



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

APA/AGAI 4TH ANNUAL CLE CONFERENCE

Thursday, November 7, 2013

8:00 a.m. to 4:00 p.m.¹

New Jersey Law Center

1 Constitution Square

New Brunswick, New Jersey

Program Summary

This program will include various presentations throughout the day. The topics and presenters are listed on the following pages. These presentations will cover a variety of topics concerning substantive issues directly related to criminal practice. Elie Honig, Director of the Division of Criminal Justice will provide the keynote address at 9:00 a.m.

Who Should Attend?

This seminar is for Assistant Prosecutors and Division of Criminal Justice Deputy Attorneys General who are paid members of the APA of New Jersey **only**. If you have any questions regarding the status of your office membership or for details on how to join the Association, please consult the APA website: www.APAofnj.org.

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 up to 7.2 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: up to 6.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: up to 6.0 substantive credits (\$1.50 per credit mandatory registration fee required).

¹ Registration and breakfast will be from 8:00 a.m. to 9:00 a.m. and lunch will be served between 12:30 p.m. to 1:00 p.m.

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.

PROGRAM DESCRIPTIONS² & FACULTY BIOGRAPHIES

BALLISTICS AND FIREARM IDENTIFICATION

This presentation is an overview of forensic laboratory analysis and will discuss how to use the results in your case. **(9:30 a.m. to 10:30 a.m.)**

Lieutenant Robert R. Cowden #4608 is currently with the New Jersey State Police, Special Investigations Sections, Forensic Investigations Bureau, Ballistics Unit. Since November 2009, he has been the Unit Head of the Ballistics Unit wherein he plans, supervises and oversees the activities of the unit and ensures appropriate resource allocations among other things. He is an expert in the field of firearms identification for the New Jersey State Police and has over 25 years experience in law enforcement. He received a Bachelor of Arts Degree in Law and Justice from Rowan University and is currently attending Fairleigh Dickinson University where he is pursuing as Masters of Administrative Science Degree.

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 1.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.0 substantive credits (\$1.50 mandatory registration fee required).

BLOOD STAIN PATTERN ANALYSIS AND CRIME SCENE RECONSTRUCTION

This presentation will act as an overview of the forensics in your case and will provide the student with a better understanding of blood stain pattern analysis and enables the student to reconstruct a crime scene. **(10:30 a.m. to 11:30 a.m.)**

John P. Garkowski is a 25 year veteran of the New Jersey State Police. John has 17 years experience as a crime scene investigator, analyst and instructor. John has qualified as an expert in the fields of crime scene reconstruction, bloodstain pattern analysis, crime scene investigation or latent fingerprint identification in Atlantic, Burlington, Mercer, Middlesex, Monmouth, Ocean, Union and Salem County Courts. John has investigated hundreds of scenes of violent crime inclusive of homicides and police involved shooting incidents. He was appointed to the State of New Jersey Attorney General's Forensic Science Commission – Crime Scene Investigation Subcommittee and the Essex County Prosecutor's Office Crime Scene Investigation Cooperative Law Enforcement Assessment Team. John has authored "*Crime Scene Reconstruction Workbook*" and "*Basic Bloodstain Pattern Analysis Workbook*" and training curriculum for 40 hour workshops for both. John was the primary instructor for his first Basic Bloodstain Pattern Analysis Workshop which was held in June 2012 in Sea Girt, N.J. He has also developed the New Jersey State Police Forensic Investigation Bureau Proficiency

² These programs are listed in their order of presentation. The keynote speaker's address is not CLE eligible and is scheduled from 9:00 a.m. to 9:30 a.m.

Testing Program for latent fingerprint identification and bloodstain pattern analysis. John is a member of the Association for Crime Scene Reconstruction and the International Association of Bloodstain Pattern Analysts.

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 1.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.0 substantive credits (\$1.50 mandatory registration fee required).

