

TABLE OF CONTENTS

General Conference Information	Inside Front Cover
Sessions Grid By Day	1
Ethics Sessions	4
Recommendations by Job Type and Topic Areas	5
Presentation Summary	6
Maps (Patterson; Kentucky Room; The Lyric Theater)	18
Faculty Contact Information	20
Faculty Bio's	23

CLE FOR KENTUCKY

SPONSOR:	KENTUCKY DEPT. OF PUBLIC ADVOCACY
ACTIVITY TITLE:	43rd ANNUAL KY PUBLIC DEFENDER CONFERENCE
LOCATION:	LEXINGTON, KENTUCKY
DATE:	06/15/15
ACTIVITY #:	158045
TOTAL CLE CREDITS:	10.75 HOURS
ETHICS:	UP TO 4.25 HOURS

Ethics credits are INCLUDED in the TOTAL number of credits

DPA EMPLOYEES: If you attend KBA, you must fill out two CLE forms.
One for DPA (Mon-Wed) and one for KBA (Wed).

GENERAL CONFERENCE INFORMATION

FAMILY: If you are bringing your family, they are welcome to drop in on any or all of the Conference programs. If you have small children who would disrupt learning, please do not bring them to any Conference programs.

EVALUATIONS: Please evaluate each session that you attend. Electronic evaluations can be completed on your computer, phone or tablet and can be found at: <http://bit.ly/DPAeval>. Hardcopy evaluations are available if requested. We need your evaluative thoughts.

SOCIAL GATHERINGS: DPA's Public Service Recognition Luncheon will be held at Noon in Heritage Hall East. Join us for presentation of DPA Awards and the Public Advocate recognition. Families are welcome to attend the Recognition Luncheon but if they choose to enjoy the meal, an additional cost will apply. Please pay for additional meals at the Registration Table in the Berea Room.

SPECIAL EVENT NIGHT: DPA is excited to partner with Raj Jaydev to present: "Participatory Defense" – Transforming the Courts Through Family and Community Organizing. Join us on June 16th from 6:30-8:30pm at the Lyric Theater located at 300 W. 3rd Street.

CLE CREDITS: There are a total of 10.75 KBA CLE credits available, including up to 4.25 hours of KBA CLE ethics credits offered throughout the Conference. You can receive your CLE form or an Investigator form at the Registration Table in the Berea Room. Please fill out the form and return it to the CLE table before the close of Conference.

KBA CONVENTION: You will pick up your KBA name badge on Wednesday morning at the DPA registration table from 8-10am. DPA attorneys who are registered for KBA will attend KBA's conference immediately following the DPA conference. The KBA Conference will be held at the Lexington Convention Center located at 430 W. Vine Street, Lexington, KY.

Monday, June 15, 2015 Interim Judiciary Committee meeting in Patterson C from 10 am – Noon

Annual '15	Patterson A	B	C	D	E	F	G	Kentucky Room
1:00 – 1:45 p.m. CLE .75	We'll Be There: Our Impact for Our Clients, the Commonwealth, and the Country							
15 minute break								
2:00 – 3:00 p.m. CLE 1.0	"Guilty!" (Now What?); Sentencing Advocacy in Guilty Pleas and Penalty Phase of Trials Scott West	SB 200 – Changes to Court Proceedings Tim Arnold Glenda Edwards	Emerging Trends in Mitigation Emily Hughes	Cross of the Informant Dehlia Umunna	Shooting Scene Investigation Start to Finish Joey Stidham Shelly Rice	Social Biography Videos Workshop Raj Jayadev	Working with Interns and other Hot Topics for ASW's Kita Clement	
15 minute break								
3:15 – 4:15 p.m. CLE 1.0		SB 200 – Changes to DJJ Tim Arnold Glenda Edwards	Ethical Dilemmas with Ethical Responses Leo Smith <i>Ethics</i>	2015 Kentucky Legislation Update Damon Preston			Helping the Client When the Sentencing Plan is Rejected Sarah Johnson	
15 minute break								
4:30 – 5:30 p.m. CLE 1.0	Story and Sentencing Workshop Shawna Geiger	SB 200 – FAIR Teams / Ethical Considerations Tim Arnold Glenda Edwards <i>Ethics</i>	DUI Topics: Case Law Update, Ignition Interlock Bill, Sobriety Checkpoints Nate Miller	Negotiation: Reaching the Client's Objectives Emily Hughes <i>Ethics</i>	FBI Admits Hair Analysis Errors: What this means for Your Client Linda Smith		Investigative Reports Watani Tyeimba	Resources for Conflict Attorneys Ed Monahan Scott West Reception Following

**Please Evaluate Each Session You Attend at:
<http://bit.ly/DPAeval>**

Tuesday, June 16, 2015 - Breakfast for those staying at Hyatt or Campbell House only at 7:30 – 8:30 a.m. in Regency Room

Annual '15	Patterson A	B	C	D	E	F	G	The Lyric Theater
9:00 -10:15 a.m. CLE 1.25	Building Client Trust: Improving Cross-Cultural Communication Lori James Townnes Shawna Geiger	Not Over Till It's Over: Litigating Sentencing Jay and Cicely Lambert	First Impressions Matter: Giving Effective Opening Statements Dehlia Urmunna	Putting Due Process into Kentucky Grand Juries Joanne Lynch	Petitioning for Clemency in Kentucky Amy Staples Larry Komp	Social Biography Videos Workshop Raj Jayadev		
15 minute break								
10:30 –11:45 a.m. CLE 1.25	Building Trust in Client Relationships Emily Hughes <i>Ethics</i>	Safety in Prisons and the Field Watani Tyehimba	Creative Juvenile Motion Practice Using Legislation and Policy Alison Hatheway Rebecca DiLoreto	Lessons from the Capital Jury Project Maria Sandys	Being a Defense Based Alternative Sentencing Professional Lori James Townnes			
15 minute break								
Noon – 2:00 p.m.	Recognition Banquet - Heritage Hall							
15 minute break								
2:15 – 3:15 p.m. CLE 1.00	U.S Supreme Court Review Allison Connelly	The Impact of Race on Criminal Justice Outcomes Luke Milligan Courtney Lollar	Dollars & Sense: The Specter of Debtor Prisons in Kentucky Molly Mattingly Erin Yang	Interviewing Reluctant Witnesses Watani Tyehimba	Win Your Worst Case: Capital Techniques in Non Capital Cases Brad Clark	Tips for Working with Interpreters Ervin Dimeny	Participatory Defense Introductory Training Ray Jayadev Janet Moore Maria Sandys Starts - 2:30 pm	
15 minute break								
3:30 – 4:30 p.m. CLE 1.00	Kentucky Case Law Review Shannon Dupree-Smith Karen Shuff Maurer	The Role of Race in Capital Case Investigations Watani Tyehimba	Adult and Juvenile Sex Offense Cases Roger Gibbs Laura Karem Julia Pearson	2024 Legislation Discussion Ed Monahan Damon Preston	The Client's Point of View with Jose Padilla Jose Padilla Tim Arnold	Medicaid Information for ASW's Lisa Lee Veronica Cecil		
15 minute break								
4:45 – 5:45 p.m. CLE 1.0	The Ethics of Representing Clients Competently in the Court of Public Opinion Ed Monahan <i>Ethics</i>	Story and Negotiation Workshop Shawna Geiger	Creative Advocacy in Juvenile Sentencing Dehlia Urmunna	Look Twice, Save a Life: Mitigation is Everywhere Erin Kincaid Jessica Shoemaker	Using the Uniform Extradition Act to Get People Out of Jail Casey Holland	KYNECT Overview: kynect and the kynecor program Kris Hayslett	The Lyric 300 E 3rd St	

