



Austin Geological Society ANNUAL ETHICS MEETING August 29, 2016

“The L’Aquila Trial: What can we learn?”

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Introduced by Rebecca Smyth (AGS 2015-2016 President)

OUTLINE

1. Introductions
2. Goals of Presentation
3. Case History L'Aquila Earthquake, Italy, and its legal aftermath
4. Documenting your concerns & actions
5. The Texas Whistleblower Statute
6. Questions and comments

Handout: TBPG Code of Conduct/AAPG Code of Ethics

1. GOALS of PRESENTATION

1. Learn to recognize when your employer/client has done or plans to do something unethical or illegal (i.e. violates Code of Conduct).
2. Recognize when you are asked to do something unethical by your client (if you feel uneasy, there's probably a reason).
3. Know what steps to take to try and prevent the unethical behavior.
4. Know the available courses of action if you cannot stop the unethical behavior (i.e. have a plan).
5. Know what steps to take to protect yourself from retaliation or prosecution (including Whistleblower Statutes if you are a public employee).

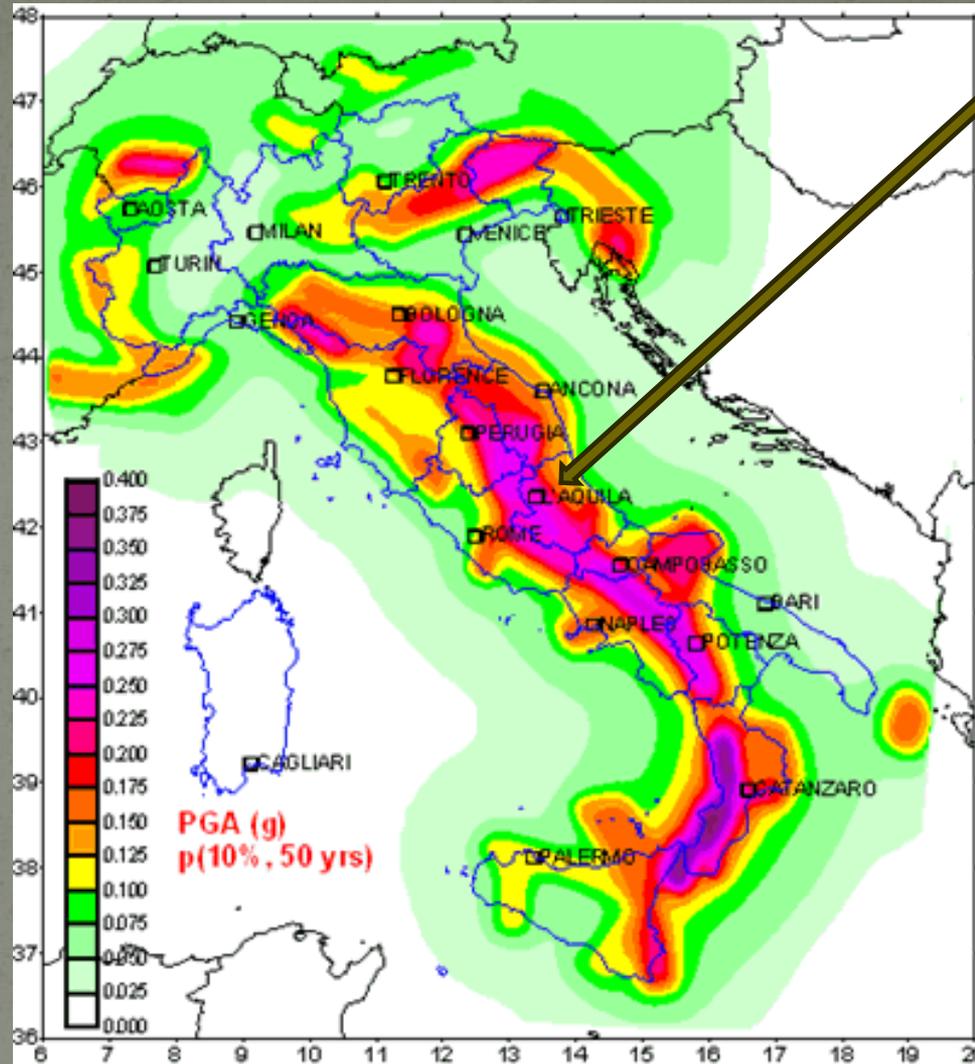
3. Case History

L'Aquila, Italy
April 6, 2009 Earthquake

SUMMARY

Earthquake Hazard Map of Italy:

Scale: “500-yr Earthquake” as Max. Ground Acceleration.



