

AGENDA
NDIA NATIONAL CONFERENCE, NEW ORLEANS
APRIL 23-25, 2014

Tuesday, April 22, 2014

6:00 pm – 7:30 pm

Technology Day Conference Registration & Reception

Versailles Ballroom, 3rd floor

Wednesday, April 23, 2014

NDIA Presents Technology Day

8:15 am – 12:15 pm

Pre-Conference Workshop Part 1

Versailles Ballroom, 3rd floor

“Understanding Government Cyber Crime Investigations:

An inside look at their techniques & capabilities”

- Anthony Pullano, LPI, CCDI, CCFE, CHFI, CDFI, CCFI, Fairfield Investigation, Inc. Stuart, FL & Stamford, CT

Course Description: This all-day program will include among other topics the following:

1. *Techniques in Electronic Evidence Collection and How to Search and Retrieve Information Safely*
2. *Advanced Development of Mobile Technology and how it is Creating Opportunities for Both Investigators and Their Clients*
3. *Digital Evidence: How to Follow the Email Cyber Trail*
4. *Flash Memory Chips and Retrieving Deleted Data*
5. *WIFI Hacking and Vulnerability Detection*
6. *Memory and SIM Cards: How they Can hold More Data than the Device and How to Protect it*
7. *Mobile Device, iPhone and iPad: How to Seize and Analyze Evidence*
8. *The Challenges of “Cloud” Forensics*

12:15 pm – 1:45 pm LUNCH ON OWN

1:45 pm – 5:45 pm

NDIA Presents Technology Day Part 2

Versailles Ballroom, 3rd floor

“Understanding Government Cyber Crime Investigations:

An inside look at their techniques & capabilities”

- Anthony Pullano, LPI, CCDI, CCFE, CHFI, CDFI, CCFI, Fairfield Investigation, Inc., Stuart, FL & Stamford, CT

6:00 pm – 7:00 pm

Conference Registration & Reception

Versailles Ballroom, 3rd floor

Thursday, April 24, 2014

7:30 am – 8:30 am

Registration Continued & Coffee Bar

Versailles Pre-Function, 3rd Floor

8:30 am – 8:45 am

Welcome & Opening Remarks

Versailles Ballroom, 3rd Floor

- Marvin Jeffcoat, NDIA President

- Introduction of the 2014 Melissa Kupferberg Scholarship Recipients

8:45 am – 10:15 am
GENERAL SESSION

Versailles Ballroom, 3rd floor

“Injustice, the Law and Hope”

- Anne-Marie Moyes, Office of the Federal Public Defender, Middle District of Tennessee, Nashville, TN
- Ndume Olatushani, Served 28 years for a crime he didn't commit. And the woman he loves helped set him free.

Course Description: Ndume Olatushani, sentenced to death for a Memphis murder in 1985, walked out of prison in 2012 a free man. Olatushani and a team of lawyers fought for years to uncover evidence of his wrongful conviction. One of his lawyers was Anne-Marie Moyes, the Founder's Medalist from Vanderbilt Law School who became his strongest advocate and conducted an investigation that uncovered new evidence of his innocence.

10:30 am – 11:45 am
BREAKOUTS

SESSION I

Belle Chasse, 3rd floor

“LexisNexis”

- (Accurint & CaseMap will be broken down into breakout sessions throughout the 2-day seminar – more details soon.)

- **“CaseMap: Your Digital Investigative Notebook**

- Cindy Milanovich, Litigation Solutions Account Manager, LexisNexis

Course Description: Public defender offices, court appointed attorneys, investigators and paralegals all have been using CaseMap and Acrobat Pro as their digital notebook for years. Learn how you can use CaseMap and TimeMap to improve your investigative work, from developing pinpoint chronologies to producing relevant reports for the attorneys you work with. This session will provide an overview of the technology, demonstrate how it is a valuable tool for investigators and paralegals in criminal cases, and discuss the resources available for you to learn the program.