Please Evaluate Each Session You Attend at:
<http://bit.ly/DPAeval>

Wednesday, June 17, 2015

Breakfast on Your Own

Annual '15	Patterson
8:30 a.m. – 10:00 a.m. CLE 1.5	Special Considerations in Representing Veterans Brock Hunter
10:30 a.m. – 5:00 p.m.	DPA ATTORNEYS ATTEND KBA / ASWs VISIT HOPE CENTERS

Information for the KBA CLE:

Sponsor: KY Dept. of Public Advocacy
 Activity: 43rd Annual Public Defender Conference
 Location: Lexington, KY
 Date: 06/15/2015
 Activity Number: 158045
 Total Credits: 10.75 Hours

Ethics Credits: up to 4.25 Hours

(Ethics credits are INCLUDED in the TOTAL number of credits.)

Please Evaluate Each Session You Attend at:

<http://bit.ly/DPAeval>

ETHICS SESSIONS

MONDAY, JUNE 16, 2015

3:15PM-4:15PM

PATTERSON C

Ethical Dilemmas With Ethical Responses

Speakers:

Leo Smith, Deputy Chief Public Defender, Office of the Louisville Metro Public Defender

4:30PM-5:30PM

PATTERSON B

SB 200: Part 3 - How FAIR Teams are Working / Ethical Considerations

Speakers:

Tim Arnold, Post Trial Division Director, Department of Public Advocacy

Glenda Edwards, Trial Division Director, Department of Public Advocacy

PATTERSON D

Negotiation: Reaching the Client's Objectives

Speakers:

Emily Hughes, Professor and Director, Darrow-Baldus Capital Defense College

TUESDAY, JUNE 16, 2015

10:30AM-11:45PM

PATTERSON A & B

Building Trust in Client Relationships

Speakers:

Emily Hughes, Professor and Director, Darrow-Baldus Capital Defense College

4:45PM-5:45PM

PATTERSON A & B

The Ethics of Representing Clients Competently in the Court of Public Opinion

Speakers:

Ed Monahan, Public Advocate, Department of Public Advocacy

RECOMMENDATIONS BY JOB TYPE AND TOPIC AREA

These are not mandatory, but rather to be used as a guide. Sessions are open to all participants.

INVESTIGATOR

Monday, June 15

2:00pm - Shooting Scene Investigation Start to Finish

4:30pm - Investigative Reports

Tuesday, June 16

9:00am - Building Client Trust: Improving Cross-Cultural Communication

10:30am - Safety in Prisons and the Field

2:15pm - Interviewing Reluctant Witnesses

4:45pm - Look Twice, Save a Life: Mitigation is Everywhere

ALTERNATIVE SENTENCING WORKER

Monday, June 15

2:00pm - Working with Interns and Other Hot Topics for ASW's

3:15pm - How can I help my client when an alternative sentencing plan is rejected, or revocation occurs?

4:30pm - Story and Sentencing Workshop

Tuesday, June 16

9:00am - Building Client Trust: Improving Cross-Cultural Communication

10:30am - The Beauty of Being Defended Based Alternative Sentencing Professional (ASP)

2:15pm - Interviewing Reluctant Witnesses

3:30pm - Medicaid Information for ASW

4:45pm - KYNECT Overview: Brief description of kynect and the kynector program

JUVENILE

Monday, June 15

2:00pm - SB 200: Part 1 - Changes to Court Proceedings

3:15pm - SB 200: Part 2 - Changes to DJJ

4:30pm - SB 200: Part 3 - How FAIR Teams are Working / Ethical Considerations

Tuesday, June 16

10:30am - Creative Juvenile Motion Practice Incorporating Legislative and Policy Changes

4:45pm - Juvenile Sentencing: Creative Advocacy in Sentencing

PRESENTATION SUMMARY

Following is a list of our presentations including Learning Objectives for each session

TUESDAY JUNE 16TH

1:00PM-1:45PM

PATTERSON A, B, C & D

We'll Be There: Impact Our Clients, the Commonwealth, and the Country

The 2015 Department of Public Advocacy Annual Conference will kick-off with an informative review of the year in litigation across the Commonwealth and in every branch of DPA. Participants will learn the local, statewide and even national impact DPA litigation has had over the last year, and gain insight into how those cases were investigated, litigated, tried, settled or appealed.

Moderator: Jeff Sherr, Education Branch Manager, Department of Public Advocacy

Speaker: Ed Monahan, Public Advocate, Department of Public Advocacy

2:00PM-3:00PM

PATTERSON B

SB 200: Part 1 - Changes to Court Proceedings

SB 200 is one of the biggest legal changes affecting our clients in the last 10 years. We will review the statutory changes and how those changes will affect juvenile practice. This session is a critical session for attorneys with a juvenile docket who were not able to attend a juvenile summit this year.

Speakers:

Tim Arnold, Post Trial Division Director, Department of Public Advocacy

Glenda Edwards, Trial Division Director, Department of Public Advocacy

PATTERSON C

Emerging Trends in Mitigation

The participant will be able to identify basic mitigation guidelines in capital and non-capital cases, and identify new trends in mitigation investigation and mitigation presentation in trial.

