



The Center for American
and International Law

FREE
For Most Participants.
See inside for details.
Space is limited, Register Early!

Actual Innocence

Establishing Innocence or Guilt

The Future of Forensic Science,
Eye-Witness Identification
and the Impact of the NAS Report

March 19-20, 2009

at The University of Texas School of Law • Austin, TX

A Forum for Judges, Prosecutors, Defense Lawyers,
Legislators, Law Enforcement Officials and others.

Held in conjunction with the Texas Criminal
Justice Integrity Unit and Funded by grants
from the Texas Court of Criminal Appeals.

www.cailaw.org

12.5 Hours of MCLE Credit and 1 Hour of Ethics Available.
TCLEOSE Credit is also Available.

The Center for American and International Law
Presents a Program on

Actual Innocence

Establishing Innocence or Guilt



March 19-20, 2009

University of Texas School of Law
(727 East Dean Keeton Street)
Austin, TX

With the new NAS Report and with new scientific and legal developments, the world of forensic science is changing. The NAS Report will likely have far-reaching implications for science and the law. Both lawmakers and members of the criminal justice system (judges, lawyers and law enforcement) should be aware of new developments and best practices.

The March 19-20 program will include:

- The State of the Science and the State of the Law
- Evidence Collection, Preservation and Retention
- Questions and Answer Sessions
- Expert Panels
- Eye-Witness Identification

The Program will be held each day from 9:00 am until 12:30 and from 1:30 pm until 5:00. There will be two 10 minutes breaks each morning and afternoon, and lunch will be provided both days. Registration will begin at 8:00 am on March 19.

March 19

Evidence Identification, Collection, Preservation (and Retention)

• Types of Evidence

- Serology/DNA
- Trace (hairs/fibers, paint, glass, soil)
- Fingerprints/other impression evidence (e.g., bite marks, tire tracks, shoe prints, palm prints)
- Drugs
- Digital Evidence
- Toxicology
- Entomology
- Anthropology
- Ballistics
- Tool marks

• Potential Section 1983 Liability

- **Responsibilities of forensic scientists and police when science used to convict is determined not to be reliable**
- **Evidence retention regulations in light of post conviction relief (trend towards requiring evidence to be retained permanently)**
- **Fragility of certain types of evidence (e.g., biological, digital)**
- **Impact of more sensitive technologies (especially DNA)**
- **Forensic science resources that lawyers may not be aware of (AAFS, NCSTL)**
- **Validity of certain forensic theories — implications for litigation**
- **State models for post-conviction remedy statutes**
- **Proving actual innocence when biological fluid is unavailable**
- **Best Practices**
- **Legal Ethics (4:00-5:00 pm)**

March 20

Eye-Witness Identification

- **What does the science tell us?**
- **Problems in Eye-Witness Identification – A law enforcement perspective**
- **New techniques – Sequential, Double-blind, and more**
- **A Case Study – Richardson, Texas**

The Report of the National Academy of Sciences – Threat or Opportunity?

- **What does it say?**
- **Implications of the report for law enforcement, the courtroom, defense lawyers, prosecutors and legislators**
- **The view from the scientific community, the bench and the laboratory**
- **The future of pattern evidence**
- **The future of digital evidence**
- **Will admissibility under Frye and Daubert be affected?**

AMONG THE FACULTY (Appearing in alphabetical order)

William Berger

Former President
International Association of Chiefs of Police
Chief of Police
City of Palm Bay, Florida

Thomas L. Bohan, Ph.D., J.D.

Incoming President, American Academy
for Forensic Science
MTC Forensics
Peaks Island, Maine

Joseph P. Bono

Forensic and Investigative Sciences Program
Indiana University Purdue University Indianapolis
Indianapolis, Indiana

Jennifer Dysart, PhD

Associate Professor
Department of Psychology
John Jay College of Criminal Justice
New York, New York

Christine Funk (Invited)

Public Defender Trial Team
Hastings, Minnesota

Dean M. Gialamas

President, American Society of Crime Lab Directors
Santa Ana, California

Carol Henderson

President, American Academy for Forensic Science
Director, National Clearinghouse for Science,
Technology and the Law
Gulfport, Florida

