



QUATTRONE CENTER

for the Fair Administration of Justice

Quattrone Center 2014 Spring Symposium:
“A Systems Approach to Conviction Integrity”
April 4-5, 2014
University of Pennsylvania Law School

*All panels take place in Fitts Auditorium
3501 Sansom Street, Philadelphia, PA 19104*

Friday, April 4

Registration and Breakfast
Davis Student Union

8:00 am – 8:30 am

Welcome and Introduction
Welcome

8:30 am – 9:00 am

Michael A. Fitts, Dean and Bernard G. Segal Professor of Law

Introduction

John F. Hollway, Executive Director, Quattrone Center for the Fair Administration of Justice

Session 1: Quality Control: A Comparative Analysis

9:00 am – 10:15 am

The problem of quality control pervades many of the systems in our society. Panelists, each expert in quality control and systems error reduction in a complex, high-risk field, will explore efforts to address quality control in a range of other important areas, such as healthcare, aviation, laboratories, etc., and how maintaining quality in the criminal justice system may be similar to and different from quality control in these other areas.

MODERATOR:

- Cary Coglianese, Ph.D.
Edward B. Shils Professor of Law and Professor of Political Science; Director, Penn Program on Regulation
University of Pennsylvania Law School

PANELISTS:

- Lee A. Fleisher, MD
Robert D. Dripps Professor and Chair of Anesthesiology and Critical Care Professor of Medicine
Perelman School of Medicine

Senior Fellow, Leonard Davis Institute of Health Economics
University of Pennsylvania School of Medicine

- Christopher Hart
Vice Chair
National Transportation Safety Board
- Lucian Leape, MD
Adjunct Professor of Health Policy
Harvard University School of Public Health
- Susan Silbey, Ph.D.
Leon and Anne Goldberg Professor of Humanities Sociology and Anthropology
Professor of Behavioral and Policy Sciences, Sloan School of Management
Head, Anthropology
Massachusetts Institute of Technology

Session 2: Fostering A Culture of Disclosure in Criminal Justice **10:45 am – 12:00 pm**

Quality control approaches in other industries focus on identifying and learning from error over time. While some errors are blatant and obvious to all participants, others may go undetected or unreported. Industries that have focused on a systems approach to error reduction have prioritized a culture of error disclosure to enable objective analysis and thoughtful corrective recommendations. How can a culture of disclosure of errors or “near misses” (errors discovered before causing catastrophic damage) be encouraged while promoting a just culture of appropriate accountability and victim compensation? The panel will examine examples such as hospital morbidity/mortality panels and the Aviation Safety Reporting System (ASRS), an anonymous central reporting structure that has become an important safety data repository for the aviation industry.

MODERATOR:

- Stephanos Bibas
Professor of Law and Criminology
Director, Supreme Court Clinic
University of Pennsylvania Law School

PANELISTS:

- Linda Connell
NASA ASRS Director
NASA Ames Research Center
- E. Thomas Hicks IV
Chief Programs Officer
International Association of Fire Chiefs
- Jeffrey Deskovic
Executive Director
The Jeffrey Deskovic Foundation for Justice
- Steven Raper, MD
Associate Professor of Surgery

Lunch

Levy Conference Center, Silverman Hall 245

12:00 pm – 12:30 pm

Lunch Keynote Address

Levy Conference Center, Silverman Hall 245

12:30 pm – 1:30 pm



The Honorable Christopher Hart

Vice Chairman

National Transportation Safety Board:

“Enforcement and Safety: Finding a Balance”

Christopher A. Hart was sworn in as a Member of the National Transportation Safety Board, and designated by the President as Vice Chairman of the Board in August 2009. Hart joined the Board after a long career in transportation safety, including a previous term as a Member of the NTSB. Immediately before returning to the Board, he was Deputy Director for Air Traffic Safety Oversight at the Federal Aviation Administration (FAA). He was previously the FAA Assistant Administrator for the Office of System Safety.

