



**NATIONAL DEFENDER INVESTIGATOR ASSOCIATION
2022 REGIONAL CONFERENCE
Austin, TX**



“Ready, Set, Investigate!”

CONFERENCE AGENDA

4:00 pm – 6:00 pm		REGISTRATION	TUESDAY, September 6
8:00 am – 9:15 am		REGISTRATION and Coffee Bar	WEDNESDAY, September 7
9:15 am – 9:30 am		Welcome and Opening Remarks	
		NDIA President	
9:30 am – 10:45 am		PLENARY	
		Cultural Competence and the Importance of Race, Ethnicity, and Culture	
		Adrián de la Rosa, Investigator, Capital Habeas Unit, Federal Defender for Western District of Texas, Austin, TX Pennybacker	
Discussion surrounding cultural competence and the importance of race, ethnicity, and culture, both for meeting required legal standards, but most importantly, approaching and conducting respectful and meaningful investigative work with exceptional proficiency and diligence in diverse communities. The discussion will include strategies for mitigation specialists and fact investigators conducting culturally competent investigations, as well as ways the entire legal team can support a culturally competent investigation to enhance client-centered legal representation. The hope is that although this discussion will support the development of some practical skills and knowledge needed to interact more effectively with people from various backgrounds, it also will serve as a starting point for continued conversations about building awareness, knowledge, and skills related to cultural competency.			
10:45 am – 11:00 am		Networking Break, Exhibits	
11:00 am – 12:15 pm CONCURRENT SESSIONS			
<p align="center">The More You Know</p> <p align="center">Stacey Deville, M.F.S., Texas Forensic Investigative Consultants, Inc., Bee Cave, TX Room</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>**Please note this Session contains very graphic content.</p>	<p align="center">The Modern Defense Investigator: Go Digital!</p> <p align="center">Robert Theis, Investigator, Federal Public Defender, Eastern District of Missouri, St. Louis, MO Room</p> <p>This presentation will provide information to help the modern defense investigator with their transition to digital. This session will cover common pitfalls and provide tips and tricks to making the transition to digital easier. This presentation will provide an overview of current software and hardware that will assist in this digital transition. With emphasis on the iPhone, OneNote and the Remarkable writing tablet as the backbone of this investigators' digital toolkit. The session will follow a case from beginning to end using modern digital techniques from opening the case, working with discovery, working in the community, taking notes, picking a jury and finally, closing the case and archiving. This presentation is geared toward the defense investigator; however, paralegals, mitigation specialists, and lawyers will also find this useful in organizing their cases.</p>	<p align="center">Making the Most out of Mitigation Investigation</p> <p align="center">Miranda Nolen, JD, LMSW, Mitigation Unit Manager, Texas Defender Service, Austin, TX Nayeli Moreno, Mitigation Specialist, Texas Defender Service, Austin, TX Room</p> <p>This session will explore best practices, methods, and approaches to make the most out of time in the community. The presenters will discuss common signs and symptoms of mental health, trauma and intellectual disability present in mitigation witnesses and how to best document them to assist future experts. Emphasis will be placed on trauma-informed interviewing and building lasting rapport with vital witnesses.</p>	
12:15 pm – 1:15 pm		Lunch Break on Your Own	
1:15 pm – 2:30 pm CONCURRENT SESSIONS			
<p align="center">Mobile Device Forensics - The Basics</p> <p align="center">Eric Hirst, Chief Information Officer, Public Defender Service, Washington, DC Matt Hanna, Supervisory Investigator, Public Defender Service, Washington, DC Room</p> <p>This session will be an introduction to mobile device forensics, covering topics such as data types and forensic extractions, Android and iOS considerations, challenges (and solutions) that may arise from what was received in discovery to when to call an expert. Any tech-related questions are always encouraged!</p>	<p align="center">Confronting Ethical Situations</p> <p align="center">Kevin Tully, Chief Public Defender, Mecklenburg County, Charlotte, NC Room</p> <p>A variety of ethical scenarios will be covered in this session, including dealing with represented witnesses, duty to report child abuse/neglect, defending against accusations of misrepresenting oneself as law enforcement, social media usage and what to do if you feel an attorney's request of you crosses an ethical line. Case questions and attendee dialogue is encouraged by this presenter, who was also a former investigator at one point in his career.</p>	<p align="center">Handling Difficult/Hostile Witnesses</p> <p align="center">Rashid Abdul-Salaam, Investigator, Federal Public Defender, Northern District Alabama, Birmingham, AL Room</p> <p>Every individual is unique, including the witnesses in our cases. Each witness has various roles within the case (e.g. Complainant versus Eyewitness), their own familiarity levels with the criminal legal system, backgrounds, personal stories and so on. Everything is potentially relevant to preparing before you knock on the door, as this information could help diffuse a difficult or hostile scenario. This session will be an open discussion, including tips and tricks, on how to handle difficult and/or hostile witnesses, how to get the interview back on track, what to say or not to say to the witness and what question(s) a witness may have that could be causing the hostility.</p>	
2:30 pm – 2:45 pm		Networking Break, Exhibits	
2:45 pm – 4:00 pm CONCURRENT SESSIONS			
<p align="center">Unmasking the Anonymous: Internet Investigation Techniques</p> <p align="center">Bonnie Bacarisse, Senior Post-Conviction Investigator and Mitigation Specialist, Office of Capital and Forensic Writs, Austin, TX Room</p> <p>These days, everyone has an online footprint. Under the perceived cloak of anonymity of the web, some users reveal their true selves—selves which they may otherwise conceal in the real world. In this presentation, you will learn techniques to trace a person's digital footprint—spread across many years and across many social media platforms—and how to connect these personas to the same individual. This presentation will be helpful for new and seasoned investigators alike, and will cover the basics of internet investigation, in addition to more advanced techniques. We will also discuss when internet investigations can be helpful to your cases, who to investigate, and tips on how to best preserve your findings and organize your research.</p>	<p align="center">The Case of the Missing Investigator: Lessons from Texas</p> <p align="center">Scott Ehlers, Director of Public Defense Improvement, Texas Indigent Defense Commission, Austin, TX Suzanne Strong, Research Criminologist, Center for Courts and Corrections, RTI International, MD Eldon Whitworth, Fact Investigator, Lubbock Private Defenders Office, Lubbock, TX Room</p> <p>Session Description Pending</p> <p>Discussion on NACDL/TIDC Statewide Survey re: Usage of Investigators, Investigator/Attorney Expectations, etc.</p>	<p align="center">Forensic Accounting Case Studies & Development of Financial Evidence</p> <p align="center">Edmund Martin, Chief Investigator, Sage Investigations, LLC, Austin, TX Room</p> <p>This session will be a case scenario-based presentation on how to identify and acquire sources of evidence for Federal and State cases.</p>	
4:00 pm – 4:15 pm		Networking Break, Exhibits	
4:15 pm – 5:30 pm PLENARY			
		The Wrongful Conviction of The San Antonio Four	
		Anna Vasquez, Director of Outreach and Education, Innocence Project of Texas, San Antonio, TX Deb Esquenazi, Filmmaker, Austin, TX	



