State of Maryland v. Jaylin Jerome Brown

Case# C-12-CR-18-442

Circuit Court for Harford County Maryland

August 26, 2019

Synopsis:

The defense challenged the admissibility of the firearms evidence based on its validity, methodology, and general acceptance under the Frye standard. The defense also requested testimony to be excluded based on error rate and peer review. The court opined that in the absence of an alternative scientific methodology, the court would not stray from the long established history of allowing firearm and toolmark testimony. Furthermore, any concerns from the defense could be mentioned during cross-examination. The court denied the defendants motion to exclude the firearms evidence and testimony. The defense also requested limitations for the firearm conclusions statement. The court opined that rendering an opinion to a reasonable degree of “scientific” certainty was broad and imprecise. The scientist could testify to “a reasonable certainty in the field of ballistics” thus removing the qualification of “100% certainty which does not exist” and allows “the jury to draw its own conclusions as to the validity and weight of the testimony”. The defense expert was allowed to testify in the Frye hearing, but the judge denied any testimony from the defense expert during the trial on the basis that the defense expert is not a firearms examiner.