- **“Accurint: Leverage the Next Level of Investigations”**

- Betsy Post-Garza, Esq., Senior Government Consultants, LexisNexis
- Herbert Duzant, Investigator, Federal Public Defender, District of Nevada

Course Description: Shed light on complex investigations with point-of-need investigative solutions that enables government agencies to locate people, detect fraud, uncover assets, verify identity, perform due diligence and visualize complex relationships.

SESSION II

Versailles, 3rd floor

“The Fundamentals of Effective Mitigation Investigations”

- Donna Murray, Mitigation Specialist, Capital Mitigation Consultants, Cape Coral, FL
- Cynthia O'Shea, Attorney, Capital Mitigation Consultants, Cape Coral, FL

Course Description: The Mitigation Specialist bears the primary responsibility for providing trial lawyers with information, professional analysis, expert testimony and evidence to present to a judge or jury in considering the disposition of a significant criminal case. They also provide assistance for both capital and non-capital trial level cases as well as provide assistance on capital and non-capital cases throughout their appeal process.

Learn why mitigation investigations and report evidence are key parts of any good defense strategy; how to assist attorneys in locating evidence that will mitigate or lessen the punishment imposed on clients found guilty at trial and the different ranges of evidence that can be presented (from the client would function well on probation, to reasons why a death sentence would not be appropriate for a client.) Also discussed will be how to provide the proper supportive research and documented history of the defendant for your defender and preparation and presentation of mitigation evidence in the penalty phase of a Capital case.

SESSION III

Rosedown, 3rd floor

“Introduction to Private Investigations:

An option for retirees & those affected by fiscal cuts.”

- Frank Murphy, Investigator, Frank A. Murphy Investigations, Ft. Lauderdale, FL
Course Description: Essential knowledge and procedures you need to know when starting your own private investigator firm, from licensing, training, state requirements, equipment, and software, to sales, networking, advertising and finding your specialty. Learn how to run the business side of your investigative company.

11:45 am – 1:15 pm LUNCH ON OWN

1:15 pm – 2:30 pm

BREAKOUTS

SESSION I

Melrose, 3rd floor

“Competency to Stand Trial and Not Guilty by Reason of Insanity”

- Katherine Mattes, Attorney, Professor of Practice and Interim Director, Criminal Law Clinic, Tulane Law School, New Orleans, LA
Course Description: The intersection of criminal justice and mental illness: Treatment of mentally ill criminal defendants who are incompetent to stand trial.

This presentation will have an emphasis on mental competency to stand trial and the defense of not guilty by reason of insanity.

SESSION II

Rosedown, 3rd floor

“Interviewing Juvenile Clients, Witnesses and Victims”

- Derwyn Bunton, Chief Investigator, Office of the Public Defender, Orleans Parish, New Orleans, LA
Course Description: Reasons for treating juveniles differently and a discussion of strategies to use in interviewing adolescent defendants, witnesses and victims.

SESSION III

Versailles, 3rd floor

“Report Writing”

- Larry Carlson, Investigator, Washoe County Public Defender, Reno, NV
Course Description:

SESSION IV

Belle Chasse, 3rd floor

“LexisNexis”

- TBA
Course Description:

2:45 pm – 4:00 pm

BREAKOUTS

SESSION I

Versailles, 3rd

“Deciphering Police Reports and Client Confessions”

- Paul Carroll, Owner, Paul Carroll Consulting and Training, Homosassa Springs, FL
Course Description: Investigative report writing is one of the most important duties of any investigator. It is necessary that the well trained investigator not only be able to produce concise, detailed reports, but it is also essential that they be able to review and understand the police report.

More errors regarding the arrest of your client can be found in the report that the police have prepared.

We will discuss what should be in both the investigator's and the police officer's report and why the police sometimes leave details out. Statements given by your client is the reason most of them are convicted. We will discuss how the police "really" get those statements when there is absolutely NO REASON for your client to have talked to the police.

SESSION II

Rosedown, 3rd floor

"Blood Stain Pattern Analysis"

- J.D. Thomas, CCDI, Forensic Science Analyst, Forensic Consulting Services, LLC, New Port Richey, FL
Course Description: Specific case study and group discussion on the concept of blood stain analysis in relation to the investigation of crimes scenes where blood evidence is present and how blood evidence can either confirm or refute proper analysis of that evidence.

