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Speaker 1 [00:00:09] Welcome to Just Science, a podcast for justice professionals and anyone interested in learning more about forensic science, innovative technology, current research and actionable strategies to improve the criminal justice system. In this special release episode, Just Science sat down with Patricia Powers, an attorney adviser with AEquitas, to discuss her experience working on Enhancing Conviction Integrity through Forensics training series as part of the Bureau of Justice Assistance Sexual Assault Kit Initiative. The Enhancing Conviction Integrity through Forensic Training Series aims to identify and develop resources that help prosecutors and other professionals effectively prepare sexual assault cases for trial and bring a victim's voice to the courtroom. Specifically, utilizing forensic technology and forensic evidence can be important for advancing justice in a sexual assault case. Listen along as Patti describes some of the innovative tools that have been developed through this training series, her experience taking a multidisciplinary approach to training and the importance of trauma informed trial preparation. This episode is funded by the Bureau of Justice Assistance. Some content in this podcast may be considered sensitive and may evoke emotional responses or may not be appropriate for younger audiences. Here's your host, Chris Williams.

Speaker 3 [00:01:20] Hello and welcome to Just Science. I'm your host, Chris Williams. This episode supports the Enhancing Conviction Integrity through Forensics series funded by the Bureau of Justice Assistance. Today, our guest is Patricia Powers, an attorney adviser with AEquitas. Welcome, Patti. It's great to have you on.

Speaker 2 [00:01:36] Thanks so much, Chris. I'm excited to be here.

Speaker 3 [00:01:38] Well, we really appreciate you joining us. You know your background, but for the benefit of our listeners today, we'll talk a little bit about your professional career to date. Patti Powers joined AEquitas after serving as a Senior Deputy Prosecuting Attorney in Washington State for 27 years, bringing extensive litigation expertise as a well-respected trial attorney. Patti is the lead Attorney Advisor on the SAKI project. So, Patti, in addition to your robust background, we'd love to hear a little bit about yourself and your career as an attorney.

Speaker 2 [00:02:10] Thanks, Chris. I love that question. I'm having a great career. I've been privileged to have the opportunity of serving as a Senior Deputy Prosecutor in Washington State for 27 years. During that period of time, I was able to work directly with courageous victims of crimes who were able to come forward, and we supported them in a multidisciplinary way through my tenure as a prosecutor. I truly enjoyed that opportunity and learned so much from our fellow citizens who were jurors. I spent a great deal of my

time in trial and really had an opportunity to see how juries responded to our evidence and how we could improve our approach to the presentation of that evidence. After I joined my colleagues at AEquitas, and I'm continuing to have another great opportunity of supporting the efforts of prosecutors around the country, providing advice and support in their efforts to secure justice for victims. So it's a great career and it's really been an opportunity to serve, which I especially appreciate.

Speaker 3 [00:03:17] Yeah, that's a great I love the fact that you've been able to utilize the expertise that you have, the expertise that you've built over a fantastic career, and now you're able to give back to help put others in similar situations to you as your career has developed, to further their own professional growth. That's that's really awesome. So what would you say you've found to be the most rewarding part of your career, whether it be something in the courtroom or in your more recent role at AEquitas?

Speaker 2 [00:03:45] Well, first of all, Chris, in my heart, I'm always going to be a prosecutor. And I think back to the myriad of opportunities that I had working with victims and advancing their case to justice in trial. And it was a wonderful experience. I will always highly value it, but I also am enjoying my experience now, providing support to prosecutors. And every time that we receive a call to provide support through research or accessing our experience and being of assistance to prosecutors, it's also another great experience to be able to provide that help.

Speaker 3 [00:04:20] Patti I love that response, especially with respect to training and technical assistance and providing resources to practitioners across the country and even in other countries, in some instances, with specific regard to the Enhancing Conviction Integrity through Forensics series, which is what we're here to talk about today. You know, you've played such a strong role in developing a lot of the resources we've put out for practitioners and the general public to access. I'd love for you to spend a minute and give a little bit of a rundown of what's been accomplished to date as part of this series, specifically talking about resources and content and various topics that you've enjoyed putting together for us.

