

SUPREME JUDICIAL COURT OF MAINE

State of Maine v. Antoine Bethea

2019 ME 169 (2019) · No. Pen-18-401 · Decided December 19, 2019

SUMMARY

The Maine Supreme Judicial Court affirmed Antoine Bethea’s conviction for manslaughter following a jury trial on a murder indictment. The court held that the trial court’s race-related voir dire was sufficient, that a photograph of the victim with his son was properly admitted, and that a curative instruction adequately remedied the prosecutor’s misstatement during closing argument.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Alexander, J.; Saufley, C.J.; Mead, J.; Gorman, J.; Jabar, J.; Hjelm, J.; Humphrey, J.
JURISDICTION	Maine
DECIDED	December 19, 2019
DOCKET	Pen-18-401
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a judgment of conviction for manslaughter following a jury trial on an indictment for murder.
STANDARD OF REVIEW	The conduct and scope of voir dire are reviewed for abuse of discretion. Relevancy rulings are reviewed for clear error, and Rule 403 determinations for abuse of discretion. When an objection is made to prosecutorial statements, the court determines whether actual misconduct occurred and, if so, whether the trial court’s response remedied resulting prejudice; the State bears the burden of persuasion on appeal.
PRECEDENTIAL VALUE	Published Maine Supreme Judicial Court opinion; precedential.
PARTIES	Antoine Bethea v. State of Maine

TOPICS

jury selection

evidence

relevance

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the trial court abused its discretion or violated Bethea's constitutional right to a fair trial by using its own race-related juror-questionnaire questions rather than all questions proposed by Bethea and by limiting answer choices to yes or no.
2. Whether the trial court erred or abused its discretion by admitting a photograph of the victim with his son under the rules of relevancy and unfair prejudice.
3. Whether the prosecutor's misstatement during closing rebuttal argument constituted prosecutorial misconduct and, if so, whether the trial court's curative instruction remedied any resulting prejudice.

HOLDINGS

1. The trial court did not abuse its discretion or deny Bethea a fair trial by declining to use the precise race-related questions and answer choices he proposed because the voir dire process, considered as a whole, was sufficient to disclose racial bias and permit follow-up inquiry.
2. The trial court properly admitted the photograph because it was relevant to rebut the defense suggestion that the victim and his friend traveled to Maine solely to sell drugs, and its probative value was not substantially outweighed by unfair prejudice.
3. The prosecutor's misstatement was not reversible prosecutorial misconduct because the trial court's curative instruction adequately remedied any prejudice.

KEY QUOTATIONS

“ “[T]he purpose of voir dire is to detect bias and prejudice in prospective jurors, thus ensuring that a defendant will be tried by as fair and impartial a jury as possible.” ” (¶ 16)

“ “The key consideration on review is not whether any particular question was asked—or who asked it—but whether the voir dire questions, taken as a whole, (a) adequately explore the potential that jurors may have knowledge, bias or predisposition that could compromise their objectivity and qualifications for hearing the case, and (b) encourage and permit jurors to give honest responses to such questions.” ” (¶ 18)

“ “Only where there are exceptionally prejudicial circumstances or prosecutorial bad faith will a curative instruction be deemed inadequate to eliminate prejudice.” ” (¶ 26)

FACTUAL BACKGROUND

The victim traveled to Bangor with a friend to visit his eight-year-old son. After the victim sent text messages to his ex-wife concerning Bethea's alleged cocaine cooking, Bethea retrieved a handgun and returned to the apartment, where he confronted the victim. During a physical altercation, Bethea discharged the handgun twice, fatally striking the victim, and then fled and arranged for the weapon to be hidden. At trial, the defense argued that the victim and his friend had traveled to Maine to sell drugs and challenged the adequacy of voir dire concerning racial bias.

PROCEDURAL HISTORY

Bethea was charged by criminal complaint with murder, arrested in Ohio, indicted, and pleaded not guilty. Following a seven-day jury trial, the jury acquitted him of murder but convicted him of the lesser-included offense of manslaughter. The trial court sentenced him to twenty-six years' imprisonment, with all but eighteen years suspended, followed by four years of probation. Bethea timely appealed.

DISPOSITION

affirmed

CASES CITED

- State v. Nobles, 2018 ME 26, ¶ 2, 179 A.3d 910
- State v. Roby, 2017 ME 207, ¶¶ 3, 10-14, 171 A.3d 1157
- State v. Lowry, 2003 ME 38, ¶¶ 7, 11, 819 A.2d 331
- State v. Collin, 1999 ME 187, ¶ 8, 741 A.2d 1074
- State v. Burton, 2018 ME 162, ¶¶ 18-19, 198 A.3d 195
- State v. Allen, 2006 ME 21, ¶ 10, 892 A.2d 456
- State v. Michaud, 2017 ME 170, ¶ 8, 168 A.3d 802
- State v. Thomes, 1997 ME 146, ¶¶ 6-7, 697 A.2d 1262
- State v. Dolloff, 2012 ME 130, ¶¶ 32, 34, 58 A.3d 1032
- State v. Bennett, 658 A.2d 1058, 1063 (Me. 1995)
- State v. Winslow, 2007 ME 124, ¶ 24, 930 A.2d 1080
- State v. Scott, 2019 ME 105, ¶ 34, 211 A.3d 205
- State v. Tarbox, 2017 ME 71, ¶ 18, 158 A.3d 957