



NATIONAL DEFENDER INVESTIGATOR ASSOCIATION  
2023 NATIONAL CONFERENCE  
St. Louis, MO



“Gideon’s 60<sup>th</sup> at the Arch”

4:00 pm – 6:00 pm		Registration / Check-In		TUESDAY, April 11	
8:00 am – 9:00 am		Registration / Check-In & Coffee Bar		WEDNESDAY, April 12	
9:00 am – 9:15 am		Welcome and Opening Remarks			
		Shawn Tobin, NDIA President			
9:15 am – 10:30 am		PLENARY			
		Investigation to Prevent and Uncover Wrongful Convictions			
		Rodney Lincoln, Exoneree, St. Louis, MO			
		Kay Lincoln, Daughter of Exoneree, St. Louis, MO			
		Regency Ballroom			
In 1982, Rodney Lincoln was charged with murdering JoAnn Tate and attacking her two daughters, Melissa and Renee. Melissa identified Rodney Lincoln, her mother’s ex-boyfriend, as the suspect. After two trials, he was convicted and sentenced to two life terms plus 15 years in prison. After serving more than 35 years, he was released from prison after then Gov. Eric Greitens commuted his sentence on his last day in office.					
In this session, you’ll hear directly from Rodney Lincoln, as he walks you through aspects of his case along with his daughter, Kay, covering a myriad of factors, from child eyewitness identification and subsequent recantation, loosely corroborated hair microscopy, the necessity of victim outreach, trauma informed interviewing, hidden records, interviewing client family members and the need for investigators to continue to be curious, always ask questions and be a jack of all trades to assist the lawyers in the case – and ultimately our clients. This session will be moderated by investigator Quinn O’Brien.					
10:30 am – 10:45 am		Networking Break, Exhibits			
10:45 am – 12:00 pm		CONCURRENT SESSIONS			
<div>Dismantling the Master’s House: Committing to a Culture of Antiracism in the Workplace</div> <div>Brittany Mobley, Deputy Chief, Juvenile Services Program CDD, Public Defender Service, Washington, DC</div> <div>Tiffany Reid-Collazo, Staff Attorney, Juvenile Services Program CDD, Public Defender Service, Washington, DC</div> <div>Room</div> <div>Practitioners working closely with the young people and families that are trapped in the delinquency and family regulation systems work within systems that were created to oppress communities of color. In order to achieve true client-centered advocacy and client empowerment, we must better understand the history of these racist systems, how we have participated in these systems at the detriment of those we have committed to serve and those we serve with, how to deconstruct these belief systems, and how to replace them with affirming advocacy. This session will also discuss the path the presenters’ agency is taking to achieve an antiracist workplace and some of the hurdles they’ve encountered.</div> <div>Note: This is a highly interactive session. Participants will engage in several activities focused on identifying and directly addressing racially-based harms.</div>		<div>Cellebrite: Benefits of Investigative Analytics</div> <div>Chris Heeter, Federal Account Director, Cellebrite, Washington, DC</div> <div>Alex Kissal, Federal Senior Sales Director, Cellebrite, Washington, DC</div> <div>Paul Compton, Federal Technical Solution Engineer, Cellebrite, Washington, DC</div> <div>Todd Adams, Strategic Advisor, Cellebrite, Little Rock, AR</div> <div>Room</div> <div>We’re living in a digital world. Investigators are faced with an enormous volume of data and digital evidence which requires filtering and analyzing. Discover analytic tactics and solutions that will modernize your investigative workflow process and enable efficiency and collaboration across your agency. Current challenges include creating and distributing large files, waiting for the evidence to open on each investigator’s computer and there is a high training barrier to be successful. New methods alleviate all those challenges and give enriched results in hours compared to days.</div> <div>*There will be a Repeat Session on Day 2</div>		<div>Standards-Driven Teamwork: Using Professional Guidelines to “Manage Up”</div> <div>Quinn O’Brien, Licensed Missouri Private Investigator, Kansas City, MO</div> <div>Sean O’Brien, Professor, University of Missouri-Kansas City School of Law, Kansas City, MO</div> <div>Room</div> <div>Effective criminal defense work is done in teams. This session will outline methods and strategies for investigators, mitigation specialists, lawyers, and professional support staff to use professional guidelines to acquire the time and resources necessary to support teamwork and the in-person, face-to-face, one-on-one witness interview performance standard.</div>	