Speaker 2 [00:04:58] Well, thanks to the support that we had for this project, we were able to develop a really strong basis of resources for prosecutors and allied professionals throughout the Conviction Integrity series. We had an amazing opportunity to really bring not only critical resources to prosecutors and allied professionals, but also to deepen and really develop an understanding of how important it is to recreate the reality of the crime. We gave a lot of attention to bringing the victim's voice into the courtroom and utilizing forensic evidence to establish not only the elements of the crime, but also the context of the crime and critically, the victim's experience of the crime. We had a golden opportunity to work with the experts from around the country to really focus not only on the content of different forensic disciplines, but all of the innovations that are occurring. And these innovations can bring hope to prosecutors and allied professionals in both cold and current cases. So it was a fantastic way of really reintroducing to the field how important it is to effectively prepare our cases to ensure that we're recreating the reality of this crime for our fellow citizens who are jurors. And in that process, always remembering and always giving appropriate attention to the importance of bringing the victim's voice into the courtroom, whether the victim is still alive or whether we're working on a homicide.

Speaker 3 [00:06:40] Thank you, Patti. That was a great overview. I know all the various topics that we've covered in the past almost four years at this point, working on this series, have really stretched the boundaries of what the quote unquote, traditional SAKI project

has focused on outside of just cold case sexual assault. We've gotten into some other areas, including other violent crimes. And as you mentioned, not only cold cases but current cases. So could you elaborate a little bit more on the specific topics that this training series has covered?

Speaker 2 [00:07:09] I love having this opportunity to discuss the topics, Chris. We were able to discuss a number of different areas of forensic science, including DNA and all of the innovations that we know to exist in that particular area of science. In addition, we talked about bloodstain pattern evidence, we spoke about ballistics, also fingerprint analysis and crime scene analysis, which is also important. And all of these different areas play such an important role for prosecutors and allied professionals when the investigation of violent crime begins. Knowing what these resources are and being able to access experts to not only evaluate various aspects of the crime scene, but also consult with prosecutors and law enforcement to help develop their insight into the potential of this evidence. And this is so important in not only cold cases, but current cases as well. Being aware of the available technology can assist prosecutors and investigators in identifying appropriate evidence. And this is so important that evidence be recognized at the beginning of a crime scene investigation so that the appropriate work can be done with investigators.

Speaker 3 [00:08:32] On the conviction integrity webpage, as you know, on the SAKI website, we have topics broken down into four specific categories, the first of which is forensic science, second being trial preparation, the third trial strategies, and the fourth, the virtual regional trainings that we've hosted. Can you talk a little bit about the topics that are spread across those three categories And some that come to mind initially are our expert witness testimony and preparing for and presenting testimony and things like that. Some of the more topics we focused on initially, but then we've expanded on as time has gone forward. Talk about the process for preparation and then strategies in the courtroom and how we've culminated all of that into these regional trainings, if you don't mind.

Speaker 2 [00:09:16] Well, you know, we discussed at length and provided expertise also in the area of interviewing victims of sexual assault and other violent crimes. And it's so important to engage in a trauma informed approach to this interview, which we discussed at some length. Part of the trauma informed approach is a recognition that the offender inflicts trauma on the victim. And we know that victims respond in a very individual way, although there certainly are individual responses, we're able to talk about some commonalities based upon our experience. So we really took a deep, deep dive into the area of a trauma informed interview, and we took it a step further, which was also important, and that was to the point of trial direct examination of a victim of violent crime at trial. Of great importance during our discussion was focusing on building trust and building rapport with the victim. And we all know that that relationship doesn't just develop in one meeting, but it develops over a period of time when not only prosecutors but allied professionals, including advocates, both systems based and community based, will come together to provide a victim of crime, the necessary support, so that they can continue their engagement in our efforts in the criminal justice system. We also learned about actually a treasure trove of evidence that victims may be able to provide to us accessing their sensory details of the crime that they experienced, sometimes the physiological as well as psychological details. And we discussed how important this evidence, how important this information is, because it allows us at a later stage to help the jury, our fellow citizens, connect in the best way that they can with the victim's experience of the crime. And this is how we do the work of justice. We talked about how important multidisciplinary support for victims was as well. When we prepare for trial, we are preparing for a situation where a

