



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

6TH ANNUAL CODIS CONFERENCE

June 12, 2013

8:45 a.m. to 12:15 p.m.

NJ Forensic Science & Technology Center

1200 Negron Drive

Hamilton, New Jersey

Program Summary

The 2013 Combined DNA Index System ("CODIS") Conference will focus on how the CODIS system is a powerful tool for Law Enforcement, Courtroom Testimony from the Scientist's Point of View and will discuss a winning strategy for Preparing the DNA Case for Trial. This program is designed to further the participants' understanding of these issues for the investigation and prosecution of criminal cases.

Who Should Attend?

Both experienced and new Assistant Prosecutors, Deputy Attorneys General, Assistant Attorneys General and law enforcement officers involved in the investigation and prosecution of criminal cases involving DNA will benefit from this conference.

Who Is the Faculty?

See attached.

CLE Credit

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 3.5 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, and 3.5 qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: 3.5 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 3.0 substantive credits (\$4.50 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 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.

PRESENTATION SUMMARIES AND FACULTY BIOGRAPHIES

CODIS – POWERFUL TOOL FOR LAW ENFORCEMENT

Part 1: DNA Sampling on Arrest - Legal Issues

The presentation will address legal issues related to DNA sample collection under New Jersey's DNA Database and Databank Act. It will specifically address the statutory change that recently became effective on February 1, 2013, which requires DNA samples upon arrest for certain violent crimes. It will address the landmark case, *Maryland v. King*, currently before the U.S. Supreme Court, which presents the question of whether the Fourth Amendment allows the States to collect and analyze DNA from people arrested for serious crimes.

DAG Janet Flanagan is currently supervisor of the Division of Criminal Justice's CODIS Compliance Unit, wherein she manages the day-to-day operations and supervises all aspects of the Unit, which monitors and enforces compliance with New Jersey's DNA Database and Databank Act. She has successfully briefed and argued the constitutionality of New Jersey's DNA Act before the New Jersey Supreme Court and has drafted DNA Rules and Regulations that became law on December 3, 2007. Prior to her current position, DAG Flanagan was a supervisory appellate attorney representing the State of New Jersey in hundreds of criminal appeals before New Jersey Appellate and Supreme Courts. She briefed and argued the landmark death penalty case, *State v. Robert Marshall*, 123 N.J. 1 (1991), that became New Jersey's first death penalty case to be affirmed by the New Jersey Supreme Court.

Part 2: Case Study - Using CODIS to Solve Cold Cases

The presentation will demonstrate first-hand that DNA has proven to be a powerful tool in the fight against crime and that it has breathed life into old, cold criminal cases. A case study of a 25-year-old Bergen County murder case that was solved through New Jersey's CODIS database will be presented.

Detective Sergeant John Kennedy is a 20 year veteran with the Bergen County Sheriff's Office. He is tasked with supervising a team of detectives and is responsible for Crime Scene management, Overseeing Crime scene personnel, Provide crime scene investigation services to federal, state, county, and municipal law enforcement agencies for the purpose of providing photographic documentation employing conventional film based and digital photography; sketching and diagramming of crime scene utilizing laser range finders and computer aided drawing Programs (CAD) ; visible and latent print examination, comparison and identification utilizing physical and/or chemical developments techniques; evidence detection, DNA collection, and preservation together with crime scene search procedures utilizing metal detectors and forensic light source examinations; Court room presentation, Crime scene management and reconstruction. He is an instructor in various forensic disciplines. Sergeant Kennedy has conducted over 3,000 crime scene investigations spanning 17 years involving cases such as homicides, sexual based crimes, serial crime investigations, accidental deaths suicides/unattended deaths, fatal and serious motor vehicle accidents, aggravated assaults, arson fatal fires, robberies, burglary and theft investigations, auto theft, recovered stolen property,

aircraft accidents. He was the DNA Project Coordinator from 9/03 to 3/09 where he was responsible for overseeing the collection of DNA taken from all convicted offenders within the Bergen County Corrections System and Bergen County Probation.

Detective Sergeant Michael Stallone is a 20 year veteran of the Bergen County Sheriff's Office. He is a current Supervisor in the Crime Scene Unit and officer in charge of the Forensic Photography Unit. Primary duties include supervising crime scene investigations involving homicide, kidnapping, sexual assault, arson/fatal fire, fatal accident, robbery, assault, burglary, theft, fraud, and incidents of domestic violence. He supervises the documentation of post mortem examinations and assists in the identification of deceased individuals. He has taken part in over 3,000 crime scene investigations. He has testified as a fingerprint expert in Superior Court. He has provided assistance in the handling of crime scenes for agencies including: the Bergen County Prosecutors Office, Bergen County Medical Examiner's Office, United States Secret Service, Federal Bureau of Investigation (FBI), Federal Aviation Administration (FAA), and various Municipal Police Departments in New Jersey. He is the *Bergen County Coordinator of DNA collectors*. He is an instructor in basic and advanced principles involving fingerprinting, latent identification, forensic photography, crime scene processing, and collection of evidence for over 15 years. He is the current President of the New Jersey Chapter of the International Association of Identification (NJIAD).