ARREST, SEARCH AND SEIZURE UPDATE

This seminar will present a “whirlwind tour” of New Jersey search and seizure law, featuring an easy-to-use analytical template that prosecutors can use to quickly determine whether a stop, frisk, arrest, or search is lawful under both the Fourth Amendment and Article 1, paragraph 7 of the New Jersey Constitution. This fast-paced and interactive presentation will cover recent developments and trends as well as long-settled principles of search and seizure law. **(11:30 a.m. to 12:30 p.m.)**

AAG Ron Susswein has served for a combined 30 years as a DAG/AAG in the Division of Criminal Justice and the Union County Prosecutor’s Office. During his career, AAG Susswein helped to draft many of the Attorney General directives and guidelines that are designed to channel a prosecutor’s plea bargaining discretion, including the policies concerning “Brimage,” “Graves Act,” “NERA,” and public corruption cases.

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 1.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.0 substantive credits (\$1.50 mandatory registration fee required)

HOT TOPICS IN APPELLATE PRACTICE

This is a panel discussion on recent cases of importance including: using a drug expert in your case, Henderson and the Wade hearings as well as Hernandez when it does and does not apply and much more. **(1:00 p.m. to 2:00 p.m.)**

Peter Verniero is a member of Sills Cummis & Gross P.C. in Newark, New Jersey. Prior to joining the firm in 2004, he served for ten years in senior positions within the executive and judicial branches of state government, including chief counsel and then chief of staff to Governor Christine Todd Whitman, state attorney general, and associate justice of the New Jersey Supreme Court. While attorney general, Verniero argued major appeals before the New Jersey Supreme

Court and United States Court of Appeals for the Third Circuit. He formerly served as chair of the state Supreme Court's Professional Responsibility Rules Committee and chair of the Ad Hoc Committee on Continuing Legal Education. He is the current vice chair of the Civil Practice Committee. He also serves as chair of Governor Chris Christie's Judicial Advisory Panel. Verniero is the annotator of the Rules Governing the Courts of the State of New Jersey, a widely-cited treatise. His essays on legal and judicial subjects have appeared in The New York Times, The Wall Street Journal, The Star-Ledger of Newark and elsewhere. He serves on the editorial board of the New Jersey Law Journal. Verniero graduated from Drew University and the Duke University School of Law. He served as a law clerk to Justice Robert L. Clifford of the New Jersey Supreme Court during its 1984-85 term.

AAG Carol Henderson is Deputy Chief of the Appellate Bureau in the Division of Criminal Justice and has extensive experience litigating cases before the New Jersey Supreme Court, the Appellate Division, the United States District Court and the Third Circuit Court of Appeals. She has lectured and written articles on: appellate practice, habeas litigation, sentencing, legal writing and prosecutor misconduct.

DAG Michael Williams has been with the Division of Criminal Justice since 1988. He previously served as Deputy Chief of the Appellate Bureau, where he handled appeals in all New Jersey state and federal courts. He has taught seminars on numerous criminal law topics. DAG Williams currently serves as Acting Counsel to the Director of the Division of Criminal Justice.

Steven Yomtov is a Deputy Attorney General and Senior Counsel with the New Jersey Division of Criminal Justice. DAG Yomtov is assigned to the Appellate Bureau where he has worked since he joined the Division in April 1999. DAG Yomtov litigates appellate matters in both state and federal courts, and routinely appears in the Appellate Division and the New Jersey Supreme Court. He also provides counsel to law enforcement agencies throughout the State primarily in the area of search and seizure. DAG Yomtov began his career in 1994 as an Assistant District Attorney in the Appeals Bureau of the Bronx District Attorney's Office. He received both his Bachelor's and Master's Degrees in Political Science from Binghamton University in 1988 and 1989, respectively, and his J.D. from Pace University School of Law in 1994. Following graduate school, he served as a Governor's Fellow at the New Jersey Office of Management and Budget.

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 1.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.0 substantive credits (\$1.50 mandatory registration fee required)

A TRIAL GUIDE TO CRIME VICTIMS WITH DISABILITIES

What do we really know about crime victims with disabilities? This workshop will attempt to break through the stereotypes and myths that have surrounded individuals with disabilities, and explore how to effectively understand, deal with and meet the needs of crime victims with disabilities. This presentation will explore the most common types of disabilities, the use of appropriate language, creating lines of communication, laws protecting victims with disabilities, issues of competency, witness preparation, and making accommodations for the victim at trial. **(2:00 p.m. to 3:00 p.m.)**

Robert D. Laurino has been a member of the Essex County Prosecutors Office since 1980, where he is currently the Acting First Assistant Prosecutor. Mr. Laurino 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 New Jersey Attorney General's Advocacy Institute, the New York Prosecutors Training Institute, 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. Mr. Laurino is also a frequent lecturer for the New Jersey Institute for Continuing Legal Education. A *cum laude* graduate of Villanova University, Mr. Laurino 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, and is certified by the Supreme Court of New Jersey as a Criminal Trial Attorney.