**NATIONAL DEFENDER INVESTIGATOR ASSOCIATION
2022 REGIONAL CONFERENCE
Austin, TX**



“Ready, Set, Investigate!”

CONFERENCE AGENDA

Pennybacker

In March 1995, 20-year-old Elizabeth Ramirez and three of her friends were indicted on charges of sexually molesting Ramirez’s 7-year-old and 9-year-old nieces in San Antonio, Texas. The girls claimed that Ramirez, 21-year-old Kristie Mayhugh, 19-year-old Cassandra Rivera and 19-year-old Anna Vasquez spent a week in an orgy of molestation. The jury convicted Ramirez of aggravated assault of a child and indecency with a child. She received 37½ years in prison. Mayhugh, Vasquez and Rivera were tried together and convicted. Each was sentenced to 15 years in prison. A film titled “South west of Salem” was made about the case by filmmaker Deb Esquenazi of Austin, Texas. In November 2016, the Texas Court of Criminal Appeals vacated the convictions of the four women, ruling in favor of them on their actual innocence claim and a faulty science claim. In this session, Anna Vasquez and Deb Esquenazi share Anna’s story about being wrongfully convicted, the impact it had on Anna, and what she’s doing now to help others. Read more about her story here: <https://innocentetexas.org/cases/anna-vasquez>

Networking Reception – Atrium (Lobby Level) – 5:30 pm – 7:00 pm

8:00 am – 9:20 am **Coffee Bar** **THURSDAY, September 8**

9:20 am – 9:30 am **Opening Remarks**

NDIA President

9:30 am – 10:45 am **PLENARY**

Narrative Investigation

Thea Posel, Clinical Instructor, Univ. of Texas at Austin School of Law, Austin, TX
Pennybacker

Human beings make sense of the world through stories. This session will discuss conceptualizing the task of investigation as encompassing not only the facts of the government’s case but also fleshing out the narrative arc of our clients’ lives. This approach can help defense teams develop and utilize evidence in ways that are more compelling, presenting decision-makers with stories that are comprehensive and powerfully explanatory, leading to better results for individual clients and expanding the scope of what is “relevant” in criminal legal proceedings.

