State of New York vs. Amina Mansell & Michael Ross

IND. NO. 267/2018

Supreme Court of the State of New York County of Bronx

January 23, 2020

Judge April A. Newbauer

Synopsis:

The defense challenged the admissibility of the firearms evidence under the Frye standard. The judge examined evidence from both sides and found that ‘Reconciling the various viewpoints does not prove simple” and that “a lengthier written opinion which lays of the expert testimony, its consequences and the basis for the conclusions reached will follow”. The judge ruled the following:

The examiner may testify to the following:

* Whether he/she found any class characteristics that could include or exclude the firearm at issue.
* Explain the reasons for any opinion that class characteristics are present or not present.
* Explain what is done with instruments, describe verbally and/or show photos of the relevant evidence.

The examiner may not testify to the following:

* Qualitative opinions on matters not adequately supported by the relevant scientific community. Specifically the significance of marks seen other than class characteristics.