SESSION III

Melrose, 3rd floor

"Defending Child Pornography Cases"

- Jim Persinger, CFE, LPI, Owner, Chief Executive Officer, PMI Investigations, Atlanta, GA
Course Description: Computer Based Sex Crimes and Defending Child Enticement and Child Pornography Cases: the emerging threat of offenders using the Internet or other online technology to sexually exploit children.

SESSION IV

Belle Chasse, 3rd floor

"LexisNexis"

- TBA
Course Description:

4:15 pm – 5:30 pm

BREAKOUTS

SESSION I

Versailles, 3rd floor

"Strategies for Successfully Challenging DNA Evidence"

- Vince Miller, PhD, Forensic Technical Director, General Genetics Corporation, Las Cruces, NM

Course Description: This seminar will help defense investigators gain an understanding of DNA forensic reports and the utility of the DNA expert to develop effective defense strategies against DNA evidence. Topics that will be covered include The Genetic Report, DNA Mixtures, Touch DNA and degradation, What is Allelic Dropout?, Statistical Analyses, Misinterpretation Evidence of limited or no Probative Value, Explanations for the Presence of Potentially Inculpatory DNA and/or Proper Weight that the Jury Should Apply to the Evidence.

SESSION II

Melrose, 3rd floor

"Selecting and Working with Expert Witnesses"

- Cynthia O'Shea, Attorney, Capital Mitigation Consultants, Cape Coral, FL
- Donna Murray, Mitigation Specialist, Capital Mitigation Consultants, Cape Coral, FL
Course Description: In defense litigation, expert witness testimony is a necessary and critical part of the litigation strategy. Because expert witness testimony can be such an important factor, there can be much at stake for litigators in the process of finding and selecting an expert. Clients have also recognized the importance of choosing the expert witness best suited for the case, and the selection process has increasingly become a joint endeavor between outside litigators and their in-house counterparts.

Therefore, the defense team should be informed about how to best prepare to find and select expert witnesses. The importance experts can play in litigation, and some of the important issues the defense team should consider when searching for the most effective expert, a decision that ultimately can have a significant impact on settlement negotiations and trial results.

SESSION III

Rosedown, 3rd floor

"Detection and Etiology of Substance Abuse: How to Utilize it as a Mitigator"

- Heather Holmes, Psy.D. Forensic Psychologist, Psychological Consultants, Miami, FL
Course Description: 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 court in which substance abuse can be explained as a result of illness and can actually be used as a mitigator.

SESSION IV

Belle Chasse, 3rd floor

"LexisNexis"

- TBA
Course Description:

5:30 pm General Business Meeting

Versailles, 3rd floor

6:30 pm President's Reception, Investigator of the Year Awards

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The River Room Port/Starboard overlooking the Mississippi River

Friday, April 25, 2014

8:00-8:40 am

Coffee Bar

Versailles Pre-Function Area, 3rd Floor

8:45 – 10:15 am

GENERAL SESSION – Keynote Speakers

Versailles, 3rd floor

"In Defense of the Public: Representing Unsympathetic Defendants in High Profile Cases"

- Thomas Ullmann, Chief Public Defender, Office of the Public Defender, New Haven Judicial District, New Haven, CT
- Matthew Whalen, Investigator, Office of the Public Defender, New Haven Judicial District, New Haven, CT

Course Description: Cheshire, CT triple murder case involving two parolees who broke into a home during the middle of the night, tied up and tortured the family for several hours before killing three family members and setting the house on fire. The lone surviving family member of the home invasion Dr. William Petit, was badly beaten with a bat and left in the basement. Mr. Ullmann and his investigator on the case, Matt Whalen, will discuss this death penalty case where, as Ullmann put it referring to their client, "Everybody in the world hates this guy."

10:15 am – 11:30 am

BREAKOUTS

SESSION I

Versailles, 3rd floor

"Capital Pre-trial Proffers: The fine line between Guilt, Innocence & Mental Health"

- Terence Lenamon, Esq., Criminal Defense Attorney, Lenamon Law, Miami, FL

Course Description: As a member of the Casey Anthony defense team (which the media has dubbed “the Casey Anthony Dream Team”), Terry Lenamon persuaded the State of Florida not to seek the death penalty by a mitigation package that stressed the mental health aspects of maternal filicide. The complex and often fine line between guilt, innocence and mental health.

