

Center on Media, Crime and Justice

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Race, Media and Capital Punishment

John Jay College May 12, 2008

Rachel Lyon, Filmmaker, is an Emmy Award-winning documentary filmmaker and associate professor of Media and Culture at Bentley College in Boston. Her latest project, *Juror Number Six*, explores the role of media in race, crime, and punishment. She has produced and directed many acclaimed documentaries, including *Race to Execution* for this season of PBS' Independent Lens, probing the impact of race on America's death penalty system. Both *Race to Execution* and *Mr. Dreyfuss Goes to Washington* for the History Channel have won dozens of awards including Telly's, among others. Her *Shadow Over Tibet* is one of three films she lensed on Tibet for PBS, BBC and National Geographic. Her Emmy Award winner, *Men Who Molest*, for PBS' Frontline, broke the story of child sexual abuse and the "addiction to children." Lyon has created over 60 documentaries for PBS, NBC, CNN, National Geographic and the History Channel, among others. She served as Senior Producer for Ted Turner for seven years.

Andrea Lyon, Panelist, is a Clinical Professor of Law at DePaul University College of Law, and the Associate Dean for Clinical Programs Law and Director of the Center for Justice in Capital Cases. Professor Lyon graduated from Rutgers University, and from the Antioch School of Law. She first worked for the Cook County Public Defenders' Office, working in the felony trial division, post-conviction/habeas corpus unit, preliminary hearing/first municipal (misdemeanor) unit, and the appeals division. Her last position there was as Chief of the Homicide Task Force, a 22-lawyer unit representing persons accused of homicides. She has tried over 130 homicide cases, both while in the Public Defender's office and since. She has defended over thirty potential capital cases at the trial level and has taken nineteen through penalty phase; she has won all nineteen. In 1990 she founded the Illinois Capital Resource Center and served as its director until joining the University of Michigan Law School faculty as an Assistant Clinical Professor in 1995. A winner of the prestigious National Legal Aid and Defender Association's Reginald Heber Smith Award for best advocate for the poor in the country, she is a nationally recognized expert in the field of death penalty defense and a frequent continuing legal education teacher throughout the country. In 1998, she was awarded the "Justice for All" award at the National Conference on Wrongful Convictions and the Death Penalty. In 2003, she received the lifetime achievement award from the Illinois Association of Criminal Defense Lawyers. In 2005 she received the president's commendation from the National Association of Criminal Defense Lawyers for her death penalty work.

Errol Louis, Panelist, is a columnist at the New York Daily News since June 2004, when he began writing on a wide range of political and social affairs. Mr. Louis is a member of the Daily News editorial board, which won the 2007 Pulitzer Prize for Editorial Writing. Mr. Louis is a frequent guest on television as a CNN Contributor, providing political analysis on shows including "American Morning," "Lou Dobbs Tonight" and Election Night coverage. He also appears on New York 1, Regional News Network, WNYC radio and WABC-TV.

William Sothern, Panelist, is a New Orleans writer and anti-death penalty attorney. He serves as deputy director of the Capital Appeals Project and was previously a staff attorney at the Louisiana Capital Assistance Center. His appellate work and oral advocacy before the Louisiana Supreme Court has led to the reversal of several death sentences. Since Hurricane Katrina, Sothern has written more than twenty

articles about social justice issues in New Orleans for national publications such as *The Nation*, where he is a regular contributor, *Salon*, *The Brooklyn Rail*, and *The New York Times*. His book *Down in New Orleans: Reflections from a Drowned City* was published by the University of California Press in 2007. Sothern is also the co-director of Reprieve US, a nonprofit organization that recruits and places international lawyers and students at death penalty offices in the South.

Margaret Kovera, Panelist, is a Professor of Psychology at John Jay College where she researches jury decision-making and eyewitness identification. She has examined how legal decision-makers evaluate scientific evidence, the effects of voir dire and jury selection on jury decisions, and the effects of double-blind lineups on the reliability of eyewitness identifications. She is a Fellow of the American Psychological Association and received the 2000 Saleem Shah Award for Early Career Achievement in Psychology and Law and the 2004 Outstanding Teacher and Mentor in Psychology and Law Award from the American Psychology-Law Society (AP-LS). She is the President-Elect of AP-LS and Associate Editor of the journal, *Law and Human Behavior*.

David Kaczynski, Keynote Speaker, is the Executive Director of New Yorkers Against the Death Penalty, and the brother of infamous "Unabomber" Theodore ("Ted") Kaczynski.

