



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

PROSECUTING THE DRUG-IMPAIRED DRIVER

June 16, 2015

Registration: 8:30 a.m. - 9:00 a.m.

Program: 9:00 a.m. – 4:00 p.m.

**Somerset County Prosecutor's Office
40 North Bridge Street
Somerville, NJ 08876
(First Floor Training Room)**

Program Summary

This program will examine prosecuting the drug-impaired driver from soup to nuts. The program will take an in-depth look at the Drug Recognition Expert training program, the 12-step Drug Influence Evaluation, and the scope of testimony a Drug Recognition Expert can provide. We will also discuss how biological samples obtained during the Drug Influence Evaluation are tested by the Office of Forensic Science; with topics to include what substances are tested for and how the test results are reported. Legal and practical issues involving the prosecution of the drug-impaired driver will additionally be addressed, with a focus on which witnesses to call, questions to ask such witnesses, arguments to make, and case law to rely upon.

Who Should Attend?

This program is solely open to assistant and municipal prosecutors. Please DO NOT attempt to register for this program if you ARE NOT an assistant or municipal prosecutor.

Who Is the Faculty?

Trooper I Michael P. Gibson is currently assigned to the Alcohol/Drug Testing Unit based out of the Hamilton Headquarters. He is the Breath Test Coordinator for several municipalities in Camden, Burlington, and Gloucester Counties. He has been a Trooper since 2004. As a Coordinator, Trooper Gibson's duties include inspecting and re-calibrating Alcotest instruments assigned to NJSP stations and local Police Department and also provides expert testimony in DWI cases in municipal court. He assists with training officers throughout the State of New

Jersey in the fields of Driving While Intoxicated and Drug Recognition Expert (DRE). Trooper Gibson attended the DRE Instructor Train-the-Trainer Course and has been an instructor as well as lead instructor for several DRE classes. He additionally assists the DRE State Coordinator with the re-certification of DRE's and conducts presentations to promote the DRE Program. Trooper Gibson graduated from West Chester University in 2000.

Brian W. Mason is a municipal prosecutor in: Mount Olive Township, Chester Township and Denville Township. He previously worked in the Essex County Prosecutor's Office; first in the Appellate Section and thereafter in the Forfeiture Section. Prosecutor Mason clerked for the Honorable Joseph M. Thuring, J.S.C in Hudson County from 1984-1985. He is a graduate of Brown University (1981) and Seton Hall University School of Law (1984).

Robyn Mitchell is a Deputy Attorney General with the New Jersey Division of Criminal Justice. DAG Mitchell joined the Division in January 2000, where she worked in the Legislation Section until 2003, and in the Appellate Bureau between 2003 and 2011. Assigned to the Prosecutors Supervision & Training Bureau since March 2011, DAG Mitchell handles matters involving DWI and Alcotest-related issues, and provides legal guidance and support to assistant and municipal prosecutors in the prosecution of DWI cases. She started her career in 1991 as a Staff Attorney in the Criminal Defense Division of The Legal Aid Society in Manhattan. She received her B.A. degree in 1988 from Rutgers College and her J.D. in 1991 from The University of Maryland School of Law in Baltimore, Maryland.

Monica do Outeiro is a Special Deputy Attorney General/Acting Assistant Prosecutor in the Appellate Section of the Monmouth County Prosecutor's Office. She graduated *magna cum laude* from Hamilton College and subsequently attended Quinnipiac University School of Law. During her tenure in law school, AP do Outeiro worked for the Public Safety Unit of the Connecticut Office of the Attorney General, which defended members of the Connecticut State Police and Department of Corrections in both state and federal civil lawsuits. In 2006, she began working for the Monmouth County Prosecutor's Office as a legal assistant in the Appellate Section. AP do Outeiro was sworn in as an Assistant Prosecutor in 2007, and after brief stints in the Family Unit prosecuting juvenile and domestic violence cases, was again assigned to the Appellate Section. She acts as the Municipal Prosecutors Supervisor. In this capacity, she has been responsible for developing case law involving the Alcotest. AP do Outeiro is also a Police Training Commission Certified Instructor, who regularly teaches at the Monmouth County Police Academy and at various in-service trainings for municipal police officers.

Assistant Prosecutor Elizabeth R. Rebein has been a member of the Appellate Section of the Bergen County Prosecutor's Office since 2011. She graduated from the University of Kansas School of Law in 2007. Throughout law school, she worked as a law clerk in the Kansas Office of the Disciplinary Administrator. After graduation, AP Rebein clerked for Kansas Supreme Court Justice Lawton R. Nuss. Upon completion of the clerkship, she worked as an associate in the matrimonial law firm of Manson & Karbank P.A. in Kansas City. She is a member of the Bergen County Bar Association's Criminal Practice Committee and the Justice Morris Pashman Inn of Court. AP Rebein also teaches as an adjunct professor in the English Department at Passaic County Community College.

Monica L. Tramontin is a Forensic Scientist III at the New Jersey State Police Office of Forensic Sciences at the Central Regional Laboratory in Hamilton. She is a qualified and has testified as an expert witness in Superior and Municipal Courts in: Bergen, Passaic, Morris,

Union, Hudson, Sussex, Middlesex, Somerset, Mercer and Warren Counties. Prior to working for the New Jersey State Police, Ms. Tramontin worked at the New Jersey Medical Examiner's Office. She has certifications in Blood Alcohols, General Toxicology, Drug Analysis and Alcotest. Ms. Tramontin is a 1984 graduate of Douglass College/Rutgers University.

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 6.0 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, and 6.0 qualify as hours of credit toward certification in criminal trial law.

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

PA CLE Credit: 5.0 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. Once your portal account is created you are prompted to enter your authorization code. This is Step 1 of the process, which you need only do once.

If you have already been issued an authorization code in the past you do not need to request another one. You can log into your account on the Garden State Network at <http://www.state.nj.us> and under the heading NJ L&PS Applications you will see the Attorney

General's Advocacy Institute's Registration System. Click on that and log into your account on our system.

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.