12:00 pm – 1:15 pm		Lunch Break			
1:15 pm – 2:30 pm		CONCURRENT SESSIONS			
<div>What Would You Do?</div> <div>Kevin McClain, President, Kevin W. McClain Investigations Ltd., Centralia, IL</div> <div>Room</div> <div>This session takes the participants through three different case studies—(1) self-defense murder case, (2) murder for hire, and (3) sexual allegations? The participants will watch videos, see crime scenes, look at physical evidence (on screen) and will be presented the various case problems and then asked the questions “What Would You Do?” After a spirited Q/A the participants will be walked through the various methodologies used in each one of the cases.</div> <div>*There will be a Repeat Session on Day 2</div>		<div>Mobile Forensics 101</div> <div>Eric Hirst, Chief Information Officer, Public Defender Service, Washington, DC</div> <div>Matt Hanna, Supervisory Investigator, Public Defender Service, Washington, DC</div> <div>Room</div> <div>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!</div> <div>*There will be a Repeat Session on Day 3</div>		<div>Discovery Differences</div> <div>Liz Ramsey, Attorney at Law, Law Office of Robert Brooks Ramsey, LLC, St. Louis, MO</div> <div>Room</div> <div>Appellate Investigation? Regular Discovery? Independent Investigation? Discovery from Prosecutors? What’s what, which is more fruitful, this session will cover why prosecutor discovery packages are rarely complete, how to begin the process of filling in discovery gaps and how to clean up an uninvestigated case post-trial.</div>	
2:30 pm – 2:45 pm		Networking Break, Exhibits			
2:45 pm – 4:00 pm		CONCURRENT SESSIONS			
<div>Mitigation Videos</div> <div>Mollie Spalding, Mitigation Specialist, Federal Public Defender, Eastern District of Missouri, St. Louis, MO</div> <div>Room</div> <div>Mitigation videos are a powerful advocacy tool that can be used throughout a case to tell your client’s story and change the narrative surrounding them. While mitigation videos are most often used for sentencing, they can also be used effectively to negotiate with prosecutors at earlier stages of litigation.</div> <div>The visual storytelling of a video can humanize a client in a visceral way that written or oral advocacy simply cannot. This presentation will discuss how to pick a case for a video, successful themes for videos, editing decisions to consider, and pitfalls to avoid.</div>		<div>Mitigation at the “Back End”: Building a Case for Parole for Juvenile Lifers</div> <div>Amy Breihan, Co-Director, MacArthur Justice Center, St. Louis, MO</div> <div>Megan Crane, Co-Director, MacArthur Justice Center, St. Louis, MO</div> <div>Room</div> <div>For over a decade, MacArthur Justice Center Co-Directors Amy Breihan and Megan Crane have advocated on behalf of juveniles serving extreme sentences. In the past several years, this advocacy has included representing juvenile offenders at their parole hearings. These hearings are typically held decades after the originating offense (and sometimes over 30 years later), and are often the first opportunity the client has to present mitigating evidence of their youth and immaturity at the time of the crime.</div> <div>This session will briefly discuss the history of MJC’s Miller implementation work, and will focus primarily on MJC’s parole advocacy on behalf of juveniles serving life or other extreme sentences. We will discuss how to approach mitigation and investigative work in this unique setting, including typical</div>		<div>Beyond Searches</div> <div>Seth Hemmelgarn, Investigator/Mitigation Specialist, Federal Public Defender, Eastern District of Missouri, St. Louis, MO</div> <div>Room</div> <div>This session will look at simple tricks beyond finding people on social media, including how to download video from Facebook. The session will also include how to preserve what you find, and stories of success – and failure. We’ll also look at some of the newest platforms, and how to get information from new and old social media companies.</div>	



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	obstacles we encounter. We will also present tips and tricks for conducting an investigation 15, 25, 30 years post-offense. Engagement is encouraged, and while participants are encouraged to ask questions throughout the presentation, 15 minutes will be set aside at the end of the session for a Q&A.	
