

COURT OF APPEALS OF MARYLAND

Phillips v. State, 451 Md. 180

152 A.3d 712 (2017) · No. No. 7, September Term, 2016 · Decided January 20, 2017

SUMMARY

The Maryland Court of Appeals held that DNA evidence analyzed under the FBI's Quality Assurance Standards satisfied the version of Maryland's DNA admissibility statute in effect at the time of trial. The court concluded that the State's statutory-interpretation issue was not moot despite a prospective statutory amendment, and held that the DNA evidence was automatically admissible without a Frye-Reed hearing.

CASE DETAILS

COURT	Court of Appeals of Maryland
WRITING FOR THE COURT	Getty, J.; Barbera, C.J.; Greene, J.; Adkins, J.; McDonald, J.; Watts, J.; Battaglia, J. (Senior Judge, specially assigned)
JURISDICTION	Maryland
DECIDED	January 20, 2017
DOCKET	No. 7, September Term, 2016
DISPOSITION	affirmed
PROCEDURAL POSTURE	Phillips appealed his convictions for two first-degree murders and related offenses. The Court of Special Appeals affirmed. The Court of Appeals granted Phillips's petition for certiorari and the State's conditional cross-petition concerning the automatic admissibility of DNA evidence under the prior version of CJP § 10-915.
STANDARD OF REVIEW	Factual findings concerning compliance with the DNA Admissibility Statute are reviewed for clear error; legal conclusions involving statutory interpretation and application are reviewed for legal correctness.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Richmond D. Phillips v. State of Maryland

TOPICS

evidence statutory interpretation mootness criminal procedure appellate procedure

PRACTICE AREAS

criminal law

evidence

statutory interpretation

appellate procedure

QUESTIONS PRESENTED

1. Whether the State's cross-petition concerning the interpretation of the prior version of CJP § 10-915 was moot after the statute was amended prospectively.
2. Whether DNA analysis performed under the FBI's Quality Assurance Standards satisfied the prior version of CJP § 10-915 and was therefore automatically admissible.
3. Whether the DNA evidence was subject to a Frye-Reed hearing despite the laboratory's compliance with CJP § 10-915.
4. Whether the trial court's Frye-Reed hearing constituted reversible error.

HOLDINGS

1. The State's cross-petition was not moot because an existing controversy remained concerning whether the DNA evidence was automatically admissible at Phillips's trial under the prior version of CJP § 10-915, and the Court could fashion an effective remedy.
2. A laboratory statement that DNA procedures were validated according to the FBI's Quality Assurance Standards satisfied the prior version of CJP § 10-915(b), because the QAS were standards established by the DNA Advisory Board.
3. The absence of specific QAS provisions governing complex, low-template DNA did not defeat automatic admissibility under CJP § 10-915 where the laboratory satisfied the statute's certification and notice requirements.
4. The trial court erred by conducting a Frye-Reed hearing after the DNA evidence qualified for automatic admissibility, but the error was harmless because the court ultimately reached the correct conclusion that the evidence was admissible.

KEY QUOTATIONS

“As long as the laboratory’s procedures have been validated by standards previously established by one of these entities, and the analysis is performed in accordance with those validated procedures, then the analysis qualifies for automatic admissibility under the Statute.” (22-23)

“Instead, the DNA Admissibility Statute allows for the admission of any DNA evidence, both cutting-edge and traditional, without the need to establish its general acceptance and reliability under Frye-Reed, so long as the analysis was performed in accordance with the minimum requirements promulgated by the FBI.” (26)

“The trial court erred in conducting a Frye-Reed hearing to determine the admissibility of the DNA evidence, but that error was harmless because the trial court ultimately reached the correct conclusion that the DNA evidence was admissible.” (27)

FACTUAL BACKGROUND

Phillips was charged with murdering his former girlfriend, Wynetta Wright, and their eleven-month-old daughter, Jaylin Wright. Investigators obtained DNA samples from the crime scenes, the victims, and Phillips; a steering-wheel sample from Wynetta's car was consistent with Phillips's DNA profile and included genetic material from several contributors. The Prince George's County Laboratory performed the analysis under the FBI's Quality Assurance Standards and issued a report stating that its procedures had been validated under those standards.

PROCEDURAL HISTORY

Phillips was tried before a jury beginning January 14, 2013, and convicted on January 17, 2013. The trial court sentenced him to two consecutive terms of life imprisonment without parole. Before trial, the court held that the DNA evidence was not automatically admissible under CJP § 10-915, conducted a Frye-Reed hearing, and admitted the evidence after finding the methodology generally accepted. The Court of Special Appeals affirmed, and the Court of Appeals affirmed that judgment while holding that the DNA evidence was automatically admissible under the statute.

DISPOSITION

affirmed

CASES CITED

- Reed v. State, 283 Md. 374, 381 (1978)
- Frye v. United States, 293 F. 1013 (D.C. Cir. 1923)
- Derr v. State, 434 Md. 88, 99 n.6 (2013)
- Young v. United States, 63 A.3d 1033, 1036 n.3 (D.C. 2013)
- United States v. Davis, 602 F. Supp. 2d 658, 669 (D. Md. 2009)
- Bottini v. Dep't of Fin., 450 Md. 177, 187 (2016)
- Breeding v. Koste, 443 Md. 15, 27 (2015)
- Armstead v. State, 342 Md. 38, 54, 57-58 (1996)
- Ricker v. Abrams, 263 Md. 509, 516 (1971)
- Green v. Nassif, 401 Md. 649, 654-55 (2007)
- In re Kaela C., 394 Md. 432, 452 (2006)
- Dep't of Human Res., Child Care Admin. v. Roth, 398 Md. 137, 143 (2007)
- Douglas v. State, 423 Md. 156, 178 (2011)
- Evans v. State, 420 Md. 391, 400 (2011)
- Phillips v. State, 226 Md. App. 1, 3, 8-16, 22-23 (2015)