Speaker: Emily Hughes, Professor and Director, Darrow-Baldus Capital Defense College

PATTERSON D

Cross of the Informant

A nuts and bolts session on how to conduct an effective cross-examination of an informant, including suggestions on impeachment, bias, and ways to use the plea agreement to advance your defense theory and undermine the Government's case

Speaker: Dehlia Umunna, Professor, Harvard Law School

Please Evaluate Each Session You Attend at:

<http://bit.ly/DPAeval>

WE'LL BE THERE

2:00PM-3:00PM

PATTERSON G

Working with Interns and Other Hot Topics for ASW's

This information session will educate Alternative Sentencing Workers on: Tips for working with interns so the agency and interns both benefit; News regarding program direction, future program development; Recent challenges to ASW's across the state; Recent successes for clients across the state; and the current needs for the ASW program since it was enlarged in January.

Speaker: Kita Clement, Program Coordinator, Alternative Sentencing Worker Program, Department of Public Advocacy

2:00PM-4:15PM

PATTERSON A

Guilty! (Now what?): Sentencing Advocacy in Guilty Pleas and Penalty Phase of Trials

Participants will learn techniques for persuasion, and the law as it pertains to truth-in-sentencing and victim impact evidence.

Speaker: B. Scott West, General Counsel, Department of Public Advocacy

PATTERSON E

Shooting Scene Investigation Start to Finish

Learn how a shooting scene investigation should be conducted from start to finish. Joey Stidham, Owner of Stidham Reconstruction and Investigation, and Shelly Rice, Crime Scene/Incident Scene Reconstructionist, will conduct training regarding the scientific analysis of forensic evidence from a shooting incident to determine the most probable sequence of events. The session will include trajectory analysis, angle of impact analysis, distance determination, cartridge case ejection patterns, projectile/shell casing comparison, shot sequencing, gunshot wound dynamics, trace evidence analysis, and bloodstain pattern analysis.

Speakers:

Joey Stidham, Owner, Stidham Reconstruction & Investigation

Shelley Rice, Forensic Reconstructionist, Stidham Reconstruction & Investigation

2:00PM-5:30PM

PATTERSON F

Social Biography Videos Workshop

The Albert Cobarrubias Justice Project (ACJP), a media and advocacy project, produces social biography videos and gives trainings to community activists and public defender offices on how to create social biography videos (also called mitigation videos) to humanize clients for purposes of impacting sentencing, plea-negotiations, and more. This hands-on interactive training will cover: anatomy of a social biography video; pre-production, production and post-production process; effective strategies for telling a client's story through video; social biography video starter toolkit; and make a video in a day.

Speakers:

Raj Jayadev, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

Becky Cardenaz, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

Cecilia Chavez, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

3:15PM-4:15PM

PATTERSON B

SB 200: Part 2 - Changes to DJJ

A continuation of Part 1, this session will focus on the changes to DJJ procedures and how they will impact your juvenile clients.

Speakers:

Tim Arnold, Post Trial Division Director, Department of Public Advocacy

Glenda Edwards, Trial Division Director, Department of Public Advocacy

WE'LL BE THERE

3:15PM-4:15PM

PATTERSON C

Ethical Dilemmas With Ethical Responses

This informative session will deal with a variety of ethical issues for criminal defense attorneys in the context of jail phone calls, use of social workers, subpoenas, waiver of ineffective assistance of counsel claims as part of a plea deal, and more.

Speaker: Leo Smith, Deputy Chief Public Defender, Office of the Louisville Metro Public Defender

PATTERSON D

2015 Kentucky Legislation Update

In this session, we will consider new laws passed in 2015 relevant to criminal defense attorneys. This will include the heroin bill, new fees on criminal defendants, and changes to the defenses available in human trafficking cases, among others. We'll also look at bills that appear to have momentum to pass in 2016.

Speaker: Damon Preston, Deputy Public Advocate, Department of Public Advocacy

3:15PM-4:15PM

PATTERSON G

How can I help my client when an alternative sentencing plan is rejected, or revocation occurs?

In this session, participants will gain a foundational understanding of the parole board and a general understanding of the process for parole hearings and parole revocation hearings. The presenter will also conduct a review of Static and Dynamic Factors considered during parole hearing and provide strategies to improve client's dynamic factors considered during parole hearings. Strategies to enhance positive outcomes at parole hearings will also be provided.

Speaker: Sarah Johnson, Member, Kentucky Parole Board

4:30PM-5:30PM

PATTERSON A

Story and Sentencing Workshop

As Kentucky introduces risk assessment scores at sentencing, defenders must incorporate those scores in their advocacy. This session will explore how we can better prepare our clients to tell their own stories at sentencing. We can then use those stories to connect our clients to the judges in a way that helps them understand their criminogenic needs in a way that will motivate them to sentence the clients more humanely. It is time to be done with apologies and excuses at elocution. Is time to use story to better explain risk and demonstrate hope.

Speaker: Shawna Geiger, Training Director, Colorado Office of Alternative Defense Counsel

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4:30PM-5:30PM

PATTERSON B

SB 200: Part 3 - How FAIR Teams are Working / Ethical Considerations

An evaluation of FAIR teams, including: current teams and plans for the creation of new teams; how the FAIR teams are set up and who is included; training provided to team members; and role of the FAIR team in decision-making. Evaluation of the Client's best interest versus the expressed interests of the team with a focus on: *Role of Juvenile Defense Counsel in Delinquency Court*, National Juvenile Defender Center, 2012, Rule 1: Duty to Represent the Client's Expressed Interests; *National Juvenile Defense Standards*, National Juvenile Defender Center, 2012, Rule 1.2: Elicit and Represent Client's Stated Interests and KRPC 1.2, Scope of Representation and Allocation of Authority Between Client and Lawyer; 1.4, Communication; 1.6, Confidentiality; 1.14, Client with Diminished Capacity.

Speakers:

Tim Arnold, Post Trial Division Director, Department of Public Advocacy
Glenda Edwards, Trial Division Director, Department of Public Advocacy

3:15PM-4:15PM

PATTERSON C

DUI Topics: Case Law Update, Ignition Interlock Bill, and Sobriety Checkpoints

This session will highlight recent Kentucky cases dealing with DUI-related issues, including the Kentucky Supreme Court cases of Duncan (blood testing) and Ballinger (charging of subsequent offenses). Also, SB 133 (ignition interlock) and its implementation will be discussed, along with strategies for suppressing evidence obtained at sobriety checkpoints.