4:00 pm – 4:15 pm	Networking Break, Exhibits	
4:15 pm – 5:30 pm	PLENARY	
<p><b>Pitch Perfect – How to Build a Winning Narrative</b></p> <p>Juliet Yackel, Attorney &amp; Capital Mitigation Specialist, Law Offices of Juliet Yackel, Chicago, IL</p> <p>Regency Ballroom</p> <p>Amazing things can happen when the client’s story is told early in the case, the sooner the better. This session will feature the true story of the prosecutor who <i>dropped murder charges</i> after hearing the client’s story which featured lifelong disability, vulnerability, missed opportunities, positive institutional adjustment, and ability to succeed with support.</p> <p>We will explore step-by-step how a winning narrative is discovered, “framed” and effectively conveyed. It all starts with a meticulous multi-generational bio-psycho-social history investigation which is something most of us already know how to do very well. The next step in the process is a bit more nuanced: how to effectively “frame” and present key issues – and <i>this is where the magic happens</i>. Strategies for engaging the team in the process of “building a winning narrative” will be discussed.</p>		

8:00 am – 9:00 am		Coffee Bar / Opening Remarks (8:55am)		THURSDAY, April 13	
Shawn Tobin, NDIA President					
9:00 am – 11:00 am		KEYNOTE			
<div>When Innocence is Not Enough</div> <div>Thomas Dybdahl, Author / Former Staff Attorney (PDSDC), Boulder, CO Patrice Gaines, Author and Former Washington Post Reporter, Lake Wylie, SC Chris Turner, Mid-Atlantic Innocence Project, Washington, DC</div> <div>Regency Ballroom</div> <div><p>This session will cover the infamous 1984 murder of Catherine Fuller in Washington, DC; a case where good investigation—good investigators—could have changed everything. From Brady violations, and the impact on this case, to alibi defenses amongst many other issues leading to the personal involvement of a former Washington Post Reporter and the importance of developing sources in the media and how to partner with them on deep investigative stories, Attendees will hear directly from one of the defendants in the case, who was incarcerated for over 25 years, who will speak on the effect of Brady violations and lack of investigation as one of the defendants in what is known as the ‘8<sup>th</sup> and H’ case. This story will show just how crucial investigators always are to a case.</p><p>With a seasoned defense lawyer's unsparing eye for detail, Dybdahl uses the Fuller murder case to chronicle the evolution of the <i>Brady</i> rule--from its unexpected birth to the series of legal decisions that left it defanged and ineffective. Yet Dybdahl shows us a path forward by highlighting promising reform efforts across the country that offer a blueprint for a legislative revival of <i>Brady's</i> true spirit.</p><p>A gripping work of narrative nonfiction, told across time, that exposes what’s at stake when prosecutors conceal evidence—and what we can do about it. <i>When Innocence is Not Enough: Hidden Evidence and the Failed Promise of the Brady Rule</i>, which is available from <a href="#">Amazon</a>, <a href="#">Barnes &amp; Noble</a>, and via the <a href="#">Publisher</a>.</p></div>					
11:00 am – 12:15 pm		Lunch Break			
12:15 pm – 1:30 pm		CONCURRENT SESSIONS			
<div>Investigative Preparation</div> <div>Dan Grothaus, Owner/Operator, Grothaus Investigations, St. Louis, MO</div> <div>Room</div> <div><p>This session will cover preparing mainly homicide and/or habeas cases, but some of the guidelines that will be discussed will be applicable across all cases. Points covered will include organizing reports and notes, developing a blueprint for a ‘murder memo’ on the who, what, where, when, why, how to approach reports and summarize them (including lab reports) and the pitfalls to look out for when preparing. Setting up priorities and conducting proper prep work are keys for investigative success.</p></div>		<div>Interviewing for Mitigation: Getting the Whole Story</div> <div>Susan McGraugh, Criminal Defense Clinic Director, Saint Louis University School of Law, St. Louis, MO Lauren Choate, Social Worker; Adjunct Instructor, Saint Louis University School of Law, St. Louis, MO</div> <div>Room</div> <div><p>Productive mitigation interviews form the basis of a defense team’s sentencing theory. However, what’s successful in fact investigations can be damaging in mitigation interviews. How do you get witnesses to share the most personal details of their relationships? How do you convince people to reveal what their families have long kept hidden?