

SUPREME COURT OF GEORGIA

Sinkfield v. State

S21A0298 · No. S21A0298 · Decided May 17, 2021

SUMMARY

The Supreme Court of Georgia affirmed Charmon Sinkfield’s convictions for malice murder and related offenses arising from the shooting death of Vernon Forrest. The court held that any violations of Georgia’s Jury Composition Rule concerning Fulton County’s master jury list did not warrant reversal absent demonstrated harm or a structural error. The court also rejected Sinkfield’s Sixth Amendment fair-cross-section challenge to the death-qualification process, explaining that the requirement applies to the venire rather than the petit jury.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Warren, Justice; All participating Justices of the Supreme Court of Georgia
JURISDICTION	Georgia
DECIDED	May 17, 2021
DOCKET	S21A0298
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct post-conviction appeal from the denial of an amended motion for new trial following convictions for malice murder and related offenses.
STANDARD OF REVIEW	For alleged nonconstitutional error, reversal generally requires a showing of harm, specifically a high probability that the error contributed to the verdict. Automatic reversal is reserved for structural error or comparable violations of essential and substantial jury-selection requirements.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Charmon Sinkfield v. The State

TOPICS

- jury selection
- sixth amendment
- criminal procedure
- appellate procedure
- harmless error

PRACTICE AREAS

criminal law

criminal procedure

jury selection

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. Whether alleged violations of Georgia's Jury Composition Rule in the preparation of Fulton County's 2015 master jury list required reversal of Sinkfield's convictions or quashing of his indictment absent a showing of harm or a constitutional, structural, or essential-and-substantial statutory violation.
2. Whether the death-qualification process violated the Sixth Amendment fair-cross-section requirement because it allegedly disproportionately excluded African-American women from the petit jury.

HOLDINGS

1. Even assuming Fulton County's 2015 master jury list violated the Jury Composition Rule, Sinkfield was not entitled to reversal because he neither alleged nor demonstrated that the violations affected the outcome, constituted structural error, violated an essential and substantial jury-selection statute, or had a discernible impact on the identity of the grand or petit jurors selected.
2. The death-qualification process does not violate the Sixth Amendment fair-cross-section requirement merely because it may diminish the representation of a distinctive group on the petit jury, so long as the process operates on a properly representative venire.

KEY QUOTATIONS

"This is not to say that the JCR can be ignored with impunity; it is a rule of this Court that must be followed."
(12)

"The Sixth Amendment fair cross-section requirement applies only to the venire from which a jury ultimately is chosen—not to the jury itself." (14-15)

FACTUAL BACKGROUND

Sinkfield was convicted of malice murder and related offenses arising from the July 25, 2009 shooting death of Vernon Forrest. He was tried in October 2016 after the State filed notice of its intent to seek the death penalty, and the jury recommended life without parole. Sinkfield challenged Fulton County's 2015 master jury list and argued that death qualification disproportionately excluded African-American women in violation of the Sixth Amendment fair-cross-section requirement.

PROCEDURAL HISTORY

Sinkfield was re-indicted in Fulton County in 2016, tried in October 2016, and convicted of all charged offenses. The trial court imposed life-without-parole sentences and consecutive firearm-related sentences, denied Sinkfield's amended motion for new trial on January 30, 2020, and Sinkfield timely appealed. The Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- Brockman v. State, 292 Ga. 707, 717 (739 SE2d 332) (2013)
- Davenport v. State, 309 Ga. 385, 392 (846 SE2d 83) (2020)
- Ricks v. State, 301 Ga. 171, 173-194 (800 SE2d 307) (2017)
- Arizona v. Fulminante, 499 U.S. 279, 310 (1991)
- United States v. Dominguez Benitez, 542 U.S. 74, 81 (2004)
- Sullivan v. Louisiana, 508 U.S. 275, 281-282 (1993)
- Oliver v. State, 305 Ga. 678, 680 (827 SE2d 639) (2019)
- Balbosa v. State, 275 Ga. 574, 575 (571 SE2d 368) (2002)
- Weaver v. Massachusetts, 137 S.Ct. 1899, 1911-1912 (2017)
- Neder v. United States, 527 U.S. 1, 8 (1999)
- State v. Towns, 307 Ga. 351, 355 (834 SE2d 839) (2019)
- Harper v. State, 283 Ga. 102, 104 (657 SE2d 213) (2008)
- Pollard v. State, 148 Ga. 447, 453-455 (96 SE 997) (1918)
- Yates v. State, 274 Ga. 312, 315-316 (553 SE2d 563) (2001)
- Joyner v. State, 251 Ga. 84, 85 (303 SE2d 106) (1983)
- Blevins v. State, 220 Ga. 720, 727 (141 SE2d 426) (1965)
- Ellington v. State, 292 Ga. 109, 120 (735 SE2d 736) (2012)
- Willis v. State, 304 Ga. 686, 706 n.3 (820 SE2d 640) (2018)
- State v. Lampl, 296 Ga. 892, 897 (770 SE2d 629) (2015)
- Edwards v. State, 281 Ga. 108, 109 (636 SE2d 508) (2006)
- Duren v. Missouri, 439 U.S. 357, 364 (1979)
- Lockhart v. McCree, 476 U.S. 162, 173 (1986)
- Holland v. Illinois, 493 U.S. 474, 480 (1990)
- Bell v. Raffensperger, __ Ga. __, Case No. S21A0306 (May 3, 2021)
- Batson v. Kentucky, 476 U.S. 79, 100 (1986)
- Ware v. State, 305 Ga. 457 (826 SE2d 56) (2019)
- Crews v. State, 300 Ga. 104 (793 SE2d 393) (2016)