Hart served as a Member of the NTSB from 1990 to 1993. After leaving the Board, he served as Deputy Administrator of the National Highway Traffic Safety Administration, before moving to the FAA in 1995.

From 1973 until joining the Board in 1990, Member Hart held a series of legal positions, mostly in the private sector. He holds a law degree from Harvard University and Master's and Bachelor's degrees in Aerospace Engineering from Princeton University. He is a member of the District of Columbia Bar and the Lawyer-Pilots Bar Association.

Hart is a licensed pilot with commercial, multi-engine, and instrument ratings. His family has a tradition of accomplishment in the field of transportation: in 1926 his great uncle, James Herman Banning, was the first African-American to receive a pilot's license issued by the US government.

Session 3: Defining and Maintaining Quality in Criminal Justice

1:45 pm – 3:00 pm

Criminal justice professionals are currently exploring a variety of innovative approaches to ensuring conviction integrity. These include: efforts on the part of law enforcement officers to improve “investigation integrity;” Conviction Integrity Units established within prosecutor’s offices to review cases where errors are suspected; the use of checklists to ensure thorough and unbiased case management; and the use of comparative data across similar jurisdictions to assess regional differences in the administration of justice. Panelists from law enforcement,

prosecution, public defense, and the non-profit/research sector will discuss such initiatives and suggest advantages and challenges to their implementation.

MODERATOR:

- John F. Hollway
Executive Director
Quattrone Center for the Fair Administration of Justice
University of Pennsylvania Law School

PANELISTS:

- Jeff Adachi
Public Defender
San Francisco Public Defender's Office
- Amy Bach
President and Executive Director
Measures for Justice
- Karen Amendola, Ph.D.
Chief Behavioral Scientist
The Police Foundation
- The Honorable Craig Watkins
District Attorney
Dallas County District Attorney's Office, TX

Session 4: Errors in Criminal Justice – What We Know, and What We Don't
3:15 pm – 4:45 pm

In the past quarter-century, the “Innocence Movement” has created nationwide awareness about the breadth and depth of errors in criminal justice. At the same time, there are limits on our knowledge, and our ability to prioritize potential reforms. Panelists will discuss such topics as the impact of videotaping custodial interrogations, expanding use of double-blind and/or sequential lineups to reduce false positives in eyewitness identification, the expanded use of DNA samples in law enforcement and its ability to increase conviction integrity, challenges with forensic science and crime labs, and other topics that will highlight both how far we have come, and how far we still have to go to ensure the fair administration of justice.

MODERATOR:

- David Rudovsky
Senior Fellow
University of Pennsylvania Law School

PANELISTS:

- Michael Ambrosino
Special Counsel for DNA/Forensic Evidence Litigation
US Attorney's Office for the District of Columbia
- Jules Epstein

*Professor of Law and Director of the Taishoff Advocacy
Technology and Public Service Institute, Widener Law*

- Samuel Gross
*Thomas and Mabel Long Professor of Law
University of Michigan Law School
National Registry of Exonerations*
- Dan Simon
*Richard L. and Maria B. Crutcher Professor of Law & Psychology
USC Gould School of Law*
- Jim Trainum
*Consultant at Criminal Case Review & Consulting
Mid-Atlantic Innocence Project*

Summary **4:45 pm – 5:00 pm**

Reception **5:00 pm – 6:30 pm**
Haaga Student Lounge (The Goat)

Saturday, April 5

Registration and Breakfast **7:30 am – 8:00 am**
Davis Student Union

Session 5: Challenges to Implementing Reform **8:30 am – 9:45 am**

Participants in the criminal justice system are constantly seeking to improve the performance of each facet of the system. Identifying potential reforms and measuring their impact, however, ignores the barriers to implementation. Even for reforms that are shown to reduce charging and conviction errors (e.g., “best practices” in eyewitness identification, videotaping of custodial interrogations), there are political, cultural, financial, and other issues that may present good faith, real-world impediments to implementation. Panelists from law enforcement, criminal law, and research will discuss these challenges, as well as strategies for implementing, evaluating, and optimizing suggested reforms.