After the anonymous Unabomber demanded in 1995 that his manifesto, titled "Industrial Society and Its Future," be published in a major newspaper as a condition for ceasing his mail-bomb campaign, the *New York Times* and the *Washington Post* both published the manifesto, hoping somebody would recognize the writing style of the author. David recognized Ted's writing style, and notified authorities. On April 3, 1996, police arrested Ted Kaczynski in his rural shack in Lincoln, Montana. David received the \$500,000 reward the FBI had offered for the Unabomber's capture; he donated most of the money to the families of his brother's victims and used the rest to pay off his legal expenses. He is a graduate of Columbia College of Columbia University.

Bryon Halsey, panelist, spent 19 years in prison in New Jersey for two heinous child murders committed in 1985 by another man. Halsey, who was helping to raise the children, was interrogated by police for nearly two days straight before he falsely confessed to committing the crimes. In May of 2007, the Innocence Project joined with the Union County District Attorney's Office in filing a motion to vacate Halsey's 19-year-old conviction for these crimes. A judge granted the motion and Halsey was released. The charges, however, were not dropped at that time. Halsey was forced to wear an electronic monitoring bracelet while prosecutors reinvestigated the crimes. On July 9, 2007, prosecutors announced that they were dropping all charges against Halsey and he was finally officially exonerated. Halsey, who was born in prison to a mother who had been jailed for the crime of fornication, had served nearly half his life in solitary confinement for crimes he did not commit.

Vanessa Potkin, panelist, joined the Innocence Project in 2000 as its first Staff Attorney. She litigates in state and federal courts nationwide on behalf of convicted people seeking DNA testing to prove their innocence. As an adjunct professor at the Benjamin N. Cardozo School of Law, she assists in teaching and supervising students of the legal clinic. She is also active in issues involving life after exoneration, and she helped found the Northeast Council of the Wrongfully Convicted. Ms. Potkin graduated from Columbia Law School in 2000 where she was a Harlan Fiske Stone Scholar, as well as a Lowenstein Fellow. For her work on *Godschalk v. Montgomery County District Attorney's Office*, she was a Trial Lawyers for Public Justice Trial Lawyer of the Year Finalist in 2002.

Matthew Johnson, panelist, is a Professor of Psychology at John Jay College and frequently provides expert witness testimony in criminal and family court matters. His publications and testimony have been cited favorably in several New Jersey Appellate and Supreme Court decisions. He has published widely in professional journals and law reviews. Professor Johnson serves on the Executive Committee of New Jerseyans for Alternatives to the Death Penalty (NJADP.org). He also was a member of the American Bar Association, Section on Individual Rights and Responsibilities – Task Force on Mental Disability and the Death Penalty. In 2003 Dr. Johnson received the Frantz Fanon MD Memorial Award from the Black, Latino, and Asian Caucus of the Post Graduate Center for Mental Health. He was named the John Jay College of Criminal Justice, Outstanding Teacher of the Year in 2007.

Celeste Fitzgerald, panelist, is program director of NJADP and has extensive experience in the death penalty abolition/moratorium movement. Ms. Fitzgerald was NJADP's chairperson from its founding in 1999 until 2001, when she joined the staff of Equal Justice USA, a national organization that assists state moratorium campaigns. While with Equal Justice USA, Ms. Fitzgerald coordinated NJADP's 2002-2003 study bill campaign. Under Ms. Fitzgerald's leadership, NJADP successfully lobbied for passage of the nation's first legislatively imposed moratorium on executions. The legislation, which also created a study commission to examine all aspects of New Jersey's death penalty, was signed into law by Governor Richard Codey on January 12, 2006.

Stephen Handelman, moderator, is the Director of The Center on Media, Crime and Justice. A former columnist and senior writer for *Time Magazine* and *The Toronto Star*, his articles and op-eds have appeared in newspapers, magazines, and academic journals around the world, including *The New York Times*, *The Wall Street Journal*, *The Independent* (UK), and *Foreign Affairs*. In 1995, he wrote *Comrade Criminal: Russia's New Mafiya* (Yale University Press), the first account of the rise of organized crime in post-Soviet Russia, which was on The New York Times Notable Books of the Year list. In a follow-up book, Mr. Handelman unraveled the Soviet bioweapons program in *Biohazard* (Random House, 1999) co-authored with Ken Alibek, head of the long-secret program.

Delores Jones-Brown, moderator, is a Professor in the Department of Law, Police Science and Criminal Justice Administration at John Jay College. She is also the Director of the Center on Race, Crime and Justice. Her areas of research and scholarship include: race, crime and the administration of justice, juvenile justice, and the legal socialization of adolescent males. Her book, *Race, Crime and Punishment*, won a New York Public Library award. In addition to multiple articles, book chapters and legal commentaries, she is the co-editor of two books: *The System in Black and White: Exploring the Connections between Race, Crime and Justice* (Praeger, 2000) and *Policing and Minority Communities: Bridging the Gap* (Prentice Hall, 2004). She is the recipient of the 2006 Becky Tatum Excellence Award from the Academy of Criminal Justice Sciences, Minorities' and Women's Section.