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*The Advocacy Institute Is Pleased to Announce*

## **PROGRAM ANNOUNCEMENT**

### **DRUGS AND TOXICOLOGY CONFERENCE**

**August 16, 2012**

**8:45 a.m. to 12:30 p.m.**

**NJ Forensic Science & Technology Center**

**1200 Negron Road**

**Hamilton, NJ**

#### ***Program Summary***

The 2012 Drug/Toxicology Conference will focus on the scientific principles and testing procedures utilized by the New Jersey State Police Office of Forensic Sciences Regional Forensic Laboratories in analyzing physical evidence submitted to the laboratory in drug and toxicology cases. This conference will also address the exploding illegal use of designer drugs, (synthetic cannabinoids and cathinones). In addition there will be two legal presentations, one on Supreme Court decisions which impact scientific testimony and the other on the use of the Drug Recognition Expert program. This conference is designed to further the participants' understanding of these issues for the investigations and prosecution of criminal cases. Please see the attached for detailed descriptions of the various presentations comprising this program.

#### ***Who Should Attend?***

This program is intended for government attorneys and law enforcement personnel who investigate and prosecute criminal cases. Others, however, may find this program of interest.

#### ***Who Is the Faculty?***

*See attached.*

#### ***CLE Credit***

**NJ CLE Credit:** This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 4.0 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, and 4.0 qualify as hours of credit toward certification in criminal trial law.

**NY CLE Credit:** 4.0 substantive credits (pursuant to the approved jurisdiction policy).

**PA CLE Credit:** 3.5 substantive credits (\$6.00 mandatory registration fee required).

### *How Do I Register?*

#### **State Employees**

Most State employees are able to register for this course by going to <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> and creating an AGAI Course Registration account. To do so, your computer **must** be attached to the government's Garden State Network. Upon opening the AGAI Course Registration System home page, you will see the Create Account link in the Login Box. Click on it and create your account, which will include you selecting a user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

#### **Non-State Employees or State Employees not Connected to the Garden State Network**

If you are not a State employee, or are otherwise unable to access the AGAI Course Registration System through the Garden State Network, kindly email the Advocacy Institute at: [AdvocacyInstitute@lps.state.nj.us](mailto:AdvocacyInstitute@lps.state.nj.us) for an authorization code to allow you access to the AGAI Course Registration System through the My New Jersey portal. **Setting up your account through the portal is a two-step process, the details of which are set forth in the next two paragraphs.**

Once you receive the portal authorization code you will be prompted to go to the My New Jersey portal at <http://www.state.nj.us/> and create a portal account. This is Step 1 of the process, which you need only do once.

Upon setting up your portal account, you need to set up your AGAI Course Registration System account. This is Step 2. To do so, log on to the My New Jersey Portal <http://www.state.nj.us/>. Upon opening the AGAI Course Registration System home page, you will see the Create Account link in the Login Box. Click on it and create your account, which will include you selecting a new user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

## ***SCHEDULE OF PRESENTATIONS & FACULTY BIOGRAPHIES***

### **DRUG ANALYSIS IN THE FORENSIC LAB**

This presentation will cover a general overview of drug analysis within the Office of Forensic Sciences Laboratories. This will include current evidence submission procedures, how evidence is analyzed in the drug unit and reporting procedures. Also discussed will be factors that influence a scientist's decisions regarding testing procedures. Case scenarios will be presented to illustrate these factors.

**Carisa Wilcox** is currently a Forensic Scientist II for the New Jersey State Police Office of Forensic Sciences located in Hammonton, New Jersey. Carisa is in her tenth year as a forensic scientist in the Drug unit. She has testified in federal, state and municipal courts as an expert witness in the field of drug analysis. Carisa, also, is an adjunct professor at the Richard Stockton College of New Jersey, and teaches inorganic chemistry lab. She has a BS in Biology from the Richard Stockton College of New Jersey and a Master of Science in Pharmacy with a concentration in Forensic Drug Chemistry from the University of Florida in Gainesville, Florida.

### **DESIGNER DRUG ISSUES IN THE STATE OF NEW JERSEY**

This presentation will inform the group about how the scientific community historically has dealt with designer drugs and control of the substances. The presenter will highlight the types of newly abused substances and analogs. The packaging and marketing of the designer drugs as well as the dangers associated with the drugs. The session will also provide insight on future trending and tracking of upcoming and emerging designer drugs. Finally, the resulting response and commitment between laboratories, agencies, and the judicial system worldwide to educate, inform and track the new designer drug epidemic will be discussed.

**Deborah Cole** is currently a Drug Unit Supervisor for the New Jersey State Police Office of Forensic Sciences located in Hamilton Township, New Jersey. Deborah has 23 years of experience as a forensic scientist in the laboratory system and is additionally tasked with being the QA Coordinator for Drugs. She has testified in federal, state and municipal courts on cases involving the analysis and identification of controlled dangerous substances. Deborah Cole has an Associate in Applied Science in Medical Laboratory Technology from Mercer County Community College, West Windsor, New Jersey, a Bachelor of Science in Biology from Juniata College, Huntingdon, Pennsylvania, and a Master of Science in Microbiology and Analytical Chemistry from Indiana University of Pennsylvania, Indiana, Pennsylvania.

