

**Article Title:** [People vs NGUYEN 10-09-14](#)

**Origin:** [Superior Court of WASHINGTON State, for King County](#)

**Date Published:** [2010-09-14](#)

**Author:** [Judge Regina CAHAN](#)

### **Article's Subject Matter:**

Motion made by Defense for a Frye hearing on Fingerprint Examiner Testimony. Motion was reviewed, and subsequently rejected by the judge. Defense Frye motion included a declaration from Simon Cole, and referenced the NAS report.

### **Key Points in Article**

- Judge reviewed the NAS report as submitted by Defense, and did raise some issues (below)
- Judge stated NAS report did not debunk theory that fingerprints are unique
- Judge disagreed with Defense's statement ACE-V principle has never been scientifically validated.
- Frye motion based on ACE-V validation argument – was rejected
- Frye motion based on ACE-V being "Junk Science" – was rejected
- **\*\*NOTE\*\*** Submission materials were not forwarded with the decision so no comments on them can be made

### **Fallacies and Issues**

- Judge cited concerns regarding national standards and accuracy of language used in reporting
- Importance of independent verification without bias was stressed (BLIND)