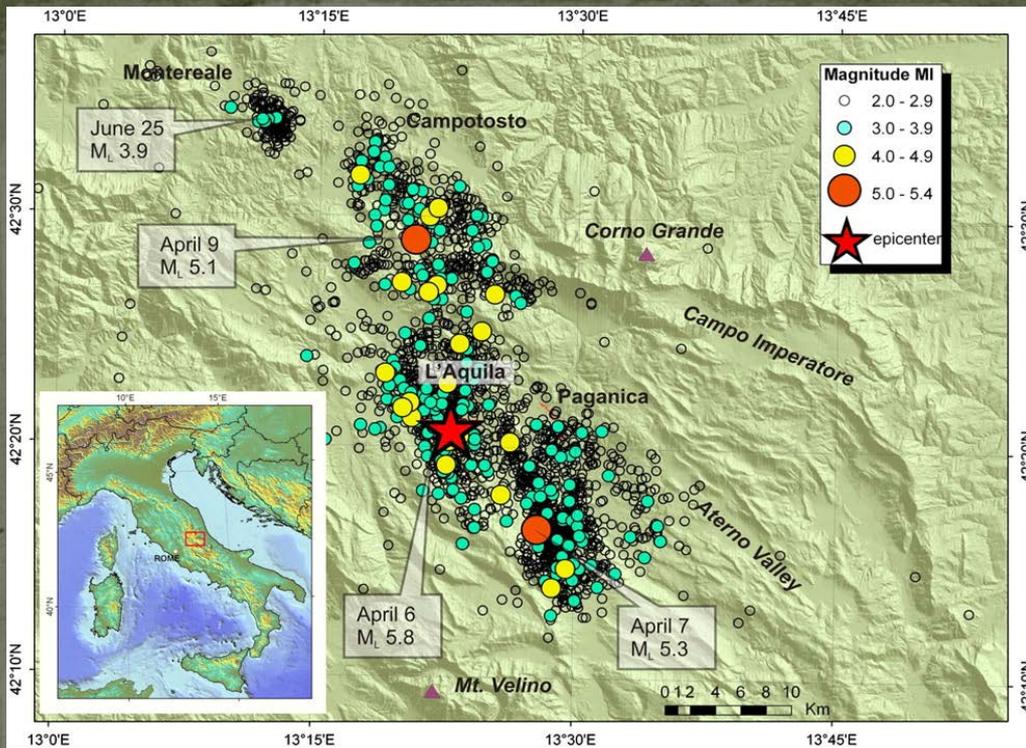
Map source: attachment #1 of Prime Minister Ordinance, 4-28-2006, no. 3519

6th April 2009:
Intensity: 6.3
309 dead “martyrs”.



S. Bernardino Church.
Photo: Ingrid Edlund-Berry

RESULT: Six eminent seismologists convicted of manslaughter; each sentenced to 6 years prison, fined \$2 million, & barred from practice



<http://www.eosnap.com/tag/aftershocks>

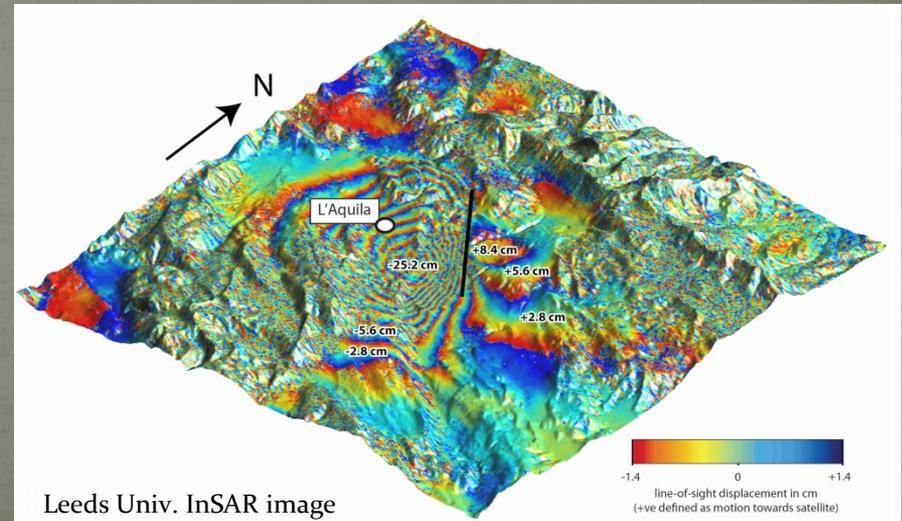
above: Main 'quake preceded by 3-month swarm of 300 shocks of magnitude <3, which alarmed population; it was followed by 20 large aftershocks, magnitude 4 – 5.4

