



**NATIONAL DEFENDER INVESTIGATOR ASSOCIATION  
2019 NATIONAL CONFERENCE  
San Diego, CA**



**“Facts Matter”**

**CONFERENCE AGENDA**

4:00 pm – 6:00 pm		REGISTRATION	<b>MONDAY, April 22</b>
7:30 am – 8:45 am		REGISTRATION and Coffee Bar	<b>TUESDAY, April 23</b>
8:45 am – 9:15 am		<b>Welcome and Opening Remarks – Ballroom</b> <b>Matthew Whalen, NDIA President</b>	
9:15 am – 10:45 am		<b>PLENARY - Ballroom</b> <b>Human Trafficking</b> Phil Stackhouse, Military Defender, San Diego, CA Renee Stackhouse, Co-Chair, Human Trafficking Task Force, San Diego, CA	
This Conference Opening Session will explore the myths and facts behind human trafficking, how to identify trafficking in seemingly unrelated cases, and how to best represent a survivor post-conviction to help them rebuild their future.			
10:45 am – 11:00 am		Networking Break, Exhibits	
<b>11:00 am – 12:15 pm CONCURRENT SESSIONS</b>			
<p align="center"><b>Forensics – Cell Phones and More</b> Bryan Dykstra, Atlantic Data Forensics, Elkridge, MD <b>Pacific Room</b></p> <p>Ever wondered what you could get from a client's cell phone? Atlantic Data Forensics is a leader in cell phone and computer forensics. In this session, they will discuss what types of data can be extracted to include the latest in social media applications.</p>	<p align="center"><b>Building Witness Relationships</b> Billy Little, Capital Defense Attorney, Military Defender, San Diego, CA <b>Sunset Room</b></p> <p>A discussion about building trusting relationships in order to gather information from reluctant witnesses and victims.</p>	<p align="center"><b>Discovering the Story in a Capital Case</b> Kristen Widmann, Investigator, Orange County Associate Defender, Santa Ana, CA Walter Ott, Investigator, Federal Community Defender, Inc., Louisville, KY <b>Marina Room</b></p> <p>Investigators often view their job as simply gathering the facts. However, your job is so much more than just 'the facts'. You have a responsibility to assemble the puzzle pieces into a coherent and persuasive narrative that best represents your clients' case. This session will describe that process and provide case studies from state and federal capital cases.</p>	
<b>12:15 pm – 1:15 pm Lunch Break on Your Own</b>			
<b>1:15 pm – 2:30 pm CONCURRENT SESSIONS</b>			
<p align="center"><b>Forensics – Cell Phones and More</b> Bryan Dykstra, Atlantic Data Forensics, Elkridge, MD <b>Pacific Room</b></p> <p>Ever wondered what you could get from a client's cell phone? Atlantic Data Forensics is a leader in cell phone and computer forensics. In this session, they will discuss what types of data can be extracted to include the latest in social media applications.</p> <p>*Repeat Session from Tues. April 23<sup>rd</sup> at 11:00am</p>	<p align="center"><b>Homicide Cases: An Attorney Perspective</b> Rudy Acree, Jr., Deputy Director, Public Defender Service for DC <b>Sunset Room</b></p> <p>More than a checklist, this will be an in-depth discussion on how to work up a homicide case.</p>	<p align="center"><b>Investigating Beyond the Facts Presented</b> Dawn Wilson, Wilson Investigations, AZ Diane Salvestrini, DSI Investigations, AZ <b>Marina Room</b></p> <p>Looking beyond the "snapshot" version of events presented by Law Enforcement and recovering all the details surrounding the event by thinking outside the box.</p>	
2:30 pm – 2:45 pm		Networking Break, Exhibits	
<b>2:45 pm – 4:00 pm CONCURRENT SESSIONS</b>			
