



PROGRAM ANNOUNCEMENT

The Advocacy Institute Is Pleased to Announce

2017 BASIC PROSECUTOR'S COURSE

October 23, 2017 (Part II, Day 2)

9:30 a.m. to 3:20 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: bail reform, constitutional issues, and plea negotiations. *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 5.4 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, 5.4 qualify as hours of credit toward certification in criminal trial law and 4.2 qualify as hours of credit towards newly admitted/criminal trial preparation.

NY CLE Credit: 4.5 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 4.0 substantive credits (\$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 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.dej.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 23, 2017

BAIL REFORM (9:30 a.m. to 10:30 a.m.)

This course will provide an analysis of the Attorney General Directive 2016-6, Establishing Interim Policies, Practices, and Procedures to Implement Criminal Justice Reform Pursuant to P.L. 2014, c. 31. Topics to be covered will include:

- LiveScan fingerprinting
- Pre-charging case screening
- The PSA and decision making framework for complaints (warrant vs. summons)
- Affidavits of Probable Cause and Preliminary Law Enforcement Incident Reports
- The Prosecutor's role at first appearances
- The decision making framework for pretrial detention applications
- Motions to revoke release
- Prosecutorial responses to violations of pretrial release conditions
- Prioritization of reports and testing in detention cases
- Web-based reporting
- Escalating Plea Policy

Geoffrey D. Soriano is an Assistant Attorney General in the Division of Criminal Justice. Mr. Soriano is a 1986 graduate of Brown University, majoring in Political Science and Organizational Behavior and Management. He earned his juris doctorate degree, cum laude, from the Seton Hall University School of Law in 1986. Following his formal education, Mr. Soriano clerked for the Honorable Wilfred P. Diana during the 1989-1990 court term. A private practitioner for 20 years with 18 years of experience as a municipal court prosecutor, Mr. Soriano served as the County Prosecutor for Somerset County from October 21, 2010 to March 7, 2016. During his time with the Division of Criminal Justice, Mr. Soriano's responsibilities have primarily focused upon the myriad of issues associated with Criminal Justice Reform.

Joseph F. Walsh is a Deputy Attorney General assigned to the Prosecutors Supervision and Training Bureau of the New Jersey Division of Criminal Justice. Mr. Walsh is a 1983 graduate of Drexel University, earning his undergraduate degree in Business Administration-Accounting. He next graduated from the Rutgers University School of Law-Camden in 1986, earning his Juris Doctorate with high honors. Mr. Walsh is a graduate of the Burlington County Police Academy and a Police Training Commission Certified Instructor.

Prior to joining the Division of Criminal Justice, Joseph Walsh served as a police officer in Moorestown Township, retiring in 2015 as a Sergeant. He was assigned for sixteen years as a supervisor in both the Patrol Division and the Detective Bureau. He has also served as an Assistant County Prosecutor in both Camden County and Burlington County.

As a Deputy Attorney General assigned to the Prosecutors Supervision and Training Bureau, Mr.

Walsh assists with the coordination of the twenty-one County Prosecutor's Offices, as well as with law enforcement training statewide. Recently, the Bureau has been working on numerous projects, including Body Worn Cameras (BWCs), Conducted Energy Devices (CEDs), Training for Law Enforcement Officers in Dealing with Mentally Ill Individuals, and Criminal Justice Reform. Mr. Walsh is presently serving as the Acting Administrator of the New Jersey Police Training Commission (PTC), and was a recipient of the Attorney General's Award for Outstanding Contributions to a Special Project in 2016 and in 2017.

BREAK – (10:30 a.m. to 10:40 a.m.)

CONSTITUTIONAL ISSUES (10:40 a.m. to 12:10 p.m.)

Topics to be covered in this lecture include constitutional issues relating to Wade/ID proceedings and a general overview of State and federal law relating to Miranda violations and proper interrogation procedures.

Kristen M. Harberg is an Assistant Prosecutor in the Major Crimes Unit at the Camden County Prosecutor's Office. In 1997, she received her Juris Doctor with Honors from Rutgers University School of Law - Camden, and then clerked for the Honorable Angelo J. DiCamillo for one year. Ms. Harberg began her career as a Deputy Attorney General with the New Jersey Division of Criminal Justice, and was assigned to the Appellate Bureau from 1998 to 2005. During that time, she wrote approximately 70 appellate briefs, and she argued seven cases before the New Jersey Supreme Court -- including one death penalty case -- and one case before the United States Court of Appeals for the Third Circuit. In 2005, Ms. Harberg moved to the Office of the Insurance Fraud Prosecutor, and in 2007, to the Gangs and Organized Crime Bureau. From 2007 through 2010, she was embedded in the Camden County Prosecutor's Office for "Operation CeaseFire," and prosecuted gang-related shootings within the City of Camden. She was also assigned to the Governor's Anti-Crime Partnership Task Force in the City of Camden from 2007 to 2009. Upon return to the Gangs and Organized Crime Bureau in 2010, Ms. Harberg prosecuted drug, gun, racketeering, conspiracy, and wiretap cases. In 2013, Ms. Harberg was promoted to Deputy Chief of the Gangs and Organized Crime Bureau, and she supervised nine Deputy Attorneys General in the Cherry Hill and Trenton offices. Ms. Harberg received the 2013 Attorney General's Award for Excellence in Law Enforcement – Trial Victory, for a three-month murder trial that she conducted in Camden County. In 2014, Ms. Harberg became an Assistant Prosecutor at the Camden County Prosecutor's Office, Major Crimes Unit. She prosecutes homicide, shooting, robbery, carjacking, kidnapping, arson, assault, bias intimidation, and fraud cases. She is one of the three primary legal advisors for the police departments in Camden County's thirty-seven municipalities, and is responsible for providing them with legal advice on investigatory strategies, approving Search Warrants and Communications Data Warrants, and making charging decisions.