victim of a violent crime may relive what happened to them previously. So the support of advocacy is also invaluable, and we spend a lot of time discussing this. Part of trial preparation also involves working with the experts from diverse fields. We can always learn from the experience and expertise of others, and very frequently, forensic experts can help us not only in identifying evidence that's probative of the elements of the crime in the context of the crime, but also what the limitations of the evidence are, how much the evidence can tell us, but what the evidence cannot tell us. So in terms of trial preparation, again, is the allied professionals. It's our work together that helps us to be the most effective that we can be.

Speaker 3 [00:12:21] Very well spoken, Patti. Leading into our next question, you just referenced something that sparked a thought in my head, I think touching on the fact that the evidence can point out some things. But also you just mentioned that it may not be able to point out certain things. And I think that really speaks to the concept of enhancing conviction integrity. Right. You know, regardless of the outcome, we want to make sure that trial preparation and trial strategies and the full comprehensive picture is accurate and based upon the evidence and what it suggests or like you said, what it may not suggest. So I love how you phrased that. What are some takeaways that you have from this series?

Speaker 2 [00:12:58] It all begins with the concept of a multidisciplinary response to the work of prosecution. When I use the word prosecutor, I'm not just talking about those of us that have served as attorneys, but I'm talking about our working relationships with others because it's together that we're able to advance our cases to juries and secure justice for offenders, for victims and for our communities. So learning from each other and helping to better understand the evidence involved in our case is really a matter of significance for all of us who put all of our efforts into doing our best possible work for victims of crime. You know, when a victim is able to step forward and report a crime, they repose our trust in us as prosecutors, investigators, as advocates, as medical professionals, as crime laboratory analysts and other professionals. And we've realized that the issues that are presented in these cases, which are so important to victims and to all of us, require expertise. And so it's the working relationship with each other. It is the access to forensic experts and behavioral experts that really helps us to enrich our efforts.

Speaker 3 [00:14:19] I love that, Patti. And that, just speaking from personal preference here, is one of the things that really sticks out to me as well. I feel like you did such a great job covering the whole comprehensive picture, not only the strategies and the preparation, but then also the topics we covered and in thinking through some sustainability practices, which I feel like we talked about a lot areas like emerging technologies and the kind of forward thinking mindset that is necessary to keep up with the things that may arise in a trial in today's world that may not have in previous years. So I appreciate you walking through all of that specifically. You know, we talked about takeaways, but framing it a little bit differently. Can you talk a little bit about any lessons that you may have learned working with some of the experts that you may not have worked with previously but had the opportunity to as part of this series? Is there anything specifically that you learned that you'll use in your your education moving forward?

Speaker 2 [00:15:18] Well, we had an opportunity to work with diverse experts, from DNA to ballistics to bloodstain pattern analysis, to crime scene analysis and speaking with all of these experts. It was amazing to learn how greatly each area has advanced. What kind of focus in these technologies we're able to bring to extant evidence from a cold case as well as evidence from a current case. And that's why it's so important to maintain contact with the experts early on in a case when that crime scene is first viewed by an investigator,