<p align="center"><b>Cell Phone Extraction 101</b> Eric Hirst, Chief Information Officer, Public Defender for DC Matt Hanna, Supervisory Investigator, Public Defender Service for DC <b>Pacific Room</b></p> <p>This session will center around the basics of Cell Phone Extraction, incorporating simple-to-use (paid) software, to better prepare any cases involving a cell phone. All equipment and software is not forensic grade – so experts still may be required on your cases. The information presented is to better inform you and/or your attorney(s) on any cell phone related questions and case facts, and whether or not experts may be needed in your case.</p>	<p align="center"><b>Social Media Data Collection in a Post-Cambridge Analytica World</b> Joseph Pochron, TransPerfect Legal Solutions, President, Forensic Technology &amp; Consulting, San Francisco, CA <b>Sunset Room</b></p> <p>It is no surprise that social media data serves as strong evidence, with some outlets reporting usage of Facebook by U.S. adults as high as 68%, and Instagram usage in the 18-24 age demographic hovering around 71%. The need to preserve the integrity of this data is paramount, however proper forensic preservation methods have changed dramatically in recent months. Over the last year we've seen the impact from Facebook's Cambridge Analytica scandal, along with a rise in privacy concerns by the public alike. This has impacted forensic preservation of social media and modern day forensic examiners and legal professionals need to be prepared with several options for sound data preservation. This session will discuss contemporary techniques and industry limitations as it relates to social media forensic preservation.</p>	<p align="center"><b>The More You Know</b> Stacey Deville, MFS, Texas Forensic Investigative Consultants, Austin, TX <b>Marina Room</b></p> <p>A crime scene consultant's overall analysis of how to process a crime scene properly. Procedures, protocols, and traps to watch for. Session repeated on Wed. April 24<sup>th</sup> at 9:15am.</p> <p>**Please note this Session contains very graphic content.</p>	
4:00 pm – 4:15 pm		Networking Break, Exhibits	
4:15 pm – 5:30 pm		<b>PLENARY - Ballroom</b> <b>The Science of Eyewitness Memory: Understanding and Preventing Identification Errors</b> Jennifer Dysart, Ph.D., John Jay College of Criminal Justice, New York, NY	
An experimental forensic psychologist, Dr. Dysart conducts research on eyewitness accuracy and the prevention of eyewitness errors. Dr. Dysart will discuss the science of memory and the various factors that contribute to the false identification of innocent suspects. Dr. Dysart will also present safeguards that may be implemented to reduce identification errors. This plenary session will also focus on the value of eyewitness evidence, the role of the eyewitness and whether errors can be identified.			
5:30 pm		<b>NDIA Annual Business Meeting - Mission Bay Ballroom</b>	



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8:00 am – 8:45 am			Coffee Bar	<b>WEDNESDAY, April 24</b>
9:00 am – 9:15 am				
Opening Remarks – Sunset Room				
Matthew Whalen, NDIA President				
9:15 am – 10:30 am				
<b>CONCURRENT SESSIONS</b>				
<p align="center"><b>Defending the Heinous Crimes: Child Pornography and Sex Offenses in an Online World (Part I)</b></p> <p>Al Olsen, Chief Investigator, Justice Investigations Services, Inc., Fort Myers, FL Marie Olsen, Manager/Private Investigator, Justice Investigations Services, Inc., Fort Myers, FL <b>Pacific Room</b></p> <p>These sessions will provide an overview of how online, sexually related crimes are investigated and how they can be defended. We will address the elements of the various crimes, the proof necessary for the prosecution to bring a winnable case and the manner in which these proofs can and should be contested on behalf of your Defendant.</p> <p>The types of crimes reviewed in this session will include child pornography, online sexual encounters, online sexual seduction/enticement, catfishing, cyberstalking and trolling. Please note that due to the nature of these crimes, the language, case examples and topics covered during these sessions may be disturbing to some individuals.</p>	<p align="center"><b>Demystifying Artificial Intelligence and Algorithmic Tools Used in Criminal Justice</b></p> <p>Stephanie Lacambra, Criminal Defense Staff Attorney, Electronic Frontier Foundation, San Francisco, CA <b>Sunset Room</b></p> <p>This session seeks to demystify AI and algorithmic tools used in the criminal justice system and provide some basic examples – such as pre-trial risk assessments and facial recognition – and background information on what components make up these tools, what to ask for, and who to call on for help.