



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

7TH ANNUAL CODIS CONFERENCE

November 12, 2014

8:45 a.m. to 3:00 p.m.

NJ Forensic Science & Technology Center

1200 Negron Drive

Hamilton, New Jersey

Program Summary

The 2014 Combined DNA Index System ("CODIS") Conference will focus on keeping up with the CODIS system, Forensic Anthropology in the real world, the Dynamics of Mitochondrial DNA and will discuss, "A Bright Side to Crawford: Recent New Jersey Supreme Court Decisions: State v. Roach, Michaels and Williams." 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 5.8 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, and 5.8 qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: 5.5 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 4.5 substantive credits (\$7.50 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

9:00 a.m. – 10:15 a.m. KEEPING UP WITH CODIS

The 2014 Combined DNA Index System (“CODIS”) Conference will address the finer points of New Jersey’s DNA Database and Databank Act. It will specifically address the obligation of persons found not guilty by reason of insanity of a crime to provide DNA, the expungement process requirements, circumstances for administrative withdrawal, and the importance of appropriate charging as it relates to our new DNA Arrestee Law. The US Supreme Court’s recent landmark case, *Maryland v. King*, which found DNA collection upon arrest constitutional under the Fourth Amendment, will also be discussed. The presentation will also include the importance of fingerprinting and its relationship to DNA collection and to the Computerized Criminal History (CCH). The success of New Jersey’s CODIS program will be highlighted with the number and type of “hits” that have occurred at the local, state, and national levels.

Part 1: Frequently Asked Questions about NJ’s DNA Act

DAG Denise Hollingsworth has been a Deputy Attorney General in the Division of Criminal Justice since 2004. She completed undergraduate studies at the University of Pennsylvania and received her Juris Doctor from Villanova School of Law. She interned with the late Honorable James Hunter III in the Third Circuit Court of Appeals before transitioning to a career in civil litigation in Philadelphia. Her practice there included state and federal trial and appellate work in commercial and, later, insurance defense litigation. For a number of years prior to joining the Division, Denise worked in-house managing national litigation in the company's juvenile products risk portfolio. Upon joining the Division in 2004, Denise worked as dedicated counsel to the Office of the State Medical Examiner and the State Toxicology Laboratory. Denise served as co-counsel in the New Jersey landmark case, *State v. O'Hagen*, 380 N.J.Super. 133 (App.Div.2005) addressing the constitutionality of the NJ DNA Database and Databank Act of 1994, N.J.S.A. 53:1-20.17-20.28. Denise joined the CODIS Compliance Unit earlier this year.

Part 2: Make Your Arrest and Prosecution Count: Fingerprint & Photograph

Acting Lieutenant Brad Cherry is currently assigned to the New Jersey State Police, State Bureau of Identification (SBI) overseeing the Biometric Identification Unit (BIU), Criminal Information Unit (CIU) and the National Instant Criminal Background Check System Unit (NICS) located at the NJSP's Division Headquarters in West Trenton, New Jersey. He has been with the NJSP for sixteen years after graduating the NJSP Training Academy in Sea Girt, New Jersey in 1998. He received a BA in Criminal Justice from Moravian College in Bethlehem, PA in 1991. He has instructed students in many subject areas, including Records Management System, Mid-Level Management and Leadership Courses and a Training Refresher Certification Course.

Acting Sergeant First Class Brad Teryek is currently assigned to the New Jersey State Police (NJSP), State Bureau of Identification (SBI) as the Unit Head of the Biometric Identification Unit (BIU). He graduated from Seton Hall University in 1997 with a Bachelor of Arts and in 2007 with a Master of Arts. He is a member of the 119th NJSP class which graduate from NJSP Training

Academy in 2001. During his 13 years of service he has been assigned to various Field Operations stations in the northern and central area of the state. From 2007 to 2013 he was an instructor at the New Jersey State Police Academy in Sea girt New Jersey.

Part 3: Update on New Jersey's Arrestee Law/*Maryland v. King* opinion

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 4: CODIS is Solving Crimes-Overview of New Jersey's "Hits"

William Rochin, Forensic Scientist 2, has been employed by the New Jersey State Police Office of Forensic Sciences for twenty-eight years. He has spent the last 17 years working in the DNA Laboratory. He is currently a Supervisor in the CODIS Laboratory Unit of the DNA Laboratory. His primary responsibilities are to supervise and evaluate scientists in the analysis and examination of offender and arrestee samples for entry into the CODIS Database. William performs peer and administrative reviews of DNA profiles generated in the CODIS Laboratory and serves as the Assistant CODIS Administrator for New Jersey. Prior to this, William spent time in the CODIS Administration Section entering offender and casework samples into the database and informing law enforcement agencies of matches they have in the database. In addition, he provides lectures to law enforcement throughout the state in CODIS Training. His education includes a BS degree in Chemistry from Richard Stockton College of New Jersey in Pomona, NJ.

10:30 a.m. -11:45 a.m. FORENSIC ANTHROPOLOGY IN THE REAL WORLD

This presentation will discuss, "What is Forensic Anthropology?," including types of cases, how the forensic anthropologist assists medical examiners/law enforcement and provide case examples. It will also discuss Facial Reconstructions and Composite Drawings based on the Skull in the Identification Process and provide a review of related cases. It will further discuss the National Missing and Unidentified Persons System (NamUs), "What is NamUs?," a review of a Missing Persons case entered in NamUs, identification methods and Forensic Odontology Services available at the Forensic Anthrpology Unit.