Speaker: Nathan Miller, Assistant Public Advocate, Department of Public Advocacy

PATTERSON D

Negotiation: Reaching the Client's Objectives

Participants will be able to identify: ethical rules bearing on negotiation including scope of representation, confidentiality, and communication; ABA Guideline 10.9.1, which imposes a duty to seek an agreed-upon disposition at every stage of the case; and strategies to reach an agreement for the client's objectives including the political dimension, the role of the media, motion practice, creative resolutions, and effective communication with our client and others in the case.

Speaker: Emily Hughes, Professor and Director, Darrow-Baldus Capital Defense College

PATTERSON E

FBI Admits Hair Analysis Errors: What this Means for Your Client

The FBI recently admitted to widespread and systematic errors in hundreds of cases involving hair examiners and hair analysis conclusions. This session explores the admitted errors and what this means for your client.

Speaker: Linda Smith, Supervising Attorney of the Kentucky Innocence Project, Department of Public Advocacy

PATTERSON G

Investigative Reports

How to record accurate, concise, and detailed notes to be used in a clear, concise, and grammatically correct final report.

Speaker: Watani Tyehimba, Investigator, Tyehimba Services, Inc.

WE'LL BE THERE

3:15PM-4:15PM

KENTUCKY ROOM

Resources for Conflict Attorneys

Participants will learn about professional liability coverage, how to access Chapter 31 funds from the “special account,” and other resources available to those who have conflict contracts with DPA.

Speakers:

Ed Monahan, Public Advocate, Department of Public Advocacy

Scott West, General Counsel, Department of Public Advocacy

TUESDAY JUNE 16TH

9:00AM-10:15AM

PATTERSON A & B

Building Client Trust: Improving Cross-Cultural Communication

Building trust with the clients and communities we serve is an ethical responsibility. Given the recent events in Ferguson and Baltimore, it has become more evident that issues of oppression, race, and discrimination are still having an oppressive impact every day. As public defenders we need to be in the forefront of understanding the plight of the voiceless. We have to seek ways to make our communities healthy, by tackling bias (implicit and explicit) head on. This session will guide us through discussions that seek to address such profound areas as we challenge ourselves to examine individual biases and the biases of the criminal justice system.

Speakers:

Shawna Geiger, Training Director, Colorado office of Alternative Defense Counsel

Lori James Townes, Dir. of Social Work, Leadership & Program Development, Maryland Office of the Public Defenders

PATTERSON C

It Ain't Over Till It's Over: Litigating the Non-Capital Sentencing Hearing at Trial

The trial attorney will be instructed as to what to expect during a non-capital sentencing proceeding in front of the jury. Emphasis on applicable statutes, particularly PFO/Truth-in-Sentencing/Violent Offender statutes, as well as general admissibility issues, preserving the record, and tactical and strategic decisions to be addressed both before and during the sentencing hearing.

Speakers:

Jay Lambert, Director of Training and Performance Evaluation, Office of the Louisville Metro Public Defender

Cicely Lambert, Assistant Appellate Defender, Office of the Louisville Metro Public Defender

PATTERSON D

First Impressions matter; Giving effective Opening Statements

A discussion on the important concepts of an effective opening. The opening is the jury's first real opportunity to be introduced to the advocate, the case, and the accused. It is therefore critical that a lawyer master the tips of swaying the jury from the start!

Speaker: Dehlia Umunna, Professor, Harvard Law School

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<http://bit.ly/DPAeval>

WE'LL BE THERE

9:00AM-10:15AM

PATTERSON E

Putting Due Process into Kentucky Grand Juries

Participants will learn how to improve the chances for their clients to get a full and fair hearing before the grand jury. The session will explore applicable law, motions to file, and strategies for litigating grand-jury issues.

Speaker: Joanne Lynch, Supervising Attorney of the Capital Trial Branch, West, Department of Public Advocacy

PATTERSON F

Petitioning For Clemency In Kentucky

In this session, we will be educating participants on the process for seeking clemency in Ky, presenting factors to consider when determining which cases are best suited to petition for clemency, and discussing creative approaches in petitioning the decision maker, including what has been successful for both capital and non-capital clients in the past.

Speakers:

Amy Robinson Staples, Post Conviction Branch Manager, Department of Public Advocacy

Larry Komp, Attorney

9:00AM-11:45AM

PATTERSON G

Social Biography Videos Workshop

The Albert Cobarrubias Justice Project (ACJP), a media and advocacy project, produces social biography videos and gives trainings to community activists and public defender offices on how to create social biography videos (also called mitigation videos) to humanize clients for purposes of impacting sentencing, plea-negotiations, and more. This hands-on interactive training will cover: anatomy of a social biography video; pre-production, production and post-production process; effective strategies for telling a client's story through video; social biography video starter toolkit; and make a video in a day.

Speaker:

Raj Jayadev, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

Becky Cardenaz, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

Cecilia Chavez, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

10:30AM-11:45AM

PATTERSON A & B

Building Trust in Client Relationships

The participant will be able to approach the client while understanding the client's possible point of views including: life consequences of a serious sentence; the client's current emotional state; the immediate consequences of prolonged incarceration prior to trial; and client ignorance of or presumptions concerning the process and defense lawyers. The session will also discuss client trust issues, tips for effective interviewing, and how to represent clients within the ethical rules and ABA guidelines.

Speakers: Emily Hughes, Professor and Director, Darrow-Baldus Capital Defense College

PATTERSON C

Safety in Prisons and the Field

We will discuss basic safety protocols and tips for Sentencing Advocates, Mitigation Specialists and Investigators while working in prisons and the field. Topic material will cover: what to do in preparation for the outing; how to travel to and from the location; how to handle concerns on the street and at the location Session Objectives: 1) Participants will be able to identify safety concerns that could be improved upon; 2) Participants will have better understanding of safety awareness and protocols; 3) Participants will leave this session feeling more empowered and confident when working in the field.

Speakers: Watani Tyehimba, Investigator, Tyehimba Services, Inc.

WE'LL BE THERE

10:30AM-11:45AM

PATTERSON D

Creative Juvenile Motion Practice Incorporating Legislative and Policy Changes

Presenters will brainstorm case scenarios that regularly present to public defenders that allow advocates to incorporate new legislation, supreme court cases, and policy improvements that bring greater protection to children's rights. Examples of motions used will also be shared.

Speakers:

Ali Hatheway, Supervising Attorney in the Juvenile Division, Law Office of the Hamilton County Public Defender
Rebecca Ballard DiLoreto, KY Litigation and Policy Director, Children's Law Center, Inc.