</p>	<p align="center"><b>The More You Know</b></p> <p>Stacey Deville, MFS, Texas Forensic Investigative Consultants, Austin, TX <b>Marina Room</b></p> <p>A crime scene consultant's overall analysis of how to process a crime scene properly. Procedures, protocols, and traps to watch for.</p> <p>*Repeat Session from Tues. April 23<sup>rd</sup> at 2:45pm</p> <p>**Please note this Session contains very graphic content.</p>		
10:30 am – 10:45 am				
Networking Break, Exhibits				
10:45 am – 12:00 pm				
<b>CONCURRENT SESSIONS</b>				
<p align="center"><b>Defending the Heinous Crimes: Child Pornography and Sex Offenses in an Online World (Part II)</b></p> <p>Al Olsen, Chief Investigator, Justice Investigations Services, Inc., Fort Myers, FL Marie Olsen, Manager/Private Investigator, Justice Investigations Services, Inc., Fort Myers, FL <b>Pacific Room</b></p> <p>Continuation – Defending the Heinous Crimes Part I</p>	<p align="center"><b>How to Challenge the Use of Predictive Policing Programs</b></p> <p>Stephanie Lacambra, Criminal Defense Staff Attorney, Electronic Frontier Foundation, San Francisco, CA <b>Sunset Room</b></p> <p>Police Departments across the nation are investing in software programs that claim to be able to predict where crime is most likely to occur to optimize the deployment of law enforcement resources. This session will explain what predictive policing programs are, how they work, and what information you should try to get to challenge them.</p>	<p align="center"><b>Digesting Discovery (Part I) (Computer Hands On)</b></p> <p>Eric Hirst, Chief Information Officer, Public Defender for DC Matt Hanna, Supervisory Investigator, Public Defender Service for DC <b>Marina Room</b></p> <p>The amount of discovery produced in a case can be exhaustive and time consuming. Cataloging and categorizing it for the team can seem overwhelming. Join us in this hands-on demonstration using Excel to assist in the process. Participants will be shown how to gather all of the data easily into an Excel spreadsheet with some tips on how to simplify the process with the addition of some free tools. Participants will then get the opportunity to try this out on their own.</p>		
12:00 pm – 1:00 pm				
Lunch Break				
1:00 pm – 2:15 pm				
<b>CONCURRENT SESSIONS</b>				
<p align="center"><b>EEK! I'm going to include Mitigation in my Investigation?</b></p> <p>Dawn Wilson, Wilson Investigations, AZ Diana Salvestrini, DSI Investigations, AZ <b>Pacific Room</b></p> <p>Looking beyond the Who, What, Where, When and How and focusing on the WHY.</p>	<p align="center"><b>Making the Most of Your Social Media Investigations</b></p> <p>Rob Douglas, CEO and Co-Founder, SkopeNow, New York, NY <b>Sunset Room</b></p> <p>This session will walk attendees through investigative resources, open source techniques, and technology that can be used to automate open web investigations.</p>	<p align="center"><b>Digesting Discovery (Part II) (Computer Hands On)</b></p> <p>Eric Hirst, Chief Information Officer, Public Defender for DC Matt Hanna, Supervisory Investigator, Public Defender Service for DC <b>Marina Room</b></p> <p>Continuation – Digesting Discovery Part I</p>		
2:15 pm – 2:30 pm				
Networking Break, Exhibits				
2:30 pm – 4:30 pm				
<b>KEYNOTE - Ballroom</b>				
<b>“The Staircase”</b>				
David Rudolf, Attorney, Rudolf Widenhouse, Charlotte, NC <b>Sunset Room</b>				
