



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**STATE OF ARIZONA v. KEYAIRA PORTER
CR-20-0147-PR**

PARTIES:

Petitioner: State of Arizona

Respondent: Keyaira Porter

FACTS:

During jury selection in a criminal case, Keyaira Porter made a challenge under *Batson v. Kentucky*, 476 U.S. 79 (1986), when the State used preemptory strikes for minority jurors. The trial court denied the challenge.

On appeal, in a split decision, the Court of Appeals held: "The trial court denied the *Batson* challenge without expressly addressing either the demeanor-based explanation or the racially disproportionate impact of the strikes. Applying *Snyder v. Louisiana*, 552 U.S. 472 (2008), we hold that the court was required to make explicit findings on those two points. We remand to permit the trial court to make the necessary findings or, if the passage of time has rendered that impossible, to vacate the defendant's conviction and retry the case." *State v. Porter*, 248 Ariz. 392, 394 ¶ 1 (App. 2020).

ISSUES:

"Did the court of appeals err by holding that in ruling on a challenge under *Batson v. Kentucky*, 476 U.S. 79 (1986), and when confronted with a pattern of strikes against minority jurors, the trial court must determine expressly whether the racially disproportionate impact of the pattern is justified by non-pretextual, race-neutral reasons?"

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