



**American University Washington College of Law
and
American Constitution Society
Present**

**The American Prosecutor:
Power, Discretion and Accountability**

October 26, 2007

**American University Washington College of Law
4801 Massachusetts Avenue, NW, Room 603
Washington, DC 20016**

CLE ACCREDITATION (6 CREDITS, INCLUDING 1.5 ETHICS) WILL BE APPLIED FOR

WORKING AGENDA AS OF 08.30.07

- 8:00 – 9:00 **Registration and Continental Breakfast**
- 9:00 – 9:30 **Opening Remarks and Welcome**
Prof. Angela Davis and Dean Claudio Grossman, Washington College of Law
- 9:30 – 11:00 **Charging and Plea Bargaining**
The charging and plea bargaining decisions often predetermine the outcome of criminal cases and are therefore the most important decisions that prosecutors make. These decisions are totally discretionary and almost impossible to challenge. This panel will explore the pros and cons of the vast discretion prosecutors exercise when deciding whether to charge or offer a plea bargain in a criminal case.
Speakers:
Prof. Dan Richman, Columbia Law School; The Honorable Pat Jessamy, State's Attorney for Baltimore City; The Honorable Gerald Bruce Lee, U.S. District Court for the Eastern District of Virginia; and William Moffitt, Esq., Defense Attorney and former President of the National Association of Criminal Defense Lawyers
Moderator: *Professor Carol Steiker, Harvard Law School*
- 11:00 – 11:15 **Break**
- 11:15 – 12:45 **Prosecutorial Misconduct**
In recent years, studies by investigative reporters at the Chicago Tribune and the Center for Public Integrity suggest that prosecutorial misconduct is a pervasive problem in the

criminal justice system. This panel will discuss the extent of the problem, its ramifications and the effectiveness of existing legal remedies.

Speakers:

Prof. Barry Scheck, Co-Director, The Innocence Project, Cardozo School of Law; *Prof. Gerald Uelman*, Santa Clara School of Law, and Exec. Director of the California Commission on the Fair Administration of Justice; and *The Honorable Nancy Gertner*, U.S. District Court for the District of Massachusetts

Moderator: *Prof. Cynthia Jones*, American University Washington College of Law

12:45 – 2:15

Luncheon, Keynote Speaker, Michael Tigar, Research Professor of Law at American University Washington College of Law, Visiting Professor of Law at Duke Law School, and Professeur Invité at the Faculté de droit, Université Paul Cezanne, Aix-en-Provence. **With Tribute to *The Honorable Andrew Sonner***, former State's Attorney for Montgomery County

2:15 – 3:45

Prosecutorial Ethics – Do the Rules Apply to Prosecutors?

The Supreme Court repeatedly has suggested that prosecutors who engage in misconduct be referred to state disciplinary authorities. However, prosecutors are rarely referred to bar counsel. This panel will discuss whether the current rules and disciplinary process effectively hold prosecutors accountable for misconduct and other ethical violations.

Speakers:

The Honorable Reggie Walton, U.S. District Court for the District of Columbia; *Elizabeth Branda, Esq.*, Executive Attorney, D.C. Board of Professional Responsibility; *Prof. Bruce Green*, Fordham Law School; *Ron Woods, Esq.*, defense attorney and former U.S. Attorney for the Southern District of Texas

Moderator: *Prof. Steve Saltzburg*, George Washington University Law School

3:45 – 4:00

Break

4:00 – 5:30

Ideas for Reform – Innovative Prosecutorial Programs and Remedies for Abuse

This panel will highlight innovative projects and initiatives across the country that are seeking to reform and improve the prosecution function.

Speakers:

Wayne McKenzie, Director, Vera Institute Prosecution and Racial Justice Project; *Craig Watkins*, Dallas District Attorney (*Invited*);

Moderator: TBC

5:30 – 6:00

Closing Remarks, *Prof. Angela J. Davis*, American University Washington College of Law

6:00 – 7:00

Book Signing and Reception: *Arbitrary Justice - The Power of the American Prosecutor* by Professor Angela J. Davis

Please register at http://www.wcl.american.edu/secle/cle_form.cfm

No charge for registration, unless CLE Accreditation is requested

(\$75 for 6 CLE Credits)

For further information, please contact:

American University Washington College of Law

Office of Special Events and Continuing Legal Education

Phone 202.274.4075, Fax 202.274.4079

E-mail: secle@wcl.american.edu;