

2nd Public Defense Investigator Training: Principles & Practice—Nov. 20, 2015

Attendance is free for Investigators working in or primarily for Public Defenders, Legal Aid, and Assigned Counsel. Pre-registration by November 15, 2015 is required. Space is limited. For additional questions please contact Yasmin Davis at (518) 465-5524 or ydavis@nysda.org.

NAME: _____ OFFICE: _____

ADDRESS: _____

CITY/STATE/ZIP CODE: _____

TELEPHONE: _____ E-MAIL: _____

☐ Do you have any special needs? _____

NEW YORK STATE DEFENDERS ASSOCIATION
194 WASHINGTON AVENUE, SUITE 500
ALBANY, NEW YORK 12210-2314



NEW YORK STATE DEFENDERS ASSOCIATION

2nd Public Defense Investigator Training: Principles & Practice

*Presented by the
New York State
Defenders Association
and
The Legal Aid Society*

**Friday
November 20, 2015**

Debevoise &
Plimpton LLP
919 Third Avenue
New York, NY 10022

PROGRAM

8:30-9:00 am

Registration (coffee available)

9:00-10:05 am

Interviewing People Who Appear to Have Mental Health Issues

Mary Beth Anderson

10:05-11:05 am

Investigating Your Client's Military Background

Art Cody

11:05-11:20 am Break

11:20 am-12:20 pm

Understanding the Law on Reverse Discovery and Why It Matters

Christopher Flood

12:20-1:05 pm

Investigating Police Witnesses—Cop Accountability Project

Julie Ciccolini

1:05-2:05 pm Lunch (provided)

2:05-2:45 pm

Using Your Smart Phone and the Internet for Investigations

Bruni Marrero

2:45-3:45 pm

What Would You Do? Investigating: Self-Defense Murder, Murder for Hire, Sexual Allegations – Part I

Kevin McClain

3:45-4:00 pm Break

4:00-5:00 pm

What Would You Do? Investigating: Self-Defense Murder, Murder for Hire, Sexual Allegations – Part II

Kevin McClain

Announcements & Closing Remarks

SPEAKERS

Mary Beth Anderson is the Project Director of Urban Justice Center Mental Health Project and formerly the Director of Social Work and Investigation at Brooklyn Defender Services. Prior to joining BDS, she had a long career at The Legal Aid Society in criminal trial practice where she was initially a trial attorney and later the founding director of a city-wide project that teamed social workers and attorneys to provide comprehensive legal and social work services for clients with mental illness and substance abuse issues. Mary Beth was also an attorney in the Society's Special Litigation Unit and the mental health attorney in the Queens trial office. Mary Beth has devised and participated in many training programs on mental health/criminal justice issues for criminal defense organizations, law and social work schools, bar associations, the New York State Office of Court Administration, the Council of State Governments, providers of mental health services, and many others. She is a graduate of St. John's University School of Law and Hunter College School of Social Work.

Julie Ciccolini is a Paralegal II in the Special Litigation Unit at The Legal Aid Society. Since January 2015, she has been working on The Cop Accountability Project aimed at tracking police misconduct and working towards greater accountability and transparency within the NYPD. She has consulted with other organizations nationwide on how to design and maintain a database on police misconduct. Julie graduated from New York University with a BS in Applied Psychology. She was trained on research methods and database design during her previous experience at The McSilver Institute for Poverty Policy and Research and the NYU Peace and Conflict Lab.

Captain Art Cody, USN (Ret) is the Legal Director of the Veterans Defense Program (VDP) at NYSDA. A 1982 West Point graduate, Art has a Master's Degree from the University of Southern California and graduated magna cum laude from Notre Dame Law School. Art first served as a U.S. Army helicopter pilot, followed by service in the Navy Reserve. Most recently, he was mobilized for Operation Enduring Freedom in 2011, serving for one year at the United States Embassy in Kabul, Afghanistan as Staff Director of the Interagency Rule of Law Section. For his Afghan service, he received the Bronze Star Medal and the State Department Meritorious Service Award. He retired from the Navy in 2012 after 30 years of service. As a civilian lawyer, he has represented criminal defendants for over 15 years. He is a recipient of the Thurgood Marshall Award for Capital Representation from the New York City Bar Association.

Christopher Flood has dedicated his career to the defense of indigent persons. Previously he was a staff attorney at the Public Defender Service for the District of Columbia, and served as Deputy Chief Defender and Interim Chief Defender at the Orleans Public Defenders (OPD) in New Orleans. He has taught investigations at Gideon's Promise and OPD. He is currently an adjunct professor of law at NYU School of Law where he teaches the Federal Defender

Clinic. Chris holds a B.A. in social thought and political economy from the University of Massachusetts, graduating *magna cum laude*; an M.S. in labor studies from the same university; and a J.D. from the NYU School of Law. He is the author of *Closing the Circle: Case v. Nebraska and the Future of Habeas Reform*, 27 N.Y.U. Rev. L. & Soc. Change 633 (2002).

Bruni Marrero is a Senior Investigator with the Criminal Defense Practice of The Legal Aid Society in Brooklyn, NY. She has been with the Society for more than 15 years. Bruni worked for the Neighborhood Defender Service of Harlem (NDS) for four years. At NDS, in addition to her murder and serious felony caseload, she was responsible for training law students of Columbia Law School in the Community Defense Externship in Pre-Trial Investigations and Fieldwork Program. She started her career as a Probation Officer Investigator for the vicinage of Hudson County in NJ, and then moved on to the US Probation Department for the Eastern District of NY supervising white-collar and drug offenders. In 2002, she was certified by the NJ State Dept. of Education as a Law Enforcement and Public Safety Instructor. For more than ten years she has trained law students, interns, investigators and attorneys on investigative methods, interviewing techniques, and memorializing interviews, just to name a few.

Kevin McClain is a licensed private investigator in Illinois, Indiana, Kentucky, Missouri, and Wisconsin. He is a Board Certified Criminal Defense Investigator and President of Kevin W. McClain Investigations Ltd., which is a multi-state investigative firm (Illinois, Indiana, Kentucky, Missouri, and Wisconsin) with 30 investigators that have over 300 years of investigative experience. He is qualified as an expert in Criminal Investigations and Standardized Field Sobriety Testing. He has also been a college instructor in personal security. Kevin began his career in 1993 and gained distinction as one of the region's premier private investigators assisting some of the finest criminal defense and civil attorneys with major felonies, personal injuries, wrongful deaths, excessive force, shootings, corporate investigations, and high profile media cases. He has been a featured speaker at NLADA's "Life in the Balance" Capital Defense training seminars in New Orleans, Philadelphia, Atlanta, Florida, and St. Louis. Kevin has taught for Jon Rapping's Gideon's Promise for the last two years. He was also a featured speaker at the Indiana Public Defender Council on Sex Crimes and Molestation cases and the Missouri Criminal Defense Lawyers on "The Utilization of an Investigator." He has developed numerous investigative and attorney investigative training programs throughout the country. He is a founding faculty member of the nationally acclaimed Essentials of Defense Investigations Training Institute for criminal attorneys and investigators held yearly in Faubush, KY. He has the distinction of being part of the defense team on two Illinois Death Penalty cases that were dismissed prior to trial. (First time in Illinois history since the Capital Litigation Division was formed in 2000.) Kevin has conducted over 70 Death Penalty investigations as a fact and mitigation investigator around the country.