

SUPREME COURT OF KENTUCKY

Springfield v. Commonwealth

410 S.W.3d 589 (Ky. 2013) · Decided September 26, 2013

SUMMARY

The Kentucky Supreme Court affirmed Albert Springfield’s convictions for first-degree trafficking in a controlled substance and first-degree persistent felony offender status. The court held that the trial court properly allowed the jury to review a non-testimonial drug-transaction recording in the jury room, excused a potential juror whose religious beliefs impaired his ability to judge, and denied instructions on criminal facilitation and second-degree PFO. The court concluded that the evidence supported the convictions and sentence.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Justice Scott
JURISDICTION	Kentucky
DECIDED	September 26, 2013
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal as a matter of right from convictions for first-degree trafficking in a controlled substance and first-degree persistent felony offender status.
STANDARD OF REVIEW	The court reviewed the trial court's decision to strike a juror for cause for abuse of discretion; evidentiary rulings and the decision to permit an exhibit in the jury room for abuse of discretion; and refusal to give requested criminal jury instructions under the reasonable-juror standard, asking whether, viewing the evidence favorably to the instruction's proponent, a reasonable juror could make the finding authorized by the instruction.
PRECEDENTIAL VALUE	Published Kentucky Supreme Court opinion; precedential.
PARTIES	Albert Springfield v. Commonwealth

TOPICS

jury instructions

evidence

jury selection

criminal procedure

appellate procedure

PRACTICE AREAS

Criminal law

Criminal procedure

Evidence

Appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by excusing a potential juror for cause after the juror expressed religious beliefs that he should not judge another person and uncertainty about his ability to render a verdict.
2. Whether the trial court erred by allowing the jury to replay an audio-video recording of the drug transaction in the jury room outside the defendant's presence.
3. Whether the evidence required an instruction on first-degree criminal facilitation to trafficking in a controlled substance.
4. Whether the evidence required an instruction on second-degree persistent felony offender status.

HOLDINGS

1. The trial court did not abuse its discretion by striking for cause a potential juror who stated that he could not stand in judgment of another person and only guessed that he could render a verdict after hearing the evidence.
2. The trial court did not abuse its discretion by allowing the jury to replay, outside the defendant's presence, the audio-video recording of the actual drug transaction in the jury deliberation room.
3. Springfield was not entitled to an instruction on first-degree criminal facilitation because no evidence supported a finding that he was merely facilitating another person's crime or was wholly indifferent to its completion.
4. The trial court properly refused to instruct the jury on second-degree PFO status because no evidence placed either of the Commonwealth's prior-conviction proofs in dispute.

KEY QUOTATIONS

“Here, we believe that the video and audio recording of the actual drug transaction falls within the realm of non-testimonial evidence and thus was properly allowed in the jury room.” (594)

“The jury is required to decide a criminal case on the evidence as presented or reasonably deducible therefrom, not on imaginary scenarios.” (595)

“When it comes to the presentation of proof for PFO status, the jury must take the Commonwealth’s proof all-or-nothing “in the absence of some evidence bringing one or both prior convictions into dispute.”” (597)

FACTUAL BACKGROUND

Springfield sold crack cocaine to Tina Eisenhower during a controlled purchase arranged with Hopkins County Deputy Sheriff Shawn Bean. Eisenhower used a hidden camera and microphone supplied by Bean, and the transaction was recorded. The jury convicted Springfield of first-degree trafficking and found him to be a first-degree persistent felony offender based on prior cocaine convictions, resulting in a twenty-year sentence.

PROCEDURAL HISTORY

A Hopkins County grand jury indicted Springfield for first-degree trafficking in a controlled substance and first-degree PFO. Following a jury trial, the jury convicted him of trafficking, found him to be a first-degree PFO, and recommended the maximum enhanced sentence of twenty years. The Hopkins County Circuit Court adopted the recommendation, and the Supreme Court of Kentucky affirmed.

DISPOSITION

affirmed

CASES CITED

- Shane v. Commonwealth, 243 S.W.3d 336 (Ky. 2007)
- Adkins v. Commonwealth, 96 S.W.3d 779 (Ky. 2003)
- Pendleton v. Commonwealth, 83 S.W.3d 522 (Ky. 2002)
- Allen v. Devine, 178 S.W.3d 517, 523 (Ky. App. 2005)
- Kuprion v. Fitzgerald, 888 S.W.2d 679, 684 (Ky. 1994)
- Irvin v. Dowd, 366 U.S. 717, 722 (1961)
- Anderson v. Commonwealth, 231 S.W.3d 117, 119 (Ky. 2007)
- Woodard v. Commonwealth, 147 S.W.3d 63 (Ky. 2004)
- Goodyear Tire & Rubber Co. v. Thompson, 11 S.W.3d 575, 581 (Ky. 2000)
- Johnson v. Commonwealth, 134 S.W.3d 563, 567 (Ky. 2004)
- Burkhardt v. Commonwealth, 125 S.W.3d 848, 850 (Ky. 2003)
- McAtee v. Commonwealth, No. 2011-SC-000259 (Ky. Aug. 29, 2013)
- Chambers v. State, 726 P.2d 1269, 1275 (Wyo. 1986)
- New Hampshire v. Dugas, 147 N.H. 62, 782 A.2d 888, 896 (2001)
- State v. Monroe, 146 N.H. 15, 766 A.2d 734, 736 (2001)
- Washington v. Castellanos, 132 Wash. 2d 94, 935 P.2d 1353, 1356-57 (1997)
- Pino v. State, 849 P.2d 716, 719 (Wyo. 1993)
- Allen v. Commonwealth, 338 S.W.3d 252, 255 (Ky. 2011)
- Commonwealth v. Benham, 816 S.W.2d 186 (Ky. 1991)
- Hunt v. Commonwealth, 304 S.W.3d 15, 31 (Ky. 2009)
- Cecil v. Commonwealth, 297 S.W.3d 12, 18 (Ky. 2009)
- Morrow v. Commonwealth, 286 S.W.3d 206, 209 (Ky. 2009)
- Thompkins v. Commonwealth, 54 S.W.3d 147, 151 (Ky. 2001)
- Skinner v. Commonwealth, 864 S.W.2d 290, 298 (Ky. 1993)
- Houston v. Commonwealth, 975 S.W.2d 925, 929 (Ky. 1998)
- Perdue v. Commonwealth, 916 S.W.2d 148, 160 (Ky. 1995)
- Payne v. Commonwealth, 656 S.W.2d 719, 721 (Ky. 1983)

