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The Center for American
And International Law



Establishing Innocence or Guilt

Actual Innocence

Why Do Wrongful Convictions Occur?

How Can They Be Prevented?

A One-Day Program in Three Cities:

July 9 ~ Austin, Texas

July 10 ~ Edinburg, Texas

July 11 ~ Houston, Texas

Presented By

The Center for American and International Law

In Cooperation with

The American Judicature Society

Funded Largely by a Grant from
The Texas Court of Criminal Appeals

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PROGRAM

8:30 - 8:45 Introduction

Matt Epstein

8:45 - 10:15 The Case was Strong, but the Results were Wrong

State of North Carolina vs. Ronald Cotton is the story of two frightening nighttime burglaries and rapes, one defendant, two innocent victims, diligent law enforcement officers, hard-working prosecutors, very competent trial counsel, and judges who applied the law. Ronald Cotton was ultimately exonerated after serving 11 1/2 years in the North Carolina penal system.

The narrative of this case explores how and why a wrongful conviction may result even though there is no misconduct on the part of anyone connected with the legal system. Police, prosecutors, forensic professionals, defense attorneys, and judges all share a responsibility to insure that justice prevails, "that guilt not escape nor innocence suffer."

Rob Johnson

Michael Gauldin

10:15 - 10:30 Break

10:30 - 11:45 PROBLEM AREAS

Critical Elements of Forensic Science for the Criminal Justice Practitioner

How forensic science services are delivered through police agencies, coroners, medical examiner offices, and individual practitioners. This session includes a basic overview of the theory and practice of forensic science along with some of the challenges facing forensic practitioners. It will also focus on available quality assurance programs such as laboratory accreditation and certification of practitioners.

Barry Fisher

Causes of Wrongful Convictions Part I

Investigation and Identification of Suspect. A review of exonerations has highlighted recurring elements and practices that have contributed to charges against innocent persons. A focus on the investigative and suspect identification phases.

Matt Epstein

Challenges of Forensic Science: When Things Go Wrong

This session will consider problems, errors, and, in some cases, professional misconduct of forensic science practitioners and institutions. It will explore how to recognize problems and ways to deal with them.

Barry Fisher

Causes of Wrongful Convictions Part II

Recurring problems in the trial and post-trial that have led to wrongful convictions and created obstacles to relief.

Matt Epstein

11:45 - 12:00 Break

12:00 - 1:00

Lunch and Video Presentation: Forensic Science Literature and Resources -- Lessons to be Learned

Carol Henderson

Director

**National Clearinghouse for Science, Technology and the Law
Stetson College of Law**

1:00 - 1:15 Break

1:15 - 2:15 SOLUTIONS

Preventing and Addressing Wrongful Convictions

There have been a number of reforms that have been proposed to prevent additional wrongful convictions and to address those that have already occurred. Some have been implemented in various jurisdictions while others have not. There are other proposed solutions that will take time to develop. In this session, we will discuss a number of those with special attention to Texas practice.

Matt Epstein

Barry Fisher

2:15 - 2:30 Break

2:30 - 3:15 Small Group Breakout Session

3:15 - 3:45 Reports from the Breakouts

3:45 - 4:00 Closing

THE SPEAKERS



Matt Epstein is the director of the American Judicature Society Institute of Forensic Science and Public Policy. Before that he founded the Center for Child and Family Health in Durham, North Carolina. He has practiced law and has taught at the Massachusetts School of Law and Franklin Pierce Law Center. He is one of the nation's leading experts on Innocence.



Barry Fisher is the Director of the Crime Laboratory for the Los Angeles County Sheriff's Department. He is past president of the International Association of Forensic Sciences, past president of the American Society of Crime Laboratory Directors and a past-chairman of the American Society of Crime Laboratory Directors - Laboratory Accreditation Board. His textbook, *Techniques of Crime Scene Investigation*, is in its 7th edition.



Rob Johnson is the District Attorney for Alamance County in North Carolina. His diligence has resulted in essential child protective legislation. He is a member of numerous committees, including the North Carolina Actual Innocence Commission. Mr. Johnson was instrumental in the exoneration of Ronald Cotton, whose case will be highlighted at the conference.



Michael Gaulden is the Chief of the Burlington Police Department in North Carolina. Currently, he serves as Vice-Chairman of the Alamance County Criminal Justice Partnership and is also a member of numerous law enforcement organizations. Chief Gaulden holds several degrees including an MBA from Pfeiffer University. He, too, was a key participant in the Ronald Cotton case.

DNA has provided law enforcement with a critical tool to reopen cold cases and solve new crimes. It has also shaken public confidence in the criminal justice system by confirming the wrongful conviction of many innocent people. While we can debate how often it occurs, no one can any longer deny that it does occur. We have learned from studying exonerations and now better understand what can go wrong and what we can do to avoid additional mistakes. This conference is designed to help people understand the nature and causes of wrongful conviction and what we can do as prosecutors, defense attorneys, judges, law enforcement officials, and policy makers to prevent future occurrences.

REGISTRATION

Establishing Innocence or Guilt

Web

- If you are a judge and if you would like to request reimbursement of expenses, please check this box.

This seminar is offered tuition-free to all participants

FOUR WAYS TO REGISTER

Online
www.cailaw.org

Fax
972-244-3401

Mail
The Center for American and
International Law
5201 Democracy Drive
Plano, Texas USA 75024

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972-244-3400 -or- 800-409-1090
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I am a:

- Texas judge
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 Texas criminal defense lawyer who regularly represents indigent defendants
 Law enforcement official
 Other _____



ESTABLISHING INNOCENCE OR GUILT

The Center for American and International Law
5201 Democracy Drive
Plano, TX USA 75024

LOCATIONS

July 9th -- University of Texas Law School, 727 E. Dean Keeton, Austin, TX 78705

July 10th -- Edinburg Consolidated School District, 4411 North 8th Street, Edinburg, TX 78541

July 11th -- University of Houston Law Center, Room 144 TU2, 100 Law Center, Houston, TX 77204

WHO SHOULD ATTEND

This program is designed for Texas judges, prosecutors, defense lawyers, law enforcement officials, legislators, and forensic experts.

ESTABLISHING INNOCENCE OR GUILT

**For Texas Judges, Prosecutors,
Defense Lawyers, Law Enforcement and
Forensic Officers, and Policymakers**

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