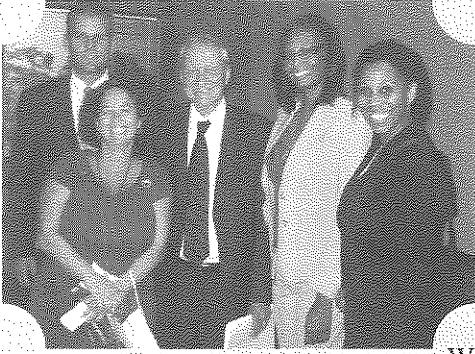


Criminal Defense Experts Discuss Wrongful Convictions

Public Defender Shirk organizes, moderates discussion for FCSL Alumni Day CLE session



Jacksonville, FL: Persons wrongfully convicted of crimes might account for as many as 20,000 of the presently incarcerated inmates in the American correctional system, and statistics show that number could be even higher than the 1% of the current prison population. The reason behind this injustice was the focus of a two-hour panel discussion on Friday organized and moderated by Fourth Judicial Circuit Public Defender Matt Shirk for Florida Coastal School of Law Alumni Day. The panelists for Exploring Innocence; Discussion and Examination of Florida Wrongful Convictions included experts in Florida criminal law; 2nd Judicial Circuit Public Defender Nancy Daniels, Director Quentin Till of the 4th Judicial Circuit PD Homicide Unit, FCSL Professor Joanmarie Davoli and Jacksonville attorney Hank Coxe.

Background: A national effort began in 1992 called the Innocence Project which would research the growing problem of wrongful convictions across the country. Since then several states have launched parallel efforts. Several well publicized incidents of prisoners later found innocent have occurred in Florida and in 2010, with legislative backing, The Innocence Commission was formed. The 23 member panel has begun thoroughly considering the contributing factors that result in wrongful convictions and in time will make recommendations for necessary reforms. The Honorable Ms. Daniels and Mr. Coxe who participated in the FCSL panel Friday also serve on The Innocence Commission.

"Criminal law practitioners are keenly interested in precedents set in cases that have resulted in a wrongful conviction," said Mr. Shirk. "We organized the panel discussion on this issue because there have been too many instances in Florida where juries have found the wrong person guilty. The experts who served on our panel each have a wealth of knowledge and understanding of criminal law and continue to work aggressively on legal cases where they can identify potential injustices and ultimately set new precedents."

Roughly 80 criminal law practitioners attended the panel discussion, many of whom are FCSL alums. Among the many factors respecting wrongful convictions that were examined by the panel were; mistaken identification, existence of DNA evidence and ineffective counsel. Other topics that arose included; the Terrance Graham decision (barring juveniles from receiving life sentences), the death penalty and the importance of pro bono work. Attendees were treated to perspectives from the legal experts on innocence and a variety of the tangential issues.

Notable quotes from members of the panel:

Public Defender Nancy Daniels discussing solutions to problems that repeatedly have lead to wrongful convictions; "End blind administration of witness identification lineups, look at prosecutors' mistakes and impose sanctions, regulate all testifying forensics experts, demand all confessions be recorded – those are some good first steps."

PA Hank Coxe stressed the importance of defense attorneys committing to their clients; "You just have to make up your mind that if you're going to be in this business you have to do the best job that you can."

Discussion of Capital punishment prompted Assistant Public Defender and Homicide Unit Director Quentin Till to say; "My biggest concern is counsel who doesn't have his heart in death penalty cases – you've got to keep up with the law."

Professor Joanmarie Davoli, who previously served as a public defender in another state noted; "It feels good not to be just another cog in a conviction machine."

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