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## PROGRAM ANNOUNCEMENT

*The Advocacy Institute Is Pleased to Announce*

### 2017 BASIC PROSECUTOR'S COURSE

**October 16, 2017 (Part II, Day 1)**

**9:30 a.m. to 3:00 p.m.**

**Richard J. Hughes Justice Complex  
Fourth Floor Conference Center Room A  
25 Market Street  
Trenton, New Jersey**

### **PLEASE READ: NOTICE REGARDING COURSE MATERIALS**

You will receive the course materials approximately forty-eight (48) hours prior to the date of the course. The materials will be contained in an email attachment.

#### *Program Summary*

This four-day seminar series is part of an integrated curriculum designed for new assistant prosecutors and deputy attorneys general, which culminates with an intensive four-day trial advocacy program. Amongst other topics addressed during this session will be: arrest, search and seizure issues and trial ethics. *Please see the attached schedule for more detail.*

#### *Who Should Attend?*

This program is intended for new assistant prosecutors and Division of Criminal Justice deputies, **attendance for which has already been determined by each county prosecutor's office and the Division of Criminal Justice.** Please do not attempt to register for this course if you have not been instructed to do so.

#### *Who Is the Faculty?*

*Please see the attached schedule.*

## 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 4.8 hours of total CLE credit. Of these, 1.2 qualify as hours of credit for ethics/professionalism, 3.6 qualify as hours of credit toward certification in criminal trial law and 0.0 qualify as hours of credit towards newly admitted/criminal trial preparation.

**NY CLE Credit:** 3.0 substantive credits and 1.0 ethics credit (pursuant to the approved jurisdiction policy).

**PA CLE Credit:** 3.0 substantive credits and 1.0 ethics credit (\$6.00 mandatory fee required)

## How Do I Register

### State Employees

Most State employees are able to register for this course by going to <http://reg2.dcj.lps.state.nj.us/lpcreg/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://reg2.dcj.lps.state.nj.us/lpcreg/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. 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://reg2.dcj.lps.state.nj.us/lpcreg/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

## **LIST OF COURSES AND PRESENTERS**

### **MONDAY – OCTOBER 16, 2017**

#### **ARREST, SEARCH AND SEIZURE (9:30 a.m. to 11:30 a.m.)**

This seminar will present a “whirlwind tour” of New Jersey search-and-seizure law, starting with the fundamental basics for prosecutors to analyze and litigate a stop, frisk, arrest, or search under both the Fourth Amendment and Article 1, paragraph 7 of the New Jersey Constitution. This interactive presentation will also provide guidance on the presentation of suppression motions, recent developments and trends in the law, and a practical exercise to apply the concepts learned.

**Claudia Joy Demitro** currently serves as a Deputy Attorney General in the Appellate Bureau of the Division of Criminal Justice, where she argues before the Appellate Division and the Supreme Court, and participates in a number of criminal justice policy projects for the Division. She graduated magna cum laude from both The College of New Jersey and the Drexel University School of Law, and was an editor of the Drexel Law Review. Following law school, she clerked on the Superior Court for the Hon. Stephanie M. Wauters, J.S.C. in Ocean County, and then on the Appellate Division for the Hon. Michael A. Guadagno, J.A.D. She is a PTC certified instructor, often teaches on the Fourth Amendment to officers and prosecutors, and is an adjunct professor at The College of New Jersey.

**Jennifer Kmiecik** has been a Deputy Attorney General in the Appellate Bureau since September 2011. She regularly handles criminal matters before the Law Division, Appellate Division and Supreme Court. She also recently filed an amicus brief on behalf of New Jersey and 17 other states in Birchfield v. North Dakota in the United States Supreme Court, a case implicating the constitutionality of DUI implied-consent laws. She received her B.A. from The College of New Jersey, summa cum laude, and her law degree from the Rutgers School of Law – Camden, magna cum laude. Following law school, she clerked in the Appellate Division for the Honorable Victor Ashrafi, J.A.D. She received an Attorney General Award for Excellence in Appeals in 2016 and for her trial assistance in State v. Abdur-Raheem, a murder case, in 2012. She is a PTC certified instructor and often teaches on the Fourth Amendment to officers and prosecutors.

#### **LUNCH – 11:30 a.m. to 12:45 p.m. (on your own)**

#### **NARCOTICS ISSUES – (12:45 p.m. – 1:45 p.m.)**

This presentation will cover the highlights of the drug offenses in 2C:35-1 and 2C:36-1 et seq. It will also address dealing with informants. Other topics covered include C.D.S. expert testimony, preparation of their reports as well as the relevant case law.

**Assistant Prosecutor Brian Stack** has been with Somerset County for 15 years and has run the SCPO OCNTF for the past 9 years. He is also a trial team leader and the legal advisor to the SCPO computer crimes unit and the SCPO SCERT Team. AP Stack served as an instructor at

the SC Police Academy and the DEA school in the following areas: CDS, Expert Testimony, Computer Crimes, Stop & Frisk, Search & Seizure, and ground fighting. Before becoming an assistant prosecutor, he was a litigation associate with Cooper, Rose & English in Summit for a year, and he clerked for the Hon. Kenneth C. MacKenzie, P.J.Ch. in Morristown, in the equity clerkship.

**BREAK – (1:45 p.m. to 2:00 p.m.)**

**PROFESSIONALISM IN THE PRACTICE OF LAW – (2:00 p.m. – 3:00 p.m.)**

This course is an examination of the sometimes difficult balance between zealous advocacy and professionalism. The course is designed to assist attorneys as they make daily decisions that impact not only the matters they handle as part of their legal practice but also their reputations in the legal community. The presenter will also address the manner in which attorneys should deal with adversaries, members of the Judiciary, the public and other individuals who comprise the justice system.

**Assistant Prosecutor Thaddeus Drummond** is the Supervising Attorney in charge of both the Special Investigations Unit (SIU) and the Collision Analysis and Reconstruction (CAR) Unit of the Burlington County Prosecutor's Office. He is a 1989 graduate of Saint Joseph's University where he earned an undergraduate degree in Accounting. In 1992, he graduated from Temple University School of Law. He has been an Assistant Burlington County Prosecutor since September, 1993, and during that time has been assigned to several units within the prosecutor's office including Motions and Appeals, Case Screening and Trial Team before assuming responsibility for the CAR Unit in 2001. As the CAR Unit Supervisor, Tad is responsible for reviewing all fatal and serious motor vehicle crashes that occur in Burlington County to determine if criminal prosecution is warranted, and overseeing the investigation and prosecution of all vehicular homicide and assault by auto cases in Burlington County. As SIU supervisor, he handles internal affairs matters as well as confidential investigations pertaining to official corruption, allegations of police misconduct and police involved shootings. Tad is also responsible for investigations pertaining to violations of the Open Public Meetings Act. Tad is also actively involved in the Conducted Energy Device (CED) program in Burlington County and is responsible for reviewing all CED discharges with in the County in accordance with the Attorney General's Revised CED Policy. During his career with the Burlington County Prosecutor's Office, he has tried many cases involving an array of charges including murder/aggravated manslaughter, vehicular homicide, vehicular assault, sexual assault, robbery and various narcotics offenses. Tad is also an instructor with the Attorney General's Advocacy Institute.