Victoria Shilton graduated from Temple Law School in 1993. She began her career with the Camden County Prosecutor's Office in March of 1994. During her tenure as an assistant prosecutor, she has completed rotations in Motions, Juvenile, Grand Jury, and Trial Team, and has tried over one hundred felony jury trials. She was one of two Camden County Assistant

Prosecutors selected to supervise investigations conducted by the Governor's Anti-Crime Partnership Task Force in the city of Camden from 2007 to 2009. Currently, she is the Section Chief of the Major Crimes Unit, consisting of three prosecutors, two arson investigators and six detectives. In addition, Ms. Shilton is one of three primary legal advisors for the police departments in Camden County's thirty-seven municipalities. She regularly lectures at the Camden County Police Academy and has been a guest lecturer at the Attorney General's Advocacy Institute program for new prosecutors. Additionally, she has been an invited faculty member for several week long Introductory Trial Advocacy courses at the joint Federal and State National Advocacy Center at the National College of District of Attorneys in Columbia, South Carolina. In January of 2011 she was honored to present a guest lecture on the Art of Direct Examination to the Honorable Anne E. Thompson, American Inn of Court. In 2009, Ms. Shilton was awarded a Prosecutor's Service Award for her work supervising a five month long wiretap investigation which culminated in the arrest of twenty-three individuals, seizure of over one-hundred thousand dollars in cash and effectively dismantled one of the major large scale narcotics trafficking organizations in Camden City. In October of 2010, the Camden County Fire Marshall honored her with the "Edward Garrity" award for services in the investigation and prosecution of arson cases in Camden County.

LUNCH – 12:10 p.m. to 1:00 p.m.
(on your own)

PLEA NEGOTIATIONS (1:00 p.m. to 2:00 p.m.)

This lecture will address the legal obligations of prosecutors in plea negotiations. Subjects include: initial considerations at the start of plea discussions; relevant RPCs; dealing with unrepresented individuals; considerations with cooperating witnesses; and the importance of candor with the tribunal and adversaries.

Salvatore E. Rozzi is a Chief Trial Attorney in the Hudson County Prosecutor's Office. In this capacity, he is responsible for all trial-related matters in criminal prosecutions. Additionally, Assistant Prosecutor Rozzi supervises seven trial teams, the juvenile unit and the appellate unit. His previous assignments include the Homicide, Appellate, Juvenile, Trial Team and Special Investigations Units. He received his B.A. from Fordham University and his J.D. from Fordham University School of Law.

BREAK – (2:00 p.m. to 2:10 p.m.)

CRIMINAL CODE ISSUES (2:10 p.m. to 3:10 p.m.)

This topic is quite broad and can often be vague. With that in mind, the philosophy behind this interactive seminar is not to teach students the criminal code, but rather how to analyze cases, whether at the investigatory stage, the charging stage, or the trial stage. By utilizing hypothetical cases, the goal is that students will learn both how to spot issues and the proper method for dealing with them. The presenter will change certain facts to see how the students' analysis changes. He will also provide the students with real life examples that he has faced in his 28

years as a prosecutor.

Assistant Prosecutor Robert Hawkes has been with the Somerset County Prosecutor's Office since June, 1998. Prior to that, he served for almost 11 years with the New York County District Attorney's Office. When he left the Manhattan DA's office, he was a Deputy Bureau Chief in one of the Narcotics Unit's Trial Divisions. While with the Somerset County Prosecutor's Office, AP Hawkes has served as the Legal Advisor to the Somerset County Prosecutor's Office Organized Crime and Narcotics Task Force. He has taught for the Advocacy Institute for several years, including this course and the Trial Advocacy Program. AP Hawkes also has lectured at the New Jersey State Police Academy and the Somerset County Police Academy. He currently serves as a senior trial attorney in the Litigation Unit handling a variety of different cases and is the Chief Legal Advisor to the Major Crimes Unit. He received his J.D. from Fordham University School of Law in 1987 and B.A. in Classics and Political Science from Duquesne University in 1984.

WRAP UP - (3:10 p.m. to 3:20 p.m.)