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 1.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.0 substantive credits (\$1.50 mandatory registration fee required)

TOP 5 THINGS YOU NEED TO KNOW ABOUT TRYING A SEXUAL ABUSE CASE

Chief Assistant Prosecutor Joseph A. Del Russo will describe 5 critical issues related to conducting a trial involving child sexual abuse. Mr. Del Russo will touch upon--Evidence Issues, Basic Statutory Analysis, Medical Evidence, and the Use of Expert Testimony. **(3:00 p.m. to 4:00 p.m.)**

Joseph A. Del Russo, Esq. is Chief Assistant Prosecutor, Special Victims Unit, Passaic County Prosecutor's Office. He supervises a team of attorneys, investigators, social workers and paralegals in the Prosecutor's Special Victims Unit and Megan's Law Unit. He is a graduate of Rutgers University School of Law. He was also a Board Member and Past-President of the American Professional Society on the Abuse of Children – New Jersey (APSAC-NJ). Mr. Del

Russo presently is a Visiting Lecturer and a member of the adjunct faculty at the Montclair State University Graduate School's Center for Child Advocacy. He teaches courses relating to prevention, identification and prosecution of child abuse cases. He also has served in a similar capacity as an adjunct professor in the Rutgers University Graduate School of Social Work. Mr. Del Russo facilitated the development of Montclair State University's first online program. The University's Center for Child Advocacy launched its Online Post-BA Certificate in Child Advocacy in September 2008. He has also helped develop and is Co-Director of the Child First/Finding Words—New Jersey Forensic Interview Training Project. Established in 2002 in collaboration with the National District Attorneys Association and Minnesota's CornerHouse Child Abuse Evaluation and Training Center – the Project has trained scores of New Jersey child maltreatment professionals on forensic interviewing. He has served in the past as a law clerk in Family Court for the Honorable Sylvan G. Rothenberg, Judge of the Superior Court. He is a certified child interviewer through The American Prosecutor's Research Institute. He was also part of a New Jersey Attorney General Subcommittee that developed the Megan's Law Registrant Risk Assessment Scale to assist prosecutors in protecting the public from sex offenders. Additionally, he has participated on the Protection Subcommittee of the New Jersey Task Force on Abuse and Neglect. Mr. Del Russo also recently completed preliminary research with Montclair State University colleagues Dr. Anthony V. D' Urso and Dr. Jason Dickinson examining the process of disclosure in child sexual abuse cases where the perpetrator recorded the crimes. These preliminary findings entitled: *Child Sexual Abuse Accommodation Syndrome and the Process of Disclosure: Data from the Front Line* were presented at the national conference *Beyond Finding Words* in Atlantic City, New Jersey during August 2007. Mr. Del Russo was among a small group of child maltreatment professionals invited to Hawaii to discuss the Passaic County Prosecutor's Child Advocacy Center at the Government-Based Children's Advocacy Center Summit in Waikiki, Honolulu. The Summit, sponsored by the Western Regional Child Advocacy Center, was developing a technical assistance manual for Child Advocacy Centers. The Summit was held March 2008. Mr. Del Russo's work has been acknowledged by his peers at the 2003 New Jersey Child Assault Prevention Awards (CAP) in Princeton, New Jersey and at the 2000 APSAC Colloquium in Chicago, Illinois where he was received as a member of the President's Honor Roll of the American Professional Society on the Abuse of Children. He has also published two articles involving legal issues in abuse and neglect and continues to advocate for children and adult survivors of abuse and neglect as Chief Assistant Prosecutor from his offices in Totowa, New Jersey.

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 1.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.0 substantive credits (\$1.50 mandatory registration fee required)