</p><p>This Session will cover the basics of successful mitigation interviewing with an emphasis on interview techniques, avoiding common pitfalls, discussing sensitive topics, and ethical practices.</p></div>		<div>What Would You Do?</div> <div>Kevin McClain, President, Kevin W. McClain Investigations Ltd., Centralia, IL</div> <div>Room</div> <div><p>See Day 1 Session Description</p><p>*This will be a Repeat Session from Day 1</p></div>	
1:30 pm – 1:45 pm		Networking Break, Exhibits			
1:45 pm – 3:00 pm		CONCURRENT SESSIONS			
<div>Creative Investigations</div> <div>Kirk Jennings, Investigator, Missouri State Public Defender’s Office, St. Louis, MO</div> <div>Room</div> <div><p>This session will be framed around how investigators can come up with ideas on their own to move investigations forward. Some discussion points will include going down the rabbit hole of finding people, including creative searches, canvassing and talking to people, tricks on opening accounts lost by clients, as well as new ways to navigate internet tools, including Westlaw. The presenter will also cover a case study showing all the steps taken in his investigation leading up to a case being overturned.</p></div>		<div>Cellebrite: Benefits of Investigative Analytics</div> <div>Chris Heeter, Federal Account Director, Cellebrite, Washington, DC Alex Kissal, Federal Senior Sales Director, Cellebrite, Washington, DC Paul Compton, Federal Technical Solution Engineer, Cellebrite, Washington, DC Todd Adams, Strategic Advisor, Cellebrite, Little Rock, AR</div> <div>Room</div> <div><p>See Day 1 Session Description</p><p>*This will be a Repeat Session from Day 1</p></div>		<div>No Subpoena Required</div> <div>Chelsea Merta, Attorney &amp; Founding Partner, Lotus Law + Legal Services, Kirkwood, MO Quinn O’Brien, Licensed Missouri Private Investigator, Kansas City, MO</div> <div>Room</div> <div><p>This session will be a Sunshine Laws, FOIA and accessing public records bonanza! General points will be discussed, however there will be an emphasis on new state laws (RSMo 610) and how to effectively use Missouri’s open records laws to gather information for your client, including what information is (and is NOT) available to you, and what to do when records clerks say no.</p></div>	



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3:00 pm – 3:15 pm		Networking Break, Exhibits	
3:15 pm – 4:30 pm		CONCURRENT SESSIONS	
<div><div><b>Navigating Youth Defense</b></div><div>Majda Bajric, Disposition Specialist, Children’s Defense Team, Missouri State Public Defender’s Office, St. Louis, MO</div><div>Room</div><div><i>"History will judge us by the difference we make in the everyday lives of children." - Nelson Mandela.</i></div><div>Participants will understand best practices when representing justice-involved youth and investigating cases involving children. Working with youth, especially in a legal capacity, requires background knowledge on adolescent brain development and adverse childhood experiences. This session provides an overview of adolescent brain development, the effects of trauma, and best practices when representing youthful clients. Participants will develop skills necessary when interacting with youthful clients and/or witnesses and helpful tips for investigating delinquency cases.</div></div>	<div><div><b>Representing the Cooperator</b></div><div>Diane Dragan, Attorney, Federal Public Defender, Eastern District of Missouri, St. Louis, MO Brendan Wells, Investigator, Federal Public Defender, Eastern District of Missouri, St. Louis, MO</div><div>Room</div><div>Cooperation can occur at almost any stage of the criminal justice process. Whether it is prior to arrest, pre-trial, or post-conviction, there is one thing in common with almost all defendants - No one ever wants to be a snitch. So how do we get from ‘never ever’ to sitting down with the prosecutor, detectives and other law enforcement agents? And what preparation is needed to accomplish a productive meeting? How do you measure success? This session will focus on our clients, the investigations, and the legal aspects related to accomplishing a productive and successful proffer.