

2017 AEJI Summit
Criminal Law “Hot Topics”
November 2, 2017 3:20 p.m.

Participants

Justice Carol Corrigan, *Associate Justice, California Supreme Court*
Professor Laurie Levenson, *Loyola Law School*
Professor Rory Little, *Hastings College of Law*
Justice Brian M. Hoffstadt, *Associate Justice, California Court of Appeal* (moderator)

Learning Objectives

The panel will discuss the following three criminal law topics:

- (1) The effect of *Crawford v. Washington* (2004) and *Williams v. Illinois* (2012) on expert witnesses’ use of hearsay to inform their opinions. The California Supreme Court’s decision in *People v. Sanchez* (2016) held that “case-specific statements” used by an expert *are* admitted for their truth;
- (2) The extent to which judges may examine a jury’s deliberations, particularly in light of the U.S. Supreme Court’s recent decision in *Pena-Rodriguez v. Colorado* (2017);
- (3) The possible avenues the U.S. Supreme Court may pursue in defining “privacy” under the Fourth Amendment. In *United States v. Jones* (2012) and *Riley v. California* (2014), several Justices expressed dissatisfaction with a “secrecy”-based approach to privacy. What might be used instead?

The panel will explore these topics from a judicial perspective, a prosecutorial perspective, and a defense perspective.