Hon. Barbara Hervey

Judge, Texas Court of Criminal Appeals
Austin, Texas

Captain Dan Martin

Richardson Police Department
Richardson, Texas

Kenneth E. Melson

Director, Executive Office for United
States Attorneys
Department of Justice
Washington, DC

Ashraf Mozayani

Laboratory Director & Chief Toxicologist
Harris County Medical Examiner's Office
Houston, Texas

Christine Mumma

Executive Director
North Carolina Center on Actual Innocence
Durham, North Carolina

Randy Murch, PhD

Adjunct Professor
School of Public and International Affairs,
Virginia Tech
Alexandria, Virginia

Captain Ken Patenaude

Operations Division Commander
Northampton Police Department, Massachusetts

Hon. Ronald Reinstein

Judicial Consultant
Arizona Supreme Court

Carl M. Rone

Forensics Firearm Examiner
Philadelphia, Pennsylvania

Ronald Singer (Invited)

Crime Laboratory Director
Tarrant County Medical Examiner's Office
Fort Worth, Texas

Anjali Swienton

Director of Outreach, National Clearinghouse for
Science Technology and the Law
Germantown, Maryland

Michael Logan Ware

Director, Conviction Integrity Unit
Dallas County District Attorney
Dallas, Texas

THREE WAYS TO REGISTER

ONLINE

www.cailaw.org

FAX

972.244.3401

MAIL

The Center for American
and International Law
5201 Democracy Drive
Plano, TX USA 75024
972.244.3400

Confirmations will be sent to all registrants.

GENERAL INFORMATION

HOUSING: For reduced rate hotel rooms, please contact the Springhill Suites, 4501 South IH-35, Austin, TX 78744 at 512-441-8270 or 800-331-3131 and advise them that you are attending the Actual Innocence program. A reduced room rate of \$130 plus 15% occupancy tax is available. The last day to obtain this special rate is March 4, 2009.

NONDISCRIMINATION POLICY:

The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

MCLE CREDIT:

This program has been approved by the State Bar of Texas for 12.5 hours, including 1 hour of ethics. Course ID Number: 901174425. Sign-in sheets and/or certificates of attendance will be available for ALL states.

TCLEOSE CREDIT: For TCLEOSE credit please sign in at the registration desk.

Attendance is
limited. Please
be sure to
register early.

REGISTRATION

Actual Innocence Establishing Innocence or Guilt

THE FUTURE OF FORENSIC SCIENCE, EYEWITNESS
IDENTIFICATION AND THE IMPACT OF THE NEW NAS REPORT

March 19-20, 2009

University of Texas School of Law • Austin, TX

This program is funded by grants from the Texas Court of Criminal Appeals. Thanks to these grants the seminar is offered tuition-free to most participants:

If you are a judge or public defender and you would like to request reimbursement of expenses, please check this box.

I AM A:

- Texas judge - No tuition
- A member of a judge's staff - No tuition
- Texas prosecutor - No tuition
- A member of a Texas prosecutor's staff - No tuition
- Texas criminal defense lawyer who regularly represents indigent defendants - No tuition
- Texas law enforcement official - No tuition
- Texas legislator or legislative staff member - No tuition
- Texas law student working with an Innocence program - No tuition
- Other - tuition is \$100 and should be made payable to The Center for American and International Law (please describe your position on the line below)

Name _____

Firm _____

Address _____

City, State, Zip _____

Phone _____

Fax _____

E-mail _____

Texas Bar Number (if applicable) _____



ACTUAL INNOCENCE ESTABLISHING INNOCENCE OR GUILT:
THE FUTURE OF FORENSIC SCIENCE, EYEWITNESS IDENTIFICATION
AND THE IMPACT OF THE NAS REPORT
THE CENTER FOR AMERICAN AND INTERNATIONAL LAW
5201 DEMOCRACY DRIVE • PLANO, TX USA 75024

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**This program is funded
by grants from the Texas
Court of Criminal Appeals.**

**FREE FOR MOST PARTICIPANTS -
SPACE IS LIMITED, PLEASE REGISTER EARLY**