Donna A. Fontana is the Forensic Anthropologist for the New Jersey State Police Office of Forensic Sciences. Since 1981, she has been providing assistance to New Jersey law enforcement agencies and county medical examiners in the forensic anthropological analysis of human skeletal remains, including the determination and estimation of age, sex, race, stature and other information which may contribute to identification and cause of death. Donna provides on-

scene assistance in the search for and identification of buried, hidden, or scattered human remains. She is also responsible for the controlled excavation and recovery of human remains. She is skilled in three-dimensional clay facial reconstruction and also assists in reconstruction composite drawings of the face based upon analysis of the skull. Donna is a Fellow in the Physical Anthropology section of the American Academy of Forensic Sciences. She also is a member of the Disaster Mortuary Operational Response Team (DMORT) Region 2, and has worked in the identification process of victims of the World Trade Center on September 11, 2001 in New York City, American Airlines Flight 587 on November 12, 2001 in Queens, New York as well as EgyptAir 990 plane crash on October 31, 1999 off Rhode Island.

11:45 a.m.-12:35 p.m. THE DYNAMICS OF MITOCHONDRIAL DNA

This presentation will include the following topics: 1) an overview of DNA (to include what is DNA, where it is found, the differences between nuclear and mitochondrial DNA, modes of inheritance), 2) capabilities of the OFS DNA Laboratory, 3) processing of missing persons and unidentified human remains cases (to include overview of mtDNA laboratory analysis, types of specimens analyzed, explanation of results) and 4) mtDNA and CODIS.

Colleen Kumar, is currently a Forensic Scientist 2, who has been employed by the New Jersey State Police Office of Forensic Sciences for over ten years. She is a certified analyst in the DNA laboratory and currently serves at the Mitochondrial DNA Technical Leader, responsible for the technical operations of the mtDNA Unit. She is the Quality Assurance/Quality Control (QA/QC) coordinator for both the Nuclear and Mitochondrial DNA units overseeing proficiency testing, training, and safety within each unit. As the Missing Persons CODIS liaison, she is also tasked with the duties of investigating and dispositioning ranks and associations involving missing persons and unidentified human remains within CODIS. Ms. Kumar has a B.S. in Molecular Genetics from the University of Rochester, and a M.S. in Forensic Science from the Virginia Commonwealth University. She also serves as a DNA Technical Assessor for the National Forensic Science Technology Center (NFSTC).

1:30 p.m.-3:00 p.m. THE LAW MEETS SCIENCE

Part 1: A Bright Side to *Crawford*: Recent New Jersey Supreme Court Decisions, *State v. Roach, Michaels & Williams*

After the United States Supreme Court decision in *Crawford v. Washington*, prosecutors became justifiably worried what impact the decision would have on the admissibility of forensic evidence. A series of decisions from *Bullcoming v. New Mexico* to *Williams v. Illinois* did little more than muddy the waters. The burning question remained: what would happen if the forensic expert who worked on my case was unavailable for testimony at trial? In a series of decisions this past summer, the New Jersey Supreme Court looked at a trio of cases involving an absent chemist, toxicologist, and medical examiner. Their decisions in light of *Crawford* may surprise you. This presentation will explore what a prosecutor needs to do to admit the crucial evidence of an unavailable forensic witness.

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.

Part 2: PANEL DISCUSSION/Q&A SESSION: HOT TOPICS IN FORENSIC SCIENCE

Latest technologies, touch DNA, discovery issues, evidence retention policies, ethics in forensics, and your topics/questions.



**Division Of Criminal Justice
Association**



County Prosecutors



NJSP Office of Forensic Sciences

7th Annual CODIS Conference

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

Wednesday – November 12, 2014 - 8:45 a.m. to 3:00 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 -10:15 a.m.

Keeping up with CODIS

Part 1:

Frequently asked questions about NJ's DNA Act
DAG Denise Hollingsworth, CODIS Compliance Unit

Part 2:
photograph

Make your arrest and prosecution count: fingerprint &
*Lt. Brad Cherry/Sgt. Brad Teryek, NJSP State Bureau of
Investigation*

Part 3:

Update on NJ's arrestee law/ Maryland v. King opinion
DAG Janet Flanagan, CODIS Compliance Unit

Part 4:

CODIS is solving crimes – Overview of NJ's "hits"
*Forensic Scientist William Rochin
NJSP Office of Forensic Sciences*

10:15 – 10:30 a.m.

Break

10:30 – 11:45 a.m.

Forensic Anthropology in the Real World

*Donna A. Fontana, M.S., Forensic Anthropologist
NJSP Office of Forensic Sciences*

11:45 a.m. – 12:35 p.m.

The Dynamics of Mitochondrial DNA

*Colleen Kumar, Forensic Scientist
NJSP Office of Forensic Sciences*

12:35 p.m. – 1:30 p.m.

Lunch (to be provided by the County Prosecutor's Assoc.)

1:30 p.m. – 3:00 p.m.

The Law Meets Science

Part 1:

**A Bright Side to Crawford: Recent NJ Supreme Court
Decisions: State v. Roach, Michaels, & Williams**

*Robert D. Laurino, Acting First Assistant Prosecutor
Essex County Prosecutor's Office*

Part 2:

**Panel Discussion/Q&A Session: Hot Topics in Forensic
Science**

Latest technologies, touch DNA, discovery issues, evidence
retention policies, ethics in forensics, your topic/questions?

(Optional tour of lab following conference)