

THOMAS P. HOGAN

CURRENT POSITION

SOUTH TEXAS COLLEGE OF LAW HOUSTON
Visiting Assistant Professor

2023-present

Academic focus is on teaching and research regarding criminal law, criminal and civil procedure, evidence, quantitative issues in crime, and comparative international criminal procedure. Currently researching: the impact of judicial elections on police corruption; the investigation and charging of rape cases in England, Wales, France, Scotland, and the United States; and differential outcomes for homicides during the pandemic based on prosecutorial regimes.

EDUCATION

Dartmouth College

B.A. in Government

University of Pennsylvania

M.Sc. in Criminology

University of Virginia Law School

J.D.

PUBLICATIONS

ACADEMIC

Power v. Power: The Application of Federal Pattern-or-Practice Enforcement Actions to Local Prosecutors, __ Maine L. Rev. __ (forthcoming)

De-Prosecution and Death: A Reply to An Imprecise and Ideological Critique, 22 Crim. & Pub. Pol. 887 (2023)

De-Prosecution and Death: A Quantitative Analysis of the Impact of De-Prosecution on Homicides, 21 Crim. & Pub. Pol. 489 (2022)

An Unfinished Symphony: Giglio v. United States and Disclosing Impeachment Material About Law Enforcement Officers, 30 Cornell J. L. Pub. Pol. 715 (2021)

Officer-Involved Shooting Investigations De-Mystified: Slashing Through the Gordian Knot, 13 Drex. L. Rev. 1 (2021)

PRACTICE-BASED (representative selection)

The Movement to Abolish Guilty Pleas: A Critical Analysis, American Law Institute, The Practical Lawyer (June 2023)

The Foolishness of Abolishing Guilty Pleas, Pennsylvania Bar Association Journal (January 2023)

What Are the Ethical Rules for Prosecutors Regarding the Public Release of Videos in Officer-Involved Shootings? The Answer Is Less Complicated Than You Think, ABA Criminal Justice Journal (Spring 2022)

What Terrorists Learned from Covid: America Remains Vulnerable to Pathogens, City Journal (Spring 2022)

Disclosing Impeachment Material About Law Enforcement Officers, ABA Criminal Justice Journal (Winter 2022)

Best Practices for Disclosure of Giglio Material, PDAA Best Practices Committee (December 2019)

Best Practices for Police Body-Worn Cameras, PDAA Best Practices Committee (May 2018)

Best Practices for Officer-Involved Shootings, PDAA Best Practices Committee (November 2016)

Best Practices for Eye-Witness Identifications, PDAA Best Practices Committee (April 2016)

PRIOR LEGAL EXPERIENCE

GAZA & HOGAN LLC
Partner

2021-2023

Specialized law practice focused on internal corporate investigations, white-collar defense, complex civil litigation, and security threats to corporate clients throughout the United States.

CHESTER COUNTY DISTRICT ATTORNEY’S OFFICE
District Attorney

2012-2020

Chief prosecutor for Chester County, Pennsylvania. Staff of approximately 100 prosecutors, detectives, and administrative professionals. Economically diverse county with over 500,000 residents and over 40 law enforcement agencies. Implemented best practices from experience as federal prosecutor, local prosecutor, and private practice to build a radically re-designed prosecution office.

Significant Programs and Reforms

Eyewitness Identification of Suspects: Created policy later adopted state-wide to assure validity of identification of suspects by eye-witnesses using double-blinded procedure.

Officer-Involved Shootings: Created policy later adopted state-wide to require independent investigations of all officer-involved shootings of civilians.

Law Enforcement Giglio Material: Created policy later adopted state-wide both defining disclosable impeachment material for police and establishing procedure for administering such a tracking and disclosure program.

Operation Silent Night: Initiated multi-year anti-crime initiative in economically disadvantaged urban area with long history of violence and drug dealing. Partnered law enforcement with political leaders and communities. Resulted in multiple year stretches of no homicides and vastly reduced violent crime rate.

Lethality Assessment Program: Coordinated use of evidence-based predictive tool to sort domestic violence incidents for extreme potential violence, with goal of preventing homicides. Wide-spread use in county led to decrease in number of domestic violence homicides.

Recording of Interviews: Established matrix for when and how to record interviews of suspects and witnesses, ensuring reliability and transparency.

Vertical Prosecutions: For complex cases such as child abuse, homicides, corruption, and fraud, implemented vertical prosecution model, embedding prosecutors and investigators together from beginning of case to assure more complete and nuanced investigations.

Trial Advocacy: Created and administered comprehensive trial advocacy program. Program integrated techniques from multiple trial advocacy schools and personal experiences. Judges and other lawyers frequently praised program and asked for instructions on how to duplicate.

Sentencing and Incarceration Reforms: Established strong policies regarding appropriate sentences and diversionary programs. Resulted in both reduced crime rate and reduced incarceration rate for county prison.