10:45 am – 11:00 am **Networking Break, Exhibits**

11:00 am – 12:15 pm **CONCURRENT SESSIONS**

<p>Touch DNA & Cross Contamination Ins and Outs</p> <p>Stacey Deville, M.F.S., Texas Forensic Investigative Consultants, Inc., Bee Cave, TX Room</p> <p>Session Description Pending</p>	<p>Attorney Panel</p> <p>Attorneys/Speakers Pending Room</p> <p>Session Description Pending</p>	<p>Juvenile-Related Session (Title TBD)</p> <p>Emily Schuerman, Mitigation Specialist, Lone Star Justice Alliance, Austin, TX TBD, Lone Star Justice Alliance, Austin, TX Room</p> <p>Session Description Pending</p>
--	--	--

12:15 pm – 1:15 pm **Lunch Break**

1:15 pm – 2:30 pm **CONCURRENT SESSIONS**

<p>Trial Preparation: This is Why We Do What We Do</p> <p>Leonor Delgado, Administrative Investigator, Travis County Public Defender’s Office, Austin, TX Room</p> <p>This session will cover the ‘101s’ of how to gear up for trial and what to do during trial - covering topics such as organization, attorney communication, witness coordination, jury selection and testifying - and all the nuances in between. Trials obviously vary by jurisdiction and attorney, so questions and dialogue are encouraged throughout the presentation.</p>	<p>Kids, Not Killers: How Investigation Can Drive Advocacy in Miller Juvenile Homicide Cases</p> <p>Dr. Steven Robinson, DSW, LCSW, Mitigation Supervisor, Louisiana Center for Children’s Rights, New Orleans, LA Marshall Thomas, JLWOP Staff Attorney, Louisiana Center for Children’s Rights, New Orleans, LA Room</p> <p>In 2012, the United States Supreme Court decided Miller v. Alabama, which held that mandatory life-without-parole (LWOP) sentences for children under the age of 18 violate the Eighth Amendment’s prohibition on cruel and unusual punishment. Miller required that courts conduct individualized sentencing hearings that take into account the child’s individual character, life circumstances, and other mitigating factors. Prior to reforms passed in 2017, Louisiana was home to the nation’s highest per capita rate of juvenile LWOP sentences. Every year dozens of Louisiana children are arrested and charged as adults for offenses carrying the possibility of life without parole.</p> <p>The JLWOP Project at the Louisiana Center of Children’s Rights conducts mitigation investigations in their “Miller cases,” in conjunction with local public defenders. A mitigation supervisor and staff attorney from LCCR will discuss how they conduct investigations, with a focus on record collection and witness interviews, and how they use the information they collect to push for the best outcome for kids. This presentation is designed to provide practical suggestions and starting points for investigators, mitigation specialists, social workers, and attorneys who are investigating and litigating Miller cases.</p>	<p>Capital Defense Case Investigations</p> <p>Rashid Abdul-Salaam, Investigator, Federal Public Defender, Northern District Alabama, Birmingham, AL Room</p> <p>Our nation has a long-established tolerance and acceptance for Capital Punishment. This presents extremely difficult challenges for capital defense teams in general, but for the investigators in particular, because we are the initial face of contact with most players in these cases.</p> <p>As of October 1, 2019, the total number of state prisoners on death row is 2,639. California leads the nation with 727, while New Hampshire and Wyoming are tied for the fewest number with 1 each. In total there are 30 states in the U.S. with the death penalty. There are currently 62 federal death row prisoners. These prisoners are from 23 states in the U.S., with Texas having the most (13). The last federal execution was in March 2003.</p> <p>This presenter will discuss compelling, innovative and progressive strategies used in his over 31 years of capital defense experience to achieve an optimum investigative result.</p>
--	---	---

2:30 pm – 2:45 pm **Networking Break, Exhibits**

2:45 pm – 4:00 pm **CONCURRENT SESSIONS**

<p>‘Case Scenario Speed Dating’</p> <p>Presenters Pending Room</p> <p>Short (2-3 minute) role playing exercises using cue cards to cover various scenarios that can arise day-to-day within the work that we do. The exercises will include some good and bad examples, with the intent of creating dialogue amongst attendees. Attendee participation is encouraged, as any shared experience(s) help everyone become better advocates for our clients.</p>	<p>Staying Strapped: Introduction to Firearms and Ballistics for the Defense</p> <p>James Clark, Attorney, Travis County Public Defender, Austin, TX Room</p> <p>This session will introduce attendees to firearms, ammunition, and ballistics. It will cover such topics such as the anatomy and bizarre naming customs for ammunition cartridges; the general types and mechanics of different firearms; firearm ballistics and the physics behind it; and firearm forensic examination and tool marks—all while explaining a lot of common terminology and jargon.</p>	<p>Session Pending</p> <p>Name, Title/Office, City, State Room</p> <p>Session Description Pending</p>
--	---	--