<p>In 2001, Kathleen Peterson was found dead at the bottom of the stairs in the North Carolina home shared with her husband, author Michael Peterson. Michael Peterson was found guilty of first-degree murder for the killing of his wife. David Rudolf, the defense attorney for Peterson, will talk about his case and the theories told in “The Staircase” – as well as the verdict. David will also go over aspects of the defense investigations using clips from the documentary.</p> <p>“The Staircase” explores the lengthy, sixteen-year legal battle that ensued for Michael Peterson after the suspicious death of Kathleen Peterson. The 13-part documentary is available on Netflix.</p>				
<p><b>President’s Reception</b> <b>Mission Bay Ballroom Terrace</b> <b>4:30 pm – 7:00 pm</b></p>				



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8:00 am – 8:45 am		Coffee Bar	<b>THURSDAY, April 25</b>
9:00 am – 9:15 am			
<b>Opening Remarks – Ballroom</b>			
<b>Matthew Whalen, NDIA President</b>			
9:15 am – 10:45 am		<b>PLENARY - Ballroom</b>	
<b>Roles and Responsibilities of Capital Defense Team Members</b> Ed Ungvarsky, Attorney/Principal, Ungvarsky Law, PLLC, Alexandria, VA			
The ABA Guidelines make clear that a capital defense team should be comprised of no less than 2 attorneys, at least 1 fact investigator, and at least 1 mitigation specialist. Every member of the capital defense team has a different background and skillsets. Every member of the team is working toward the same goal – to save client’s life. This session will discuss how, through the dedication of all team members and mutual respect among all, a team-based approach to representation can obtain the best outcome for the client.			
10:45 am – 11:00 am		<b>Networking Break, Exhibits</b>	
11:00 am – 12:15 pm		<b>CONCURRENT SESSIONS</b>	
<p><b>The Difference Between Capital Mitigation and Mitigation for Re-Sentencing Juveniles in Light of Miller &amp; Graham</b></p> <p>Heather Holmes, Ph.D., Forensic Psychologist, Principal Consultant, Psychological Consultants Fort Lauderdale, FL <b>Pacific Room</b></p> <p>Dr. Holmes will use her expertise in the areas of mental health, sex offenders, and mitigation for capital cases to examine the differences between normal capital mitigation and those of the recent decisions that hold it to be unconstitutional for juveniles to be sentenced to life imprisonment without the possibility of parole in non-homicide cases.</p>	<p><b>Representing US Service Members and Veterans</b></p> <p>Ed Ungvarsky, Attorney/Principal, Ungvarsky Law, PLLC, Alexandria, VA <b>Sunset Room</b></p> <p>The representation of current and former U.S. Service Members and Veterans provides unique challenges and opportunities in identifying, developing, and presenting mitigation evidence. This session will provide a primer on how to investigate and present evidence of military experience.</p> <p>With regard to investigation, the presenter will address records collection, locating/interviewing witnesses, learning about possible “PTSD” and other mental health concerns, and the gathering of awards, photographs, and other documentary evidence in mitigation. With regard to presentation, this session will address the different potential audiences, including victims, the prosecutor, the judge, and the jurors, and effective ways to communicate to all decision-makers that a sentence less than death is appropriate. Through the presentation, the session will thematically address the need for cultural competency as it relates to this special background associated with the 1% of Americans who have served in our Armed Forces.</p>	<p><b>The Different Approach to Interviewing: P.E.A.C.E. Framework of Interviewing (Part I)</b></p> <p>Jonathan Davison, President, CEO, Forensic Interview Solutions, Raleigh/Durham, NC <b>Marina Room</b></p> <p>A critical component of any investigation is the ability of the investigator to obtain accurate and reliable information from victims, witnesses and suspects. The interview process is an essential part of the information gathering procedure. In this 3-part Workshop, we will examine the evolution of investigative interviewing, the benefits of adopting the P.E.A.C.E. interviewing approach, and examine the principles of conducting investigative interviews.</p>	