SESSION II

Rosedown, 3rd floor

“Safety in the Field-Part 1”

- Dwight Singleton, Investigator, Chatham County Public Defender, Savannah, GA
Course Description: This presentation will help investigators to identify and avoid, or respond to potentially dangerous situations which may develop during the course of an investigation. This training will also illustrate the basic skills used to de-escalate a conflict.

SESSION III

Belle Chasse, 3rd floor

“LexisNexis”

- TBA
Course Description:

10:15 am – 12:30 pm

BREAKOUT

SESSION IV

Melrose, 3rd floor

“Analyzing Financial Records”

- Norm Williams, Principal, Williams Financial Investigations, LLC, Lexington, KY, past Special Agent, Criminal Investigation Division, Internal Revenue Service, US Treasury
Course Description: Approaches to analyzing financial documents; location, identification and organization of records.

1:00 pm – 2:15 pm

BREAKOUTS

SESSION I

Versailles, 3rd floor

“Sexual Offenders and Mental Deficiency”

- Heather Holmes, Psy.D, Forensic Psychologist, Psychological Consultants, Miami, FL
Course Description: Examination of the role of low cognitive ability in sexual offending and which mental illnesses are more rampant in sexual offenders – case examples offered for discussion.

SESSION II

Rosedown, 3rd floor

“Building Witness Relationships”

- Anne-Marie Moyes, Public Defender, Office of the Federal Public Defender, Middle District of Tennessee, Nashville, TN
Course Description:

SESSION III

Melrose, 3rd floor

“Safety in the Field-Part 2”

- Dwight Singleton, Investigator, Chatham County Public Defender, Savannah, GA
Course Description: Preparing for Field Work: Personal Space, Responding to Anger, Mental Preparation, Field Investigation Danger Zones, Standard vs. Necessary Equipment, Screening Obstacles and Potential Warning Signs. Expecting the Unexpected during your Investigation in the Field and knowing how to respond and survive.

SESSION IV

Belle Chasse, 3rd floor

“LexisNexis”

- TBA

Course Description:

2:30 pm – 3:45 pm

BREAKOUTS

SESSION I

Melrose, 3rd floor

“Investigating Child Molestation Cases”

- Christopher Whitney, Esq., Law Offices of Christopher Whitney, PA, Fort Myers, FL

Course Description: *There is no crime today that is as emotionally charged as child sexual abuse.*

Most often the accused is presumed guilty even before the trial begins.

SESSION II

Versailles, 3rd floor

“DNA Analysis”

- George Schiro, MS, F-ABC, Consulting Forensic Scientist, Forensic Science Resources, Cade, LA
Course Description: *DNA analysis can be critical in criminal defense investigations. Some DNA results can be very damaging to a defendant, while other results may not be as incriminating as first thought, and some DNA results can even exonerate a defendant. This course will provide an overview of DNA analysis, results, interpretations, and, most importantly, limitations. Mr. Schiro will also present several case examples in which DNA and biological evidence and their interpretations were successfully challenged. The ultimate goal of this presentation is to give the criminal defense investigator the necessary tools and resources to understand DNA results, the limitations of those results, and the means to challenge those results that do not stand up to scrutiny.*

SESSION III

Belle Chasse, 3rd floor

“LexisNexis”

- TBA

Course Description:

4:00 pm – 5:15 pm

GENERAL SESSION

Versailles, 3rd floor

“Wrongful Conviction: The Importance of Timelines in Criminal Investigations”

- Jarrett Adams, Investigator, Federal Defender Program, United States District Court for the Northern District of Illinois, Chicago, IL

- Carlton E. Williams, Racial Justice Staff Attorney, American Civil Liberties Union of MA, Boston, MA

Course Description: *The true story of how Mr. Adams was wrongfully convicted and how the importance of putting together a timeline can either refute or confirm the facts of the case.*
