

People v. Castro

Excerpted from ([Convicted by Juries, Exonerated By Science: Case Studies in the Use of DNA Evidence to Establish Innocence After Trial](#), 1996). Pgs 37-38.

The first case that seriously challenged a DNA profile's admissibility was *People v. Castro*,¹⁵ the New York Supreme Court, in a 12-week pretrial hearing, exhaustively examined numerous issues relating to the admissibility of DNA evidence. Jose Castro was accused of murdering his neighbor and her 2-year-old daughter. A bloodstain on Castro's watch was analyzed for a match to the victims. The court held the following:

- DNA identification theory and practice are generally accepted among the scientific community.
- DNA forensic identification techniques are generally accepted by the scientific community.
- Pretrial hearings are required to determine whether the testing laboratory's methodology was substantially in accord with scientific standards and produced reliable results for jury consideration.

The *Castro* ruling supports the proposition that DNA identification evidence of exclusion is more presumptively admissible than DNA identification evidence of inclusion. In *Castro*, the court ruled that DNA tests could be used to show that blood on Castro's watch was not his, but tests could not be used to show that the blood was that of his victims.

In *Castro*, the court also recommended extensive discovery requirements for future proceedings, including copies of all laboratory results and reports; explanation of statistical probability calculations; explanations for any observed defects or laboratory errors, including observed contaminants; and chain of custody of documents.

¹⁵ 545 N.Y.S.2d 985 (Sup. Ct. 1989). Castro's case was never tried. He pleaded guilty to the murders in late 1989.