12:15 pm – 1:15 pm		<b>Lunch Break</b>	
1:15 pm – 2:30 pm		<b>CONCURRENT SESSIONS</b>	
<p><b>Detection and Etiology of Substance Abuse: How to Use it as a Mitigator &amp; Investigator</b></p> <p>Heather Holmes, Ph.D., Forensic Psychologist, Principal Consultant, Psychological Consultants, Fort Lauderdale, FL <b>Pacific Room</b></p> <p>Attendees will learn how a client’s medical and mental health history, as well as family history, can help detect the presence of substance abuse. Clinical examples of cases from both federal and state courts in which substance abuse can be explained as a result of an illness, will be discussed.</p>	<p><b>What’s New in Investigations?</b></p> <p>Collective Team from Public Defender for DC <b>Sunset Room</b></p> <p>This session will cover tips, tricks and topics of what’s going on with investigations from both a non-tech and tech-related perspective. As the world changes, so does the investigation and we’re here to stay ahead of the game.</p>	<p><b>The Different Approach to Interviewing: P.E.A.C.E. Framework of Interviewing (Part II)</b></p> <p>Jonathan Davison, President, CEO, Forensic Interview Solutions, Raleigh/Durham, NC <b>Marina Room</b></p> <p>Continuation – P.E.A.C.E. Part I Workshop.</p>	
2:30 pm – 2:45 pm		<b>Networking Break, Exhibits</b>	
2:45 pm – 4:00 pm		<b>CONCURRENT SESSIONS</b>	
<p><b>Team Building (Official Title TBD)</b></p> <p>Angela Sebaly, Co-Founder/CEO, Personify Leadership, <b>Pacific Room</b></p> <p>This session will address questions directly from attendees about variety of topics including team building, communication, working with personality types and ‘Managing Up’ to name a few.</p> <p><a href="http://www.personifyleadership.com">www.personifyleadership.com</a></p>	<p><b>Winning the Unwinnable Cases...</b></p> <p>Billy Little, Capital Defense Attorney, Military Defender, San Diego, CA <b>Sunset Room</b></p> <p>...or at least not getting laughed out of the courtroom. This session will discuss strategies for investigating cases where there appears to be no defense.</p>	<p><b>The Different Approach to Interviewing: P.E.A.C.E. Framework of Interviewing (Part III)</b></p> <p>Jonathan Davison, President, CEO, Forensic Interview Solutions, Raleigh/Durham, NC <b>Marina Room</b></p> <p>Continuation – P.E.A.C.E. Parts I &amp; II Workshop.</p>	
4:00 pm – 4:15 pm		<b>Networking Break, Exhibits</b>	
4:15 pm – 5:30 pm		<b>CONFERENCE CLOSING SESSION - Ballroom</b>	
<b>America’s Dire Need for Criminal Justice and Prison Reform</b> Bernard B. Kerik, Retired NYC Police, and Commissioner & NY Times Best Selling Author <b>Sunset Room</b>			
Having run two of the largest law enforcement organizations in the United States, the NYPD, and the New York City Department of Correction, including Riker Island; and having been targeted by state and federal prosecutors with what started with tax and false statements over his children’s nanny after he was nominated by President George W. Bush as Secretary of the U.S. Department of Homeland Security, Mr. Kerik, a law enforcement legend who led the NYPD through its darkest hours during and in the aftermath of 9/11, will discuss his personal observations of the U.S. Criminal Justice System, and the dire need for change. From overreaching politically motivated prosecutors who suborned perjury, suppressed evidence, and extorted false testimony from witnesses that’s outlined in his national bestseller <i>From Jailer to Jailed</i> , to fraud, waste, abuse and corruption in the U.S. prison system, Mr. Kerik’s presentation is not one you want to miss.			
The Grave Above the Grave – <a href="https://www.amazon.com/Grave-Above-Bernard-Kerik/dp/1630060992">https://www.amazon.com/Grave-Above-Bernard-Kerik/dp/1630060992</a> From Jailer to Jailed – <a href="https://tinyurl.com/yda2uv5g">https://tinyurl.com/yda2uv5g</a> The Lost Son: A Life in Pursuit of Justice – <a href="https://tinyurl.com/y96tgroz">https://tinyurl.com/y96tgroz</a>			