right: Earthquake occurred on unmapped fault, causing 34 cm deformation. Negative movement centered east of L'Aquila

below: L'Aquila is in a structural basin filled by alluvial sediments



Image source: seismo.berkeley.edu/blog/seismoblog.php/2009/04/06/title-2



Leeds Univ. InSAR image

Views of damage



<http://www.eosnap.com/tag/aftershocks/>

Top: People died in these buildings because the 'quake happened while they were asleep.

UR: Neighborhoods are still under reconstruction in June 2016

LR: Response was hindered by destruction of government buildings: the town hall of L'Aquila



Wikipedia-User TheWiz83 May 7, 2009.

St. Mary's Church: 2009 and 2016.



St. Mary's
Church:
UL, soon after
the earthquake

<http://www.barganews.com/2012/10/23/italian-scientists-jailed-for-false-assurances-before-earthquake/>

UR: June 2016

(Photo: Ingrid Edlund-Berry)

LL: Main Square, June 2016.

(Ingrid Edlund-Berry)

TIME LINE

INGV The L'Aquila Trial, Note Scientifiche, <https://processoaquila.wordpress.com>)

1. Jan. – Apr. 2009: A swarm of small earthquakes occurs in the area around L'Aquila
2. Mar. 29th: a radon-gas emissions technician publically predicted a major 'quake at Sulmona, 30 mi from L'Aquila for Mar. 30th. Many people began sleeping out of doors.
3. Mar. 30th: A Regional Civil Defence press release minimized the risk of a major earthquake, based on incorrect science.
4. Mar. 30th: The head of Italian Civil Defense called a meeting of experts and local officials and first responders in L'Aquila for Mar 31st.
5. Mar. 31st: The seismologists were not allowed to speak to public and immediately left town after a press conference led by the Deputy Head of Italian Civil Defense, an engineer, in which he minimized the chances of a major quake.
The "glass of wine" interview.
6. April 6th: A magnitude 6.3 earthquake destroyed the town and killed 309 people.

PROSECUTION OF SCIENTISTS

1. Late 2009: Relatives of earthquake victims pressed charges against the March 31st meeting participants, alleging that victims had changed their habits as a result of the false reassurances.
2. June 2010: Six seismologists and the Deputy Head of Civil Defense (out of the 19 participants in the meeting of March 31st) indicted for manslaughter of 29 victims of the earthquake.
3. 2012: The seven were convicted of manslaughter and sentenced to six years in prison, ordered to pay compensation of \$2 million each and were banned for life from working in the public sector.
4. Late 2014: An appeals court acquitted the six scientists, and reduced the sentence of the Deputy head of Civil Defense to 2 years in prison.
5. Nov. 2015: Appeals Court judgement upheld by Italian Supreme Court.

WHAT CAN WE LEARN FROM THIS SAD STORY?

WAS THERE AN ETHICAL VIOLATION BY THE
SCIENTISTS?

HOW COULD THEY HAVE PROTECTED
THEMSELVES WHEN THEY SAW THEY WERE NOT IN
CONTROL?

WHAT WOULD HAVE HAPPENED IN TEXAS?

4. SUGGESTIONS FOR DOCUMENTING YOUR CONCERNS AND ACTIONS

1. If the issue arises in a meeting.

- Insist that your concerns are attributed to you in meeting minutes
- Verify that the minutes reflect your concerns before leaving meeting
- Make a dated personal record of your concerns.

2. If your supervisor acts unethically without consulting you:

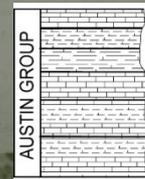
- Request a meeting & document it (Dates, participants, topics, positions)

3. If your supervisor does not pass on your concern to his boss, or ignores your concerns:

- Follow Corporate/Institutional policy manual for this situation. (Manual may advise taking your concerns to boss's boss, HR, or an "ethics manager".)
- Document the disagreement and your actions

5. The Texas Whistleblower Statute

ANY QUESTIONS??



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