MODERATOR:

- John MacDonald, Ph.D.
*Associate Professor of Criminology and Sociology
Chair, Department of Criminology
University of Pennsylvania*

PANELISTS:

- John Firman
*Director
International Association of Chiefs of Police Research Center (IACP)*
- Francis Healy

Captain

Philadelphia Police Department

- Phil Kohn

Public Defender

Clark County Public Defender's Office, NV

- Kevin Steele

First Assistant District Attorney

Montgomery County District Attorney's Office, PA

Session 6: Identifying and Improving System Weaknesses in Criminal Justice

10:15 am – 11:30 am

An overview of the Sentinel Event Initiative (SEI), a groundbreaking new program from the National Institute of Justice, the research, development, and evaluation agency of the U.S. Department of Justice. The program aims to use sentinel events such as wrongful convictions, wrongful releases, and near misses as opportunities to identify and improve weaknesses in the criminal justice system. This non-blaming, forward looking process will unite all stakeholders in an attempt to learn from errors and prevent them from reoccurring. Experts in the fields of policing, prosecution, and defense will join to discuss: the need for and feasibility of such an approach in the criminal justice system; potential barriers to implementation and how they might be overcome; and general principles of effecting change in an often-insular and slow-to-evolve system.

MODERATOR:

- Maureen McGough

Policy Advisor

Office of the Director

National Institute of Justice

PANELISTS:

- John Chisholm

District Attorney

Milwaukee County District Attorney's Office, WI

- Madeline deLone

Executive Director

The Innocence Project

- James Doyle

Of Counsel

The Law Offices of Bassil, Klovee & Budreau, P.C.

Visiting Fellow

National Institute of Justice

- Sean Smoot

Director and Chief Legal Counsel

Police Benevolent & Protective Association of Illinois

Session 7: Successful Design of Rigorous Field Experiments in Criminal Justice
12:00 pm – 1:30 pm

It is impossible to accurately predict the utility of, and potential magnitude of impact of proposed reforms to the criminal justice system without rigorous and properly implemented field experiments. And just as properly designed and implemented experiments can provide priceless observations about our system, flawed designs and ineffective implementations can generate deceptive data that actually slows or reverses useful reforms. A gathering of experts with experience in conducting field research in conviction integrity, crime, and fields outside criminal justice will discuss these issues, and provide guidance on how to ensure that reforms with the promise to improve the accuracy of criminal justice are properly tested and reported to allow all jurisdictions to “Do Better, and Prove It.”

MODERATOR:

- David Abrams, Ph.D.
Professor of Law, Business Economics, and Public Policy
University of Pennsylvania Law School

PANELISTS:

- James M. Anderson
Senior Behavioral Scientist; Affiliated Faculty
Pardee RAND Graduate School
- Anne Piehl, Ph.D.
Professor of Economics
Rutgers University
- Barry Scheck
Co-Director
The Innocence Project

Lunch

Haaga Student Lounge (The Goat)

1:30 pm – 3:00 pm

Friday’s program has been approved for 6.0 substantive law credit hours for Pennsylvania lawyers. CLE credits may be available in other jurisdictions as well. Attendees seeking CLE credit should bring separate payment in the amount of \$60.00 (or \$35.00 for public interest attorneys) cash or check payable to “The Trustees of the University of Pennsylvania.” If you will not be attending the entire day’s program the fee will be \$15.00 per credit hour.

Saturday’s program has been approved for 4.0 substantive law credit hours for Pennsylvania lawyers. CLE credits may be available in other jurisdictions as well. Attendees seeking CLE credit should bring separate payment in the amount of \$40.00 (or \$25.00 for public interest attorneys) cash or check payable to “The Trustees of the University of Pennsylvania.” If you will not be attending the entire day’s program the fee will be \$15.00 per credit hour.

If you will be attending all day, both days, cash or one check for \$100 (or \$60 for public interest attorneys) payable to “The Trustees of the University of Pennsylvania” is fine.

There is no charge for the event itself.