</div></div>	<div><div><b>Holding Police Accountable by Expediting the Review of Audio/Video Evidence with Machine Learning</b></div><div>Jonathon Ervin, Chief of Staff, JusticeText, St. Louis, MO</div><div>Room</div><div>Hundreds of jail calls dumped right before trial. More and more body camera in each case. Digital discovery often holds critical pieces of evidence that change the course of the case, but requires hours of searching for the needle in the haystack moments. Public defenders across the country are using a new tool called JusticeText to automatically transcribe audio and video evidence and pull out those key moments.</div><div>In this session, hear examples about how public defenders who not only saved countless hours but used JusticeText to hold law enforcement accountable and secure the outcome their clients deserved. This session will help you maximize the utility of video evidence while minimizing the burden to you and your team.</div><div>Can't wait until the session? Learn more about <a href="#">JusticeText</a>, the UChicago school-project built specifically for public defenders in <a href="#">this video</a>.</div></div>	
<div><div><b>President’s Reception</b></div><div><b>Regency Ballroom Pre-Function Area (Subject to Change)</b></div><div><b>4:30 pm – 6:30 pm</b></div></div>			

8:00 am – 9:00 am		Coffee Bar / Opening Remarks (8:55am)		FRIDAY, April 14	
Shawn Tobin, NDIA President					
9:00 am – 10:15 am		PLENARY			
<div>Growing Up on Death Row</div> <div>Norman Brown, Help Is On The Way, Inc., St. Louis, MO</div> <div>Bryan Seddens, Growing Up on Death Row @ 17 Podcast, St. Louis, MO</div> <div>Regency Ballroom</div> <div>In this session we'll hear from presenters who were sentenced to life without parole as juveniles, in separate cases. The presenters are now out on parole after being incarcerated for over 30 years, thanks to a change in the law and years of advocacy by the MacArthur Justice Center and others. Come hear their stories about their experiences being locked up as children, the impact prison had on them, and what they are doing today to help prevent this from occurring in the future. The presenters will also share their thoughts and perspectives regarding defense team case work and communicating with incarcerated clients. Bryan Seddens also has his own podcast: <a href="https://www.guodr17.com/">https://www.guodr17.com/</a>.</div>					
10:15 am – 10:30 am		Networking Break, Exhibits			
10:30 am – 11:45 am		CONCURRENT SESSIONS			
<div>Mobile Forensics 101</div> <div>Eric Hirst, Chief Information Officer, Public Defender Service, Washington, DC</div> <div>Matt Hanna, Supervisory Investigator, Public Defender Service, Washington, DC</div> <div>Room</div> <div>See Day 1 Session Description</div> <div>*This will be a Repeat Session from Day 1</div>		<div>Session Title Pending</div> <div>Brittany Mobley, Deputy Chief, Juvenile Services Program CDD, Public Defender Service, Washington, DC</div> <div>Tiffany Reid-Collazo, Staff Attorney, Juvenile Services Program CDD, Public Defender Service, Washington, DC</div> <div>Room</div> <div>Session Description Pending</div>		<div>Government Structure &amp; Talking to Clerks</div> <div>Quinn O'Brien, Licensed Missouri Private Investigator, Kansas City, MO</div> <div>Room</div> <div>Session Description Pending</div>	
11:45 am – 12:00 pm		Networking Break, Exhibits			
12:00 pm – 1:00 pm		CONFERENCE CLOSING SESSION			
<div>Open Forum Session</div> <div>Multiple Speakers, NDIA Committee/Board Members</div> <div>Regency Ballroom</div> <div>Stop by the last Session and participate in an open forum with any available speakers and/or NDIA Committee/Board Members. Bring any case questions, what you learned from the Conference, what you'd like to see at future NDIA events and training sessions, virtual or in-person, as we want to hear from members and attendees – as NDIA is all about training and all about networking to support the work everyone does for clients.</div>					