because they're very well may have been advancements in these sciences that can help greatly enlighten our efforts and our insight into the evidence and the significance of that evidence. And when an investigation is conducted, it is a search for the truth. And it's so important to avail ourselves of the fullest extent of technology, in particular forensic technology, so that we can come to understand the evidence and the potential connection of that evidence to the victim, to the person who is accused, as well as to the crime scene. Science is rapidly advancing in so many areas, and however many times a prosecutor or investigator or another allied professional may encounter this science, it's very possible that it may have changed even more since the last contact. So those relationships, I think, are critical in doing our best possible work to advance justice. During our regional trainings, we also had an opportunity utilizing virtual reality as well as Zoom, to focus on recreating the reality of the crime. And we did this with the assistance of several forensic experts and using not only a discussion of the technology, but providing an example of direct examination at trial. We had the assistance of an expert in developing a trauma informed approach to consulting about presenting evidence from a victim, and we're able to really delve into appropriate questions to allow victims a true opportunity, a fair opportunity to discuss their experience of the crime, and how important a narrative form was. Many victims who are impacted by trauma may not be able to provide us with a chronology of their experience. What happened first, what happened after that, what happened next? And so we were able to develop inquiry, developed questions that allowed a victim a true opportunity to describe what happened to them. Always remembering that the offender has inflicted trauma and a victim may not be able to easily provide information about what we're asking. In addition to providing a consultation regarding a victim's testimony in trial direct examination, we also directed our attention to examples of expert testimony from diverse areas, allowing the expert an opportunity to explain to a jury the science involved, the evidence that they had occasion to examine and what their findings were. And I think in this way, we were really able to bring all of the training together to provide examples of how this occurs in court and how all of the work that professionals have done earlier is then translated for a jury so that they can understand the importance of the evidence and the significance that the evidence had in the particular trial. At all times, our attention is directed to how the evidence, how it speaks to the victim's experience of the crime, how it sometimes can provide linkage between the victim and the offender and the crime scene, and how this evidence and this discussion and direct examination can really assist the jury in coming to understand the reality of that crime and certainly the victim's experience of the crime. We also engaged in training about case review from diverse perspectives, from law enforcement, prosecution, from advocacy, and how important it was that all of us learn from each other. And in so doing, we were able to really better understand the victim's experience of the crime, as well as the legal issues that were generated from our analysis of that crime.

Speaker 3 [00:19:58] Thank you, Patti. Excellent overview of the regional training discussions that we hosted three different times over the past few years. We're looking forward to hosting the fourth one later this year in the fall of 2023. One thing that's just come into my mind as I was listening to you talk is that I'd love to hear your thoughts on the forward thinking topic of sustainability. You know, what types of practices would you suggest? You frequently use the term other allied professionals, and I love that and how it hints at the teamwork aspect of reform. What practices would you suggest for multidisciplinary criminal justice professionals to think about and consider implementing with specific thought to conviction integrity as an overall concept?

Speaker 2 [00:20:39] I think that the Conviction Integrity series has been a great start for this work, and initially I think it's so important to access the training that's been presented.

And when we access the training, the best possible way to utilize this training is to do it together is for prosecutors and investigators and advocates, medical professionals, crime laboratory analysts to all engage in this training together and to benefit from it. From this point, we can certainly develop more expertise in available forensic evidence. We can understand that perhaps even as we speak, there is even greater enhanced technology. But knowing that it's there and discussing it in a multidisciplinary way, I think is so important. And I think this series has really provided a strong structure to carry into the future. And my hope is that prosecutors and other professionals will be in contact to talk about additional training. We've touched upon some very important components of forensic science, as well as our understanding of victimization, our understanding of trauma, our understanding of offenders, of patterns, of similarities in those patterns with both offenders who are known and unknown to the victims. And so what we've done, I think, is to effectively review all of the available science as well as a depth of insight into victimization and offenders. And so now we need to carry this into the future with specific training in each of these areas, allowing us to delve even deeper and to apply this to specific cases. Perhaps in the scenario of a case review showing how all of this knowledge can be applied to a certain case scenario to enhance the work of professionals.

Speaker 3 [00:22:36] Patti, last question. I'd love to ask you specifically about the Conviction Integrity series, before we do a little bit of wrap up. I'd love to hear your thoughts on the goals and objectives of this series, just as a refresher for folks who may not have viewed any of the resources online yet, recognizing that some people may have listened to the first few episodes of this podcast series or season, but may not have seen the resources online. Can you give us your thoughts on the impact and how this can be viewed and potentially make a strong impression on practitioners looking to implement practices like this?