COURTROOM TESTIMONY FROM THE SCIENTIST'S POINT OF VIEW

This presentation will discuss the way the Forensic Scientist deals with court room testimony and will discuss the helpful information they can supply to prosecutors and the latest challenges that defense attorneys are using against DNA testimony.

Edward LaRue is a Forensic Scientist III and Assistant DNA Lab Director with the New Jersey State Police Office of Forensic Sciences. He graduated in 1978 from Rutgers University with a B.A. in Biology. He has since attended Rowan University, Stockton State College, Rutgers University and Gloucester County College pursuing studies in chemistry and molecular biology. In 1982 Ed began his career with the New Jersey State Police as a drug scientist at the South Regional Laboratory. He also served in the Trace Evidence Unit until joining the DNA Unit in January of 1997. In 1998 the unit became a laboratory and was moved from the South Lab to Ewing Twp. Ed moved along with it and was promoted to Assistant Laboratory Director. Ed was responsible for the validation of the current STR technology and was the first New Jersey scientist certified in its application. In 2001 he received the Meritorious Service Award presented to an OFS outstanding scientist. In 2004 the laboratory was expanded and moved to its current location in Hamilton Twp. Ed supervised the establishment of the laboratory at its new location. Ed has testified in many DNA cases in the state and has participated in all the Fyre hearings on STRs and Y STRS. Ed has made his expertise available to prosecutors and members of the law enforcement community through many seminars and training sessions.

PREPARING THE DNA CASE FOR TRIAL: A WINNING STRATEGY

The use of DNA evidence in trial work is becoming commonplace. But when you receive a case with forensic evidence, where do you begin? This presentation will focus on developing a winning trial strategy from the inception of the case: guiding the law enforcement investigation, working together with the forensic scientist, anticipating common defenses, and getting the forensics admitted into evidence.

Robert D. Laurino has been a member of the Essex County Prosecutors Office since 1980, where he is currently the Acting First Assistant Prosecutor. He has served in every administrative position within the Office, from general trial attorney to Acting Essex County Prosecutor. He has completed over 100 jury trials, and handled thousands of cases involving sexual violence. Mr. Laurino has served as a faculty member for the National District Attorneys Association and AEquitas: The Prosecutors' Resource on Violence Against Women, where he has taught trial advocacy courses on matters concerning sexual assault and DNA evidence. He has lectured nationally on sexual violence, forensic evidence, attorney ethics, and the abuse of individuals with disabilities. He is a *cum laude* graduate of Villanova University and received a master's degree from Rutgers University. Mr. Laurino graduated from Seton Hall University School of Law, where he was an editor of the law review. He is a member of the bar of New Jersey and New York.



County Prosecutors Association



Division of Criminal Justice



NJSP Office of Forensic Sciences

6th Annual CODIS Conference

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

Wednesday - June 12, 2013 - 8:45 a.m. to 12:15 p.m.

AGENDA

- 8:15 – 8:45 a.m. **REGISTRATION**
- 8:45 – 9:00 a.m. **Welcoming Remarks**
- Elie Honig, Director
 Division of Criminal Justice
- Howard Baum, Ph.D., Director
 NJSP Office of Forensic Sciences
- 9:00 -10:00 a.m. **CODIS – Powerful Tool for Law Enforcement**
- PART 1: DNA Sampling on Arrest – Legal Issues
 DAG Janet Flanagan, CODIS Compliance Unit
- PART 2: Case Study – Using CODIS to Solve Cold Cases
 Det. Sgt. Michael Stallone, Det. Sgt. John Kennedy
 Bergen County Sheriff's Office
- 10:00 – 10:15 a.m. **Break**
- 10:15 – 11:15 a.m. **Courtroom Testimony from the Scientist's Point of View**
- Edward LaRue, Forensic Scientist III, Assistant DNA Lab Director
 NJSP Office of Forensic Sciences
- 11:15 a.m. – 12:15 p.m. **Preparing the DNA Case for Trial: A Winning Strategy**
- Robert D. Laurino, First Assistant Essex County Prosecutor

(Optional tour of lab following conference)