

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 515

September Term, 2016

DARNELL FORD

v.

STATE OF MARYLAND

Meredith,
Reed,
Wallace, Sean D.
(Specially Assigned),

JJ.

Opinion by Wallace, J.

Filed: May 16, 2017

This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

For over 85 years, both Maryland and federal law have required that courts ask prospective jurors about possible racial bias they may have against the accused in a criminal trial. *See, e.g., Aldridge v. United States*, 283 U.S. 308 (1931); *Contee v. State*, 223 Md. 575 (1960); *Hernandez v. State*, 357 Md. 204 (1999); and *Hayes v. State*, 217 Md. App. 159 (2014).

At his 2016 trial on handgun charges, Appellant Darnell Ford requested such a question be propounded: “The Defendant is an African American male. Does this fact affect your ability to render a fair and impartial verdict based solely on the evidence and the law?” The trial court declined to ask the question, and Appellant raises that refusal as the sole issue on appeal.

The State concedes that this was reversible error, and we agree.

**JUDGMENT OF THE CIRCUIT
COURT FOR BALTIMORE CITY
REVERSED. CASE REMANDED TO
THE CIRCUIT COURT FOR A NEW
TRIAL. COSTS TO BE PAID BY
THE MAYOR AND CITY COUNCIL
OF BALTIMORE.**