

## ABOUT OUR SPEAKERS

### **CATERINA DITRAGLIA**

“Cathy D.” is an Assistant Federal Defender with the St. Louis, Missouri, office. Before joining that office she was the Director of the St. Louis Youth Advocacy Unit in the Missouri Public Defender System (MPDS). Her interest in working on behalf of juveniles developed during her years with the Capital Division of the MPDS, where she worked with many clients who could have profited from effective intervention in their early years. Before joining the Capital Division, Cathy was a non-capital trial lawyer with the MPDS. Cathy has been an invited member of the National Institute of Justice’s Technical Working Group for Eyewitness Evidence. The Working Group published *Eyewitness Evidence: A Guide for Law Enforcement* in 1999, and, in 2003, published a curriculum for training law enforcement personnel who handle eyewitness evidence.

### **JENNIFER DYSART, PH.D.**

Jennifer is an Associate Professor of Psychology at the John Jay College of Criminal Justice, City University of New York, in New York City. She earned an M.A. in Brain, Behavior, and Cognitive Science from Queen’s University, Kingston, Ontario. In 2004, she was awarded a Ph.D. from Queen’s University. An incomplete list of her publications includes: *The Effects of Delay on Eyewitness Identificaiton Accuracy: Should We Be Concerned?; Show-up Identifications: Suggestive Technique or Reliable Method?; The Critical Issue of Clothing Bias; Eyewitness Accuracy Rates in Sequential And Simultaneous Line-Up Presentations: A Meta-Analytic Comparison; The Intoxicated Witness: Effects of Alcohol on Identification Accuracy; Mug Shot Exposure Prior to Lineup Identificaton: Interference, Transference, and Commitment Effects; Eyewitness Accuracy Rates In Police Showup And Lineup Presentations: A Meta-Analytic Comparison.* Jennifer is a frequent lecturer to the judiciary and the bar.

### **CHRISTINE FUNK**

Christine is an Assistant State Public Defender with the Minnesota Board of Public Defense. In this capacity, she consults on and tries complex cases with forensic issues. She teaches lawyers throughout the country about DNA, and she is a member by invitation of the National Institute of Justice’s Technical Working Group on DNA for Defense Attorneys.

### **BRUCE LIVINGSTON**

Bruce has represented death row inmates in capital habeas actions in the federal courts since 1990. Since 1997, Livingston has exclusively represented death row inmates as an

attorney at the Capital Habeas Unit of the Federal Defenders in Moscow, Idaho. He argued before the Supreme Court of the United States in *Taylor v. United States*, 495 U.S. 575 (1990) and wrote the cert petition and briefs in *Gregory v. Ashcroft*, 501 U.S. 452 (1991). He has also argued before the Seventh, Eighth and Ninth Circuits of the United States Court of Appeals, winning the reversal of the conviction and death sentence in an Eighth Circuit habeas case, *Driscoll v. Delo*, 71 F.3d 701 (8<sup>th</sup> Cir. 1995). He graduated from Duke University in 1979 and from the Washington University School of Law in St. Louis, Missouri in 1984.

### **OLIVER LOEWY**

Oliver Loewy joined the Capital Habeas Unit of the Federal Defenders of Idaho in 2002. Before moving to Moscow, he represented death sentenced individuals in direct appeal, state postconviction, and federal habeas proceedings in Alabama, Arizona, and New York. As well, Oliver spent nearly six years in trial practice with the Legal Aid Society of New York (Manhattan) representing non-capital defendants and defendants at risk of death notice being filed against them.

### **MARK OLIVE**

Mark, a lawyer in private practice, has defended capital clients for thirty years at trial, on appeal, and in post-conviction proceedings. He is one of three national Habeas Assistance and Training Counsel (“HAT”), a project funded by the Administrative Office of the United States Courts. In that capacity he consults on capital cases and lectures on the death penalty throughout the nation. (The HAT website is: <http://www.capdefnet.org>.) Mark has litigated various cases before the Supreme Court, including *Atkins v. Virginia*, 536 U.S. 304 (2002), in which the Court held that the Eighth Amendment forbids executing mentally retarded individuals.

### **GREG WORTHEN**

Greg worked for nine years as an investigator for the Colorado Public Defenders’s Office where he specialized in capital case investigation. He joined the Capital Habeas Unit of the Federal Defenders of Idaho in June 2007.

## **FDSI’S CAPITAL HABEAS UNIT ANNUAL DEATH PENALTY CONFERENCE**

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### **“WINNING INFORMATION”**



A one day conference sponsored by  
Federal Defender Services of Idaho  
Capital Habeas Unit  
and  
The United States District Court

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Saturday, August 9, 2008  
Boise, Idaho  
The Grove Hotel  
245 South Capitol Blvd

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CLE credits pending approval by the Idaho  
State Bar

**SCHEDULE**

8:30 - 9:00 a.m.  
**REGISTRATION**

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9:00 - 10:00 a.m.  
**SUPREME COURT UPDATE**  
Mark Olive

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10:00 - 11:00 a.m.  
**UNITED WE STAND, DIVIDED OUR CLIENTS  
DIE: A TEAM APPROACH TO LITIGATION  
AND  
MITIGATION: THE BIG PICTURE**  
Bruce Livingston  
Oliver Loewy  
Greg Worthen

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11:00 - 12:00 p.m.  
**MENTAL RETARDATION**  
Mark Olive

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12:00 - 1:15 p.m.  
**LUNCH**  
Not Catered

1:15 - 3:00

**EYEWITNESS IDENTIFICATIONS**  
Jennifer Dysart, Ph.D.  
Cathy DiTraglia

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3:00 - 5:00

**DNA FOR THE CRIMINAL  
DEFENSE PRACTITIONER**  
Christine Funk



If you get close to the ugly realities [of capital litigation], you've got to do one of two things: you've either got to fight or . . . die. And I don't mean a physical death, but you cannot see these ugly realities . . . and not have a part of you die, psychologically and spiritually. You will die unless you fight.  
-Bryan A. Stevenson

**FDSI/FDSI's CAPITAL HABEAS UNIT CONFERENCE REGISTRATION**

August 8 & 9, 2008  
Boise, Idaho

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_

REGISTRATION FEE: CJA panel attorneys, Public Defenders, and law students: \$40 Friday or Saturday only; \$75 Friday and Saturday (Habeas) prepaid. \$50 and \$90 at the door. Includes admission to the seminar, written materials, refreshment breaks. Send your check payable to **FEDERAL DEFENDER SERVICES OF IDAHO** and this application to: **FEDERAL DEFENDER SERVICES OF IDAHO, 350 N. 9<sup>TH</sup> ST, STE. 300, BOISE, ID, 83702**

DEADLINE FOR REGISTRATION: August 1, 2008

QUESTIONS: Please call Kathy Bozman at (208) 388-1600 or Suzi Butler at (208) 334-9208.

PLEASE CHECK THE APPROPRIATE BOX:

Friday only, 8/8 - \$40

Saturday Only (Habeas) 8/9 - \$40

Friday and Saturday, 8/8-9 - \$75