Speaker 2 [00:23:09] Yes, Chris, I think one of our primary goals was to focus on building strong and effective cases and doing so certainly in the context of professional ethics. It's so important that a case be appropriately advanced based upon the available evidence and with knowledge of the significance and or the limitations of the evidence. It's so important to victims. The last thing that we ever want to occur is to have a reversal of a conviction with a request for a victim to go through this process another time and to testify again or in a homicide case for a surviving family to be back in trial after a conviction has been questioned or is not sustained. So doing it right the first time is important to us as multidisciplinary professionals. It certainly is important to the person who's charged with the crime. It's important to our communities and I think it's critical to the work of justice. It really helps define who we are as professionals. Our commitment is to the work of justice, and in this commitment we ensure that ethics are considered at all times. And this means fundamental fairness to the person accused of the crime, as well as to the victim or the surviving family of a crime. And so I think that as one of our goals in the series, I think we were able to meet this goal in such a way that I think it really comes alive how privileged we are as prosecutors and investigators, advocates, medical professionals and crime laboratory analysts to be called upon to do our respective work in terms of the justice system, but also to be guided at all times by our professional ethics. And in this way, when we do obtain a finding of guilt or a finding of accountability, which is so important in the work of justice, our hope is that these efforts are going to be the efforts of finality rather than a conviction that is set aside for any reason that we could have avoided.

Speaker 3 [00:25:25] Yeah, absolutely. I think that's a great spot for us to shift gears and wrap up for the day. But right before I do so, I did just want to remind listeners or inform you if you've not yet discovered it. The Enhancing Conviction Integrity through Forensic

series is available on the SAKI TTA website, which is simply SAKI S-A-K-I-T-T-A dot org. There's a specific page dedicated to the series which hosts all of the webinars, podcasts, regional trainings and a few resource briefs that folks can access to get a little bit more knowledge about what Patti and some other subject matter experts have done such a phenomenal job on. These materials are free to access and available on demand and the SAKI TTA Team is available to answer any questions that you may have about accessing any of those materials simply by reaching out to the SAKI help desk. You can do that by sending us an email to SAKI-TTA at RTI dot org. We'd be happy to help anybody access materials or answer questions, as I mentioned. But Patti just wanted to quickly touch base with you and understand what's what's next for you. What are you excited about that's coming up in terms of your role with AEquitas and potential future collaborations with practitioners and work on the SAKI project?

Speaker 2 [00:26:42] Well, Chris, I can share with you that actually every day is an exciting day. Just about every day there's a request for consulting on a case or providing training, and all of these are great opportunities to continue the work of prosecution, but this time supporting the efforts of others.

Speaker 3 [00:27:02] And that's one of the things I love the most about you, Patti, is your motivation to do everything that you can to help out, whether it be helping other victims and really truly making an impact with what you've learned in your phenomenal career or simply providing someone with a platform to share information. We certainly appreciate everything you've done on this project and our other collaborations as well, but we're running at the end of our time today. Are there any final thoughts you'd like to share with our listeners before we close out today's episode?

Speaker 2 [00:27:31] You know, basically, Chris, we do our best work when we come together as a team, and I want to express my thanks for the SAKI TTA Team and the fantastic opportunity of serving in this program, as well as conviction integrity. It really is a pleasure to work with other professionals. And again, when we really put this in perspective, which I think is so important to all of us, when victims are able to step forward, it's such a huge step to be able to come forward to report a violent crime. They repose our trust in us, and that that's an honor that all of us aspire to meeting in the best way possible. And my hope has been that this series has really provided prosecutors and allied professionals the support that they require to do this critical work.

Speaker 3 [00:28:20] Yeah, absolutely, Patti. And I'd like to thank you for sitting down with Just Science today to discuss the Enhancing Conviction Integrity through Forensics series. As always, Patti, it's been a pleasure chatting with you.

Speaker 2 [00:28:32] Thank you, Chris.

Speaker 3 [00:28:33] If you enjoyed today's conversation, be sure to like and follow the Just Science podcast on your platform of choice. For more information on today's topic and resources in the forensic field, as we mentioned, visit sakitta.org. That's S-A-K-I-T-T-A dot O-R-G. I'm Chris Williams and this has been another episode of Just Science.

Speaker 1 [00:28:56] Next week, Just Science will sit down with Yamanda Wright and Kristin Henning to discuss racial disparities in the juvenile and criminal legal systems. Opinions are points of views expressed in this podcast represent a consensus of the authors and do not necessarily represent the official position or policies of its funding.