THE COURT	Watts, J.; Barbera, C.J.; McDonald, J.; Hotten, J.; Getty, J.; Booth, J.; Adkins, J.; Sally D. Adkins, Senior Judge, Specially Assigned
JURISDICTION	Maryland
DECIDED	October 18, 2019
DOCKET	No. 8, September Term, 2019
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal defendant appealed his convictions after the circuit court excused four prospective jurors with disabilities for cause because they could not use the twenty-five stairs leading to the jury room. The Court of Special Appeals affirmed, and the Court of Appeals of Maryland granted certiorari limited to the disability-related jury-excusal issue.
STANDARD OF REVIEW	Abuse of discretion for a trial court's excusal of a prospective juror for cause; underlying factual findings are reviewed for clear error.
PRECEDENTIAL VALUE	precedential
PARTIES	Danny Trotman v. State of Maryland

TOPICS

[jury selection](#)[reasonable accommodation](#)[ada / disability](#)[criminal procedure](#)[statutory interpretation](#)

PRACTICE AREAS

criminal procedure

disability discrimination

jury selection

statutory interpretation

QUESTIONS PRESENTED

1. Whether the circuit court violated the Americans with Disabilities Act and Maryland jury-service statutes by excusing four prospective jurors with disabilities for cause because they could not use the stairs leading to the jury room.
2. Whether a trial court may excuse a prospective juror on a disability-related ground without first considering reasonable accommodations.
3. Whether, under the circumstances, the circuit court abused its discretion by finding that no reasonable accommodation was available.

HOLDINGS

1. A trial court may not summarily excuse prospective jurors with disabilities from jury service solely because of their disabilities.
2. A trial court may excuse a prospective juror for cause on a disability-related ground only if no reasonable accommodation is possible and, at that particular trial, the particular disability would prevent the prospective juror from providing satisfactory jury service.
3. The circuit court did not abuse its discretion in excusing the four prospective jurors who could not use the twenty-five stairs leading to the jury room.

KEY QUOTATIONS

“A trial court may not summarily excuse for cause prospective jurors with disabilities; instead, a trial court may excuse a prospective juror for cause on a disability-related ground if no reasonable accommodation is possible, and, at that particular trial, the particular disability would prevent the prospective juror from providing satisfactory jury service.” (at 24)

“When determining whether it is permissible to excuse for cause a prospective juror on a disability-related ground, a trial court must engage in an individualized, case- and disability-specific inquiry.” (at 27)

FACTUAL BACKGROUND

At the beginning of trial, four prospective jurors informed the Jury Commissioner's Office that they had difficulty using or were unable to use stairs. The courtroom's jury room could be reached only by a staircase with twenty-five steps, and the circuit court confirmed individually that each prospective juror could not use the stairs. The court determined that no other courtroom was available, excused the four jurors for cause, and directed them to return to the jury assembly room for possible service in another trial.

PROCEDURAL HISTORY

Trotman was charged in the Circuit Court for Baltimore City with second-degree assault, conspiracy to commit second-degree assault, and misconduct in office. During jury selection, the circuit court excused four prospective

jurors who indicated that they could not use the stairs to the jury room; Trotman objected and requested that the trial be moved to another courtroom. The jury convicted Trotman of second-degree assault and misconduct in office, and the circuit court imposed suspended incarceration, probation, and community service. The Court of Special Appeals affirmed, and the Court of Appeals granted certiorari limited to whether the prospective jurors were properly excused.

DISPOSITION

affirmed

CASES CITED

- Jenkins v. State, 375 Md. 284, 825 A.2d 1008 (2003)
- Batson v. Kentucky, 476 U.S. 79 (1986)
- J.E.B. v. Alabama ex rel. T.B., 511 U.S. 127 (1994)
- Bd. of Trs. of Univ. of Ala. v. Garrett, 531 U.S. 356 (2001)
- Tennessee v. Lane, 541 U.S. 509 (2004)
- United States v. Harris, 197 F.3d 870 (7th Cir. 1999)
- United States v. Santiago-Martinez, 58 F.3d 422 (9th Cir. 1995) (per curiam)
- People v. Guzman, 555 N.E.2d 259 (N.Y. 1990)
- People v. Falkenstein, 732 N.Y.S.2d 817 (N.Y. App. Div. 2001)
- People v. Caldwell, 603 N.Y.S.2d 713 (N.Y. Crim. Ct. 1993)
- Donelson v. Fritz, 70 P.3d 539 (Colo. App. 2002)
- Edmonson v. Leesville Concrete Co., 500 U.S. 614 (1991)
- Danny Trotman v. State, No. 2331, Sept. Term, 2016, 2019 WL 290022 (Md. Ct. Spec. App. Jan. 15, 2019)
- Trotman v. State, 463 Md. 526, 206 A.3d 315 (2019)