Integration of Office: Inherited office composed almost entirely of white male supervisors. Promoted first black Chief of Detectives. Hired first female investigators in over 20 years. Established equal split of male and female supervisors for prosecutors. Hired first Latino investigators in history of office.

Leadership Positions/Awards

NDAA: Pennsylvania representative to National District Attorneys Association (“NDAA”).

PDAA: Executive Committee and Chair of Best Practices Committee for Pennsylvania District Attorneys Association (“PDAA”).

PDAI: Executive Committee board member for Pennsylvania District Attorneys Institute (“PDAI”); mission is to provide for ongoing education of prosecutors across Pennsylvania.

FBI RCFL: Executive Committee for FBI Regional Computer Forensics Laboratory.

HIDTA: Chair of Liberty Mid-Atlantic High Intensity Drug Trafficking Area (“HIDTA”) program; joint operations combining federal, state, and local law enforcement agencies in Pennsylvania, New Jersey, and Delaware to address drug law enforcement.

Law Enforcement Person of the Year: Awarded by Police Chiefs Association of Southeastern Pennsylvania.

Empowerment Award: Awarded by the Domestic Violence Center of Chester County for outstanding contributions to victims of domestic violence.

LAMB McERLANE PC
Partner

2006-2011

Complex Litigation: Represented corporations and individuals in complex litigation, including securities litigation, internal investigations, white-collar fraud, and extortion cases.

Government: Represented municipal government entities, police departments, and schools in all aspects of operations.

Criminal Defense: Represented defendants in homicide, robbery, stalking, and embezzlement cases. Representation from trial through appeals.

UNITED STATES DEPARTMENT OF JUSTICE
United States Attorney’s Office, Eastern District of Pennsylvania
Assistant United States Attorney

2002-2006

Prosecution Areas

Terrorism: Prosecutions of individuals and organizations regarding violent threats to nation. Specialized in domestic terrorism, including white supremacist groups and “lone wolf” actors.

White Collar/Financial Crimes: Prosecutions for wire fraud, mail fraud, securities fraud, money laundering, tax evasion, conspiracy, and obstruction of justice.

Corruption: Convictions involving local and state officials.

Violent Crimes/Drugs: Convicted high-level drug traffickers and violent felons; prosecutions dismantled criminal organizations at local, state, and national level.

Extensive Appellate Experience: Addressed evidentiary, statutory, sentencing, and Constitutional issues. Have briefed/argued cases before Second, Third, Fourth, and Ninth Circuits.

Other Significant Achievements

National Department of Justice Trial Advocacy Instructor: Selected as Department of Justice trial advocacy instructor to train federal prosecutors from across the country at National Advocacy Center.

DOJ Critical Incident Response Team: Selected for team and trained to respond in event of terrorist attack or other emergencies.

Awards: Awards from federal agencies and citizen groups for prosecutions and investigations.

Lectures: Frequent lecturer to law enforcement and citizen groups on criminal issues.

Advanced Training: Significant training/experience in use of grand jury, wire-taps, forensic accounting, and cyber-crime.

Top Secret Clearance

CHESTER COUNTY DISTRICT ATTORNEY'S OFFICE
Assistant District Attorney

1998-2002

Trial/Investigative Experience

Homicides, attempted homicides, drugs, robberies, assaults, terroristic threats, burglaries, weapons offenses, DUIs, white collar crimes, and sex crimes.

Worked extensively with police departments throughout Chester County; gained knowledge of specific local criminal issues in different sections of Chester County; assigned to numerous special investigations.

MORGAN, LEWIS & BOCKIUS LLP
Associate

1992-1998

Extensive experience leading and participating in internal investigations for corporate clients. Criminal defense of white-collar individual defendants. Defense of companies in complex product liability class actions, securities litigation, and anti-trust matters. Created and ran *pro bono* program where attorneys represented juvenile defendants in criminal proceedings. Chosen by partners to lead summer associate program and participate in law school recruiting for firm. Practiced in federal district courts and appellate courts throughout United States.

GUEST LECTURER

<u>University of Pennsylvania</u> Criminology Program	-	Officer-Involved Shooting Investigations
	-	Prosecutorial Regimes
<u>University of Pennsylvania</u> Law School	-	Disclosing Law Enforcement Giglio Material
	-	Officer-Involved Shooting Investigations
<u>Villanova University</u> Law School	-	Trial Advocacy
<u>Drexel University</u> Law School	-	Trial Advocacy
<u>West Chester University</u> M.P.A. Program	-	Public Corruption

REFEREE FOR PEER-REVIEWED ACADEMIC JOURNALS

- Criminology & Public Policy
- Journal of Criminal Justice
- Policing: A Journal of Policy and Practice

PERSONAL

- ◆ Married to Victoria Silbey (general counsel to education technology company)
- ◆ Non-profit board service: People's Light & Theatre, Chester County Bar Association, Chester County Bar Foundation, Brandywine Valley YMCA
- ◆ Outside interests: reading, travel, working out