10:30AM-11:45AM

PATTERSON E

Lessons from the Capital Jury Project

Participants will learn about the major national research on juror understanding of death penalty sentencing instructions, including the Kentucky-specific findings of the Capital Jury Project's research. The Capital Jury Project (CJP) is a program of research on how persons who serve as jurors on capital cases make the life or death sentencing decision. It seeks to determine whether jurors' exercise of capital sentencing discretion under modern capital statutes conforms to constitutional standards, whether these statutes have remedied the arbitrariness ruled unconstitutional by the U.S. Supreme Court in *Furman v. Georgia* (1972). Initiated in 1991 by a consortium of university-based researchers from 14 states with support from the National Science Foundation (NSF), the CJP was designed to: (1) systematically describe jurors' exercise of capital sentencing discretion; (2) assess the extent of arbitrariness in jurors' exercise of such discretion; and (3) evaluate the efficacy of capital statutes in controlling such arbitrariness. In-depth personal interviews were conducted with 1198 jurors from 353 capital trials in these 14 states. The participating states were selected to represent the various forms capital statutes have taken since 1972 when the U.S. Supreme Court declared all previous capital statutes unconstitutional. These states include Alabama, California, Florida, Georgia, Indiana, Kentucky, Louisiana, Missouri, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas and Virginia.

Speakers: Marla Sandys, Professor, University of Indiana Bloomington, Department of Criminal Justice

PATTERSON F

The Beauty of Being a Defensed Based Alternative Sentencing Professional (ASP)

This session provides instruction and feedback to ASP on services, skills and uniqueness of their roles. Topics discussed: Ethical Issues, Testifying, Report Writing and Role on the Team

Speaker: Lori James Townes, Dir. of Social Work, Leadership & Program Development, Maryland Office of the Public Defenders

12:00PM-2:00PM

RECOGNITION BANQUET - HERITAGE HALL EAST

2:15PM-3:15PM

PATTERSON A & B

U.S Supreme Court Review

Significant Criminal Cases from the United States Supreme Court: 2014 Term

Speaker: Allison Connelly, Professor of Law, University of Kentucky

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PATTERSON C

The Impact of Race on Criminal Justice Outcomes

Racial disparities are prevalent in the criminal justice system. But how can public defenders access and use that information for their clients' benefit? The panelists will discuss new ways of tracking and obtaining relevant information on race and economic status, and highlight various methods of addressing those disparities in day-to-day practice.

Speakers:

Courtney Lollar, Assistant Professor, University of Kentucky College of Law
Luke Milligan, Professor of Law, University of Louisville

2:15PM-3:15PM

PATTERSON D

Dollars & Sense: The Specter of Debtor's Prisons in Kentucky

A growing number of our clients have been sent back to court due to their inability to pay costs and fines. This session will review recent relevant case law and offer practice points to help combat the problem. Spoiler alert: quiz, candy & prizes for attending!

Speakers:

Molly Mattingly, Assistant Public Advocate, Department of Public Advocacy
Erin Yang, Assistant Public Advocate, Department of Public Advocacy

PATTERSON E

Interviewing Reluctant Witnesses

This session will cover the basic principles of successfully interviewing witnesses with an emphasis on the Reluctant Witness. Topic material will cover: the importance of witness interviews; preparing for the interview; identifying witness types and strategies to deal with them (Amenable Neutral Adversarial); how to conduct interviews; how to memorialize interviews; when and where to conduct interviews; theory of defense as a guide to interviews; how to verify what investigators already know (or think they know); and difference between an interview and an interrogation. Session objective is to develop better interviews by: identifying areas of weakness in interviews; identifying areas of strengths in interviews; and working with the investigator's skill set and remixing it so that their interview flows as natural as a normal conversation, even with a reluctant witness.

Speaker: Watani Tyehimba, Investigator, Tyehimba Services, Inc.

2:15PM-3:15PM

PATTERSON F

Win Your Worst Case: Capital Trial Techniques You Can Use to Win Any Case

Front-loading mitigation, Colorado method, penalty impairment, insulate and isolate--they are all terms that you hear thrown around in capital case reviews, but they are useful tools in every case from misdemeanors to murder. This session will offer real world techniques that you can use in any case to get the jury to see your client as the full and rich and real person that they are.

Speaker: Brad Clark, Staff Attorney, Department of Public Advocacy

PATTERSON G

Tips for working with Interpreters

The presentation will provide information about relevant laws and procedures related to language access, as well as helpful tips for working with interpreters when representing deaf and hard of hearing or limited English proficient clients.

Speaker: Ervin Dimeny, Manager, Court Interpreting Services, Administrative Office of the Courts

WE'LL BE THERE

2:15PM-5:45PM

THE LYRIC THEATER

Participatory Defense Introductory Training:

How Families and Communities Can Partner with Defenders to Impact Cases and Policies

The purpose of this session is to acquaint people with our community organizing approach to animate community and family support for individuals facing criminal charges, how to set up support system infrastructures, and key activities that can be employed through the duration of a court case. The session will also highlight ways community support for cases can lead to policy campaigns worked on collaboratively with the defender office.

Speakers:

Raj Jayadev, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

Marla Sandys, Professor, University of Indiana Bloomington, Department of Criminal Justice

Janet Moore, Assistant Professor of Law, University of Cincinnati College of Law

3:30PM-4:30PM

PATTERSON A & B

Kentucky Case Law Review

A review of the most significant cases rendered in the Kentucky Appellate Courts from June 2014 - present.

Speakers:

Shannon Dupree-Smith, Staff Attorney, Department of Public Advocacy

Karen Shuff Maurer, Assistant Public Advocate, Department of Public Advocacy

3:30PM-4:30PM

PATTERSON C

The Role of Race in Capital Case Investigations

We will discuss why and how race and class are often significant factors in death penalty cases and the investigator's need to be cognizant and sensitive to this. We will also look at the statistical reality that a death penalty defendant will be an African born in America or some other minority and explore ways to best serve them.

Speaker: Watani Tyehimba, Investigator, Tyehimba Services, Inc.

PATTERSON D

Updating Information and Strategies on Sex Cases for adult and juvenile clients.

This session will focus on the changes being made by SB 200 for juvenile sex cases and on updating challenges to adult sex cases based on recent caselaw including Commonwealth vs Johnson. Special thanks to Emily Rhorer, Sam Potter, Susan Balliet, and Erin Yang.