### **TOXICOLOGY ANALYSIS IN THE FORENSIC LAB**

This presentation provides an overview of sample processing in the NJSP Forensic Toxicology Laboratories. Evidence submission and the protocols directing preliminary and confirmatory testing will be described. In addition, the presentation will include discussion of reporting results and the significance of those results. The presentation will close with a look at some common questions and current issues faced by the Toxicology Laboratory.

**Susan L. Toner** is currently the Acting Laboratory Director for the New Jersey State Police East Regional Laboratory located in Sea Girt, New Jersey. Sue has more than 25 years experience as a forensic scientist in the laboratory and has testified in state, municipal and administrative proceedings involving toxicology. She is also the liaison between the Office of Forensic Sciences and the New Jersey Drug Recognition Experts Association. Sue has a BS in Microbiology from Pennsylvania State University and a Master of Forensic Toxicology degree from the University of Florida.

### **DRUG FACILITATED SEXUAL ASSAULTS, TOXICOLOGY ANALYSIS**

This presentation focuses on the toxicological aspects of Drug Facilitated Sexual Assaults (DFSA) cases seen in NJ. It will touch upon the current analytical protocol, types of drugs, trends, and various factors associated with DFSA cases.

**Monica L. Tramontin** is currently a Forensic Scientist III for the New Jersey State Police Office of Forensic Sciences located in Hamilton Township, New Jersey. Monica is a toxicology supervisor whose focus is on DFSA cases. Monica has almost 28 years of experience as a forensic scientist for the State of New Jersey. She has testified in state and municipal courts throughout New Jersey on cases involving the analysis of toxicology specimens. Monica has a BA in chemistry from Douglass College, Rutgers University. She is a member of the Society of Forensic Toxicologists and the New Jersey Association of Forensic Scientists.

### **IMPACT OF *MELENDEZ-DIAZ*, *BULLCOMING* & *WILLIAMS* DECISIONS**

This segment will focus on recent changes in Confrontation Clause jurisprudence at the U.S. Supreme Court level. Specifically, the presentation will address the impact of *Melendez-Diaz v. Massachusetts* (2009), *Bullcoming v. New Mexico* (2011) and *Williams v. Illinois* (2012) on the presentation of forensic evidence in the courtroom. State court opinions addressing the right of confrontation also will be discussed.

**Boris Moczula** is an Assistant Attorney General and Deputy Director of the Division of Criminal Justice, overseeing the Corruption, Financial & Computer Crimes and Appellate bureaus. He has been an invited lecturer at continuing judicial & legal education seminars in New Jersey, as well as at other venues across the country, most recently lecturing on the Confrontation Clause and scientific evidence at Indiana University in Bloomington, Arcadia University in Pennsylvania, and the annual conference of the International Association for Chemical Testing in Nashville, Tennessee.

**EXPERT TESTIMONY AND CASE LAW ASSOCIATED  
WITH THE DRE PROGRAM**

The following four cases will be discussed regarding case law associated with the Drug Recognition Expert program.

- State v. Tamburo:* The term Narcotics is not limited to narcotics in the 39:450 setting  
*State v. Maida:* How to admit evidence of HGN  
*State v. Bealor:* This case permits a DRE to render his opinion  
*State v. Franchetta:* The downside effects of a drug

**Kenny Lebrato, Esq.** has been a Prosecutor for 32 years, eleven years as a municipal prosecutor and twenty-one years as an Assistant Prosecutor in Middlesex County. He was certified as a DRE as well as a DRE instructor. He has been the legal advisor for the Middlesex County Narcotics Task Force as well as the Deputy Chief Trial Counsel. He is currently a member of the Technical Advisory Panel for the International Association of Chiefs of Police DRE section.



**NJSP Office of Forensic Sciences**

## **Drug/Toxicology Conference**

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NJ Forensic Science & Technology Center  
1200 Negron Road  
Hamilton, NJ

Thursday – August 16, 2012 - 8:45 a.m. to 12:30 p.m.

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### **AGENDA**

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| 8:00 - 8:30 a.m.        | <b>REGISTRATION</b>   |
| 8:30 - 8:45 a.m.        | <b>WELCOMING REMARKS</b><br><br>Joseph Petersack<br>Chief Forensic Scientist, Office of Forensic Sciences<br><br>Howard Baum, Ph.D.<br>Director, NJSP Office of Forensic Sciences |
| 8:45 – 9:15 a.m.        | Drug analysis in the Forensic Lab<br>Carisa Wilcox, FS 2, South Regional Laboratory   |
| 9:15 – 9:45 a.m.        | Designer Drug Issues in the State of New Jersey<br>Deborah Cole, FS 3, Central Regional Laboratory  |
| 9:45 a.m. – 10:15 a.m.  | Toxicology analysis in the Forensic Lab<br>Susan Toner, Lab Director, East Regional Laboratory  |
| 10:15 a.m. – 10:45 a.m. | Drug Facilitated Sexual Assaults, Toxicology analysis<br>Monica L. Tramontin, FS 3, Central Regional Laboratory   |
| 10:45 a.m. – 11:00 a.m. | <b>BREAK</b>  |
| 11:00 a.m. – 11:45 a.m. | Impact of Melendez-Diaz, Bullcoming & Williams Decisions<br>Boris Moczula, Assistant Attorney General, DCJ  |
| 11:45 a.m. – 12:30 p.m. | Expert testimony and case law associated with the DRE program<br>Kenny Lebrata, Carteret Prosecutor   |

***(Optional tour of lab following conference)***