***2017 AEJI Summit***

***Criminal Law “Hot Topics”***

***November 2, 2017 3:20 p.m.***

*Participants*

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.