Speakers:

Roger Gibbs, Eastern Regional Manager, Department of Public Advocacy

Laura Karem, Attorney, Department of Public Advocacy

Julia K. Pearson, Appellate Attorney, Department of Public Advocacy

Please Evaluate Each Session You Attend at:

<http://bit.ly/DPAeval>

3:30PM-4:30PM

PATTERSON E

202 A Legislation Discussion

This session will review the current state of the law and litigation in 202A cases. The session will include a look at what the JustWare data on 202A cases reveal, future legislation which may impact involuntary hospitalization issues, an increased relationship with the Kentucky Department of Behavioral Health, Developmental and Intellectual Disabilities, educational resources, issues on appeal, and hot topics and trends.

Speakers:

Ed Monahan, Public Advocate, Department of Public Advocacy

Damon Preston, Deputy Public Advocate, Department of Public Advocacy

3:30PM-4:30PM

PATTERSON F

The Client's Point of View with Jose Padilla

Public defenders work with clients of many backgrounds, and many of those clients are in custody. Rarely do we get to hear from our clients at the end of a case about what worked and what didn't. Did we meet our client's needs? What could we have done better? In this session Tim Arnold will interview his client, Jose Padilla, a veteran and immigrant, about his experiences in custody working with attorneys of all stripes. Mr. Padilla will share his insights about how attorneys can better work with their clients to ensure a harmonious and successful working relationship.

Speakers:

Tim Arnold, Post Trial Division Director, Department of Public Advocacy

Jose R. Padilla

3:30PM-4:30PM

PATTERSON G

Medicaid Information for ASW's

Participants will learn about the following: the process of signing clients up for Medicaid; the ability of Medicaid clients to receive non-emergency transportation to services covered under Medicaid (e.g., Substance Abuse Services and Mental Health Services) services through a local broker, not through MCO; DPA's possible role in communities to address the need for more Behavioral Health Providers; recent expansion of who can be a provider; the process for becoming an authorized provider; and suspension of services in place of termination.

Speaker: Veronica Cecil, Division of Program Integrity, Chief of Staff, Cabinet for Health and Family Services

4:45PM-5:45PM

PATTERSON A & B

The Ethics of Representing Clients Competently in the Court of Public Opinion

Learn how to ethically under KRPC 1.1 and 3.6 to communicate persuasively on behalf of a client whose case is in the public arena by using the skills of anticipation, preparation, framing and bridging.

Speaker: Ed Monahan, Public Advocate, Department of Public Advocacy

WE'LL BE THERE

4:45PM-5:45PM

PATTERSON C

Story and Negotiation Workshop

Nothing moves people like a good story and prosecutors are no different. This workshop will explore the different genres of stories that might motivate prosecutors depending on their personalities. Participants will practice making storyboards for each genre for their client and then applying them depending on the prosecutor they draw in an effort to meet their negotiating goal. This is a new, creative way of getting what clients need from the plea bargaining process.

Speaker: Shawna Geiger, Training Director, Colorado office of Alternative Defense Counsel

PATTERSON D

Juvenile Sentencing: Creative Advocacy in Sentencing

A discussion on valuable tips to persuade judges to give appropriate consideration to the unique characteristics of juveniles in sentencing decisions. We discuss how sentencing memos, science, documentaries and story-telling can impact sentencing.

Speaker: Dehlia Umunna, Professor, Harvard Law School

4:45PM-5:45PM

PATTERSON E

Look Twice, Save a Life: Mitigation is Everywhere

Mitigation training designed for attorneys and investigators in cases that are not death noticed, or when early entry investigation is required prior to hiring a mitigation specialist. Topics will include unique places to look for mitigation, how to recognize potential mitigation evidence, how to gather mitigation for use by specialist, and how to generate work product that assists the attorney in preparation for front-loading the penalty phase.

Speakers:

Erin Kincaid, Mitigation Specialist, Capital Trials Branch, Department of Public Advocacy

Jessica Shoemaker, Investigator, Capital Trials Branch, Department of Public Advocacy

4:45PM-5:45PM

PATTERSON F

Fighting Ordinary Injustice:

Using the Uniform Criminal Extradition Act to Get People Out of Jail

I'll be providing an overview of the UCEA with emphases on: a) fighting a common ordinary injustice; and b) using the UCEA'S "technicalities" to secure our clients' release.

Speaker: Casey Holland, Directing Attorney, Frankfort Trial Office, Department of Public Advocacy

PATTERSON G

kynect Overview: Brief description of kynect and the kynector program

This presentation will include the requirements and role of certified application counselors.

Speaker: Kris Hayslett, Insurance Program Manager, Kentucky Office of Health Benefit and Health Information Exchange (KOHBHIE)

Please Evaluate Each Session You Attend at:

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6:30PM-8:30PM

THE LYRIC THEATER

Participatory Defense Comes to Lexington

Participatory Defense is a grassroots movement that empowers the key stakeholder – people who face criminal charges, their families, and their communities to become change agents who work for greater transparency, accountability, and fairness from the criminal justice system. Participatory Defense meetings are held in communities to allow defendants, their families and their communities the opportunity to intervene in the court process and allow for individual case work to serve as a catalyst for policy changes by giving those most directly impacted by the court system the tools necessary to fight for their freedom. The program has been in effect in San Jose for six years and is currently expanding to six cities as part of a pilot program. Those cities include Washington D.C., Philadelphia, Birmingham, St. Louis, Los Angeles, and this summer, Lexington.

Speakers:

Raj Jayadev, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

Becky Cardenaz, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

Cecilia Chavez, AC Justice Project Organizer, Albert Cobarrubias Justice Report (ACJP)

WEDNESDAY JUNE 17TH

8:30AM-10:00AM

PATTERSON A, B, C & D

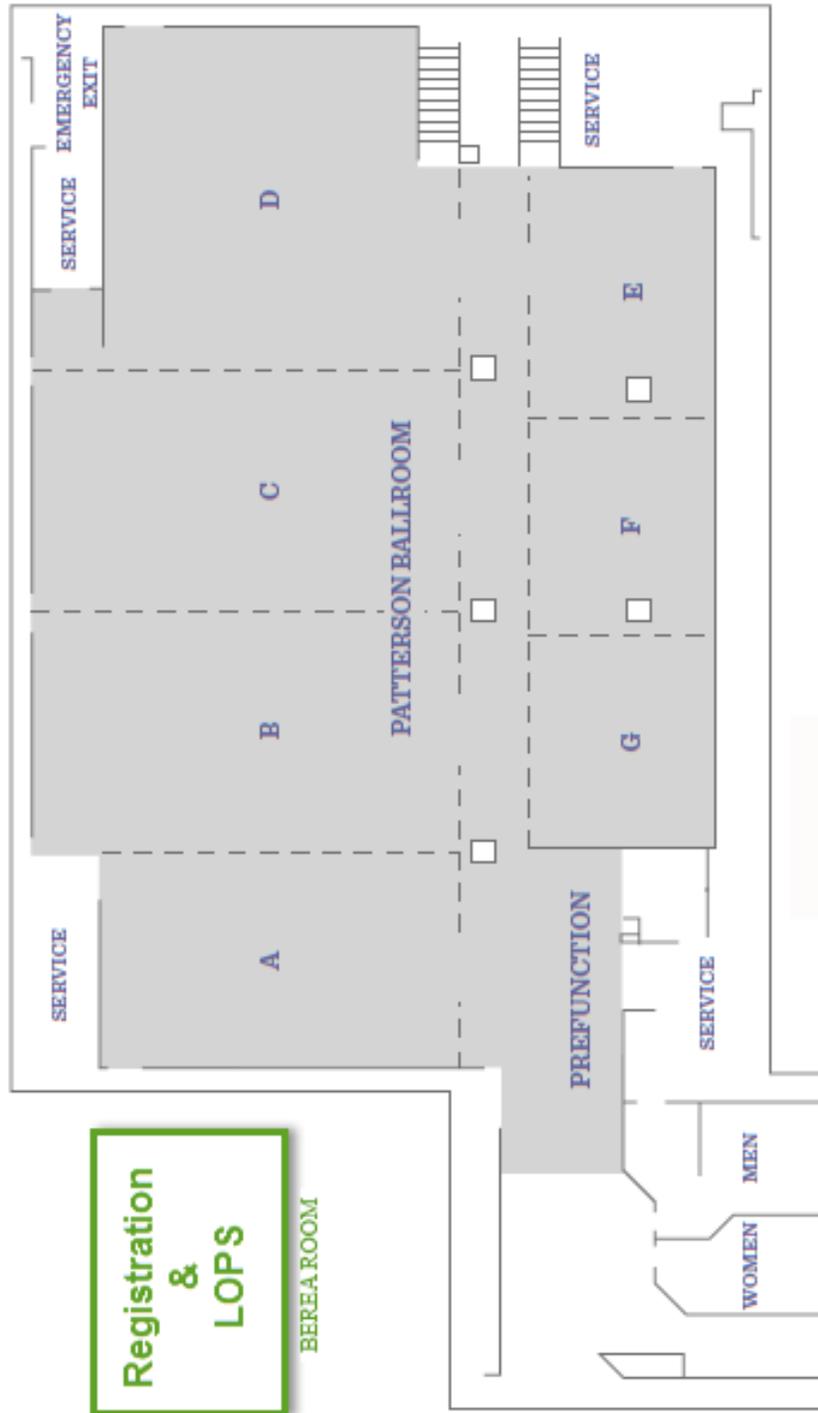
Special Considerations in Representing Veterans

For as long as warriors have returned from battle, some have brought their war home with them, bearing invisible wounds that haunt in the present. These echoes of war – manifested in self-destructive, reckless, and violent behavior – reverberate through society, destroying not only the lives of these heroes, but their families and communities. A new generation of warriors is now returning home and there is good reason to believe more of them will bring their war home with them than ever before. Participants will learn to identify this special class of client, address the unique personality traits and needs, and seek the appropriate resolution of cases based on their needs.

Speaker:

Brock Hunter, Attorney, The Law Office of Brockton D. Hunter, P.A.

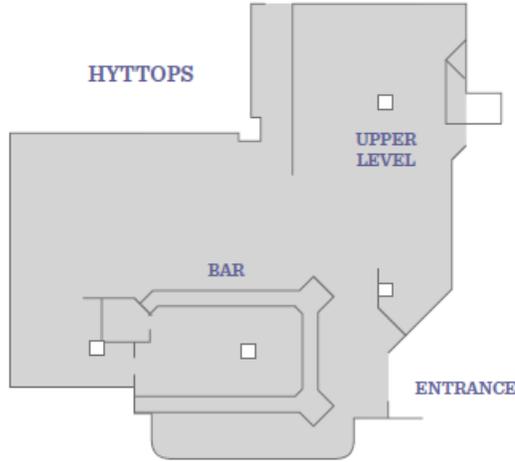
MAIN LEVEL: PATTERSON A-E



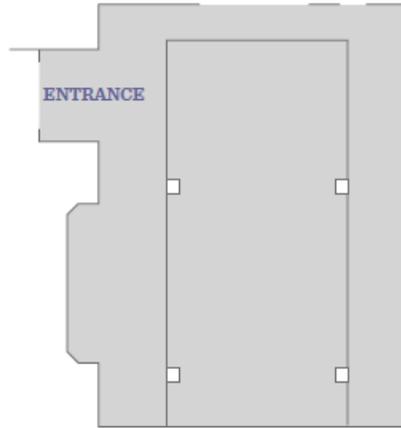
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<http://bit.ly/DPAeval>

LOWER LEVEL: KENTUCKY ROOM

LOWER LEVEL "A"

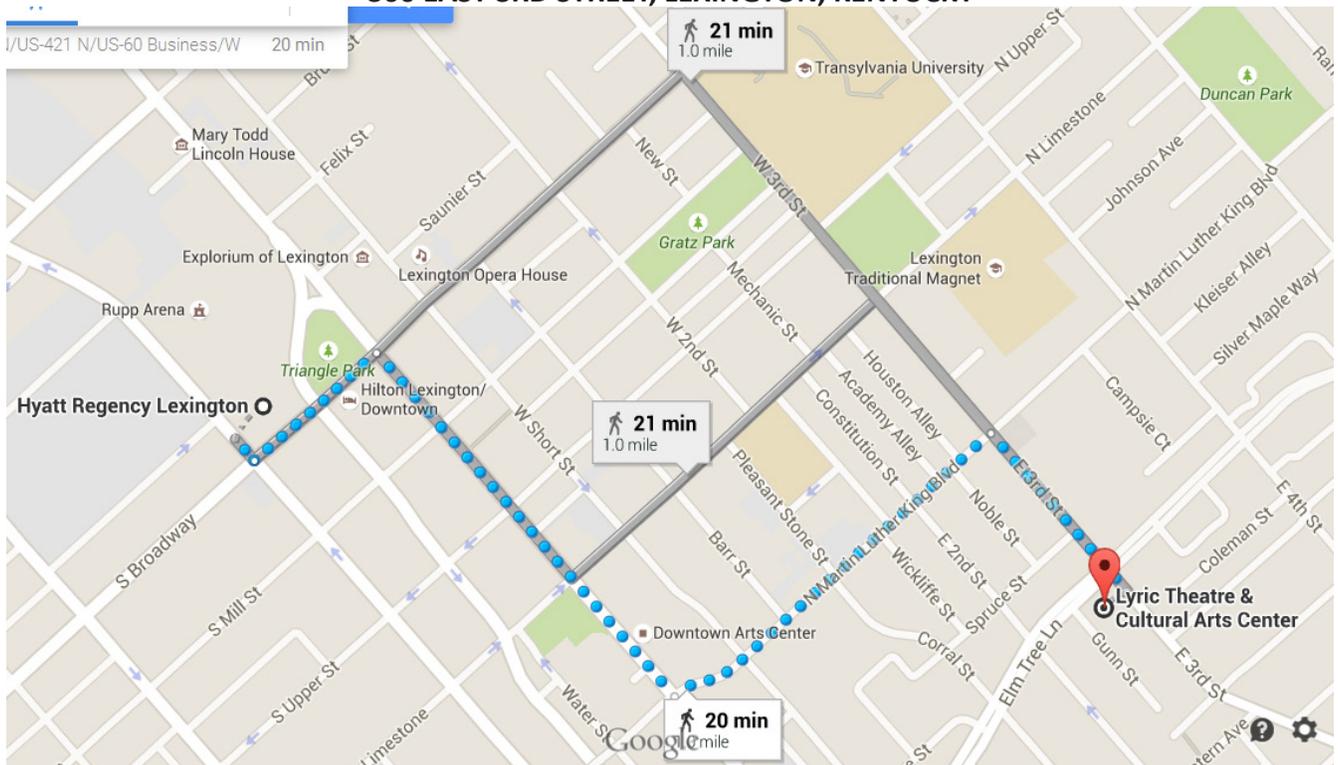


KENTUCKY



WALKING DIRECTIONS TO THE LYRIC THEATER

300 EAST 3RD STREET, LEXINGTON, KENTUCKY



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FACULTY BIO'S

Tim Arnold graduated from Knox College in Galesburg, IL, in 1993. He graduated from the University of Kentucky College of Law in 1996. In 1996, Tim became employed with the Juvenile Post Dispositional Branch of DPA in the Frankfort office. He is currently the Post Trial Division Director.

Becky Cardenaz is a long time organizer and meeting facilitator with the AC Justice Project. She first met ACJP through a case with a family member. That individual was facing 22 years in prison, and through her advocacy and partnership with the public defender, was able to reduce the sentence to no prison time. After her experience, she started participatory defense meetings at her church, and has helped countless families navigate the court system, and impact the outcome of cases. Becky also works on re-entry issues particularly on how faith based organizations can assist in the re-entry process.

Veronica Cecil was appointed Director for the Division of Program Integrity for the Kentucky Department for Medicaid Services in May 2013. In 2014, she was appointed Chief of Staff and currently serves in both roles. Prior to this appointment, she served as Chief of Staff for House Majority Caucus Chair Sannie Overly during the 2013 General Assembly. From March 2009 to January 2013, Ms. Cecil was the Director and Chief Finance Officer for Congressman Ben Chandler, and previous to that she was Executive Assistant to the Kentucky Attorney General. Prior to her 20 years of public service, she worked at several private law firms. Ms. Cecil received her Juris Doctorate from the Louis D. Brandeis School of Law where she was a member of the Law Review, and graduated Cum Laude from the University of Kentucky with a Bachelor of Science in Agriculture.

Cecilia Chavez is a community organizer with Silicon Valley De-bug. She specifically works with families who participate in the Albert Cobarrubias Justice Project. Her work varies depending on the needs of the family. She is more than a support system for families who are going through criminal case. Cecilia is a graduate student at San Jose State University in the Mexican American Studies Department where she recently finished the first year of the program. She is also the mother to a two year old girl. Cecilia was born in Mexico but my family migrated to San Jose in 1995, where she has lived ever since. Her background and the struggles she has seen on a daily basis are my motivation for her work.

Brad Clark is a Kentuckian by birth. Brad works for the Capital Trials Branch office in Lexington defending the Commonwealth's most vulnerable from the state's machinery of death. His other passions include the arts, the outdoors, and his son, Bram.

Kita Clement is a Social Worker and is the Department of Public Advocacy's Social Service Specialist. She is a three time graduate of Western Kentucky University. In addition to a BSW degree, she holds a Bachelor of Science Degree in Administrative Support Management and a Master's Degree in Social Work (MSW). She currently is state licensed as a Certified Social Worker (CSW). Ms. Clement has been with DPA since 2006, when she started as an intern. She has 20+ years of experience working with disadvantaged youth and adults through advocacy, education, training, and mentoring. She is passionate about her work as a change agent with adults and youth in the criminal justice system.

Allison Connelly, the James and Mary Lassiter Clinical Professor of Law at the University of Kentucky College of Law, joined the faculty in 1996 as the first Director of the College's Legal Clinic. She received her B.A. and J.D. degrees from the University of Kentucky. Prior to joining the law school, she spent thirteen years as a state public defender providing direct representation, including death penalty representation, to needy individuals at all levels of the criminal justice system. She rose through the ranks to become the only woman ever named as Kentucky's Public Advocate, the head of Kentucky's statewide public defender system. Professor Connelly has numerous published appellate decisions to her credit. Professor Connelly also teaches Litigation Skills, Criminal Procedure, Criminal Trial Process and Legal Writing, and is the Director of the Kentucky Legal Education Opportunity (KLEO) Summer Institute. She is the founder of the Kentucky Intrastate Mock Trial Competition, and is also the coach of the College's highly successful trial teams, which include eleven nationally ranked trial teams in the last fifteen years. She has received numerous awards for teaching and public service including the 2011 Kentucky Bar Association's Service to Young Lawyers Award, the 2011 NAACP Empowerment Award and the 2009 UK Alumni Association Great Teacher Award.

Rebecca Ballard DiLoreto has been an attorney since 1985. Worked for DPA from 1984 - 2008, worked for CLC 2008-2015, Adjunct Professor at UK College of Law, Chase College of Law, Eastern KY University, UK College of Social Work.

Ervin Dimeny is the Manger of the Court Interpreting Services within the Department of Court Services at the Administrative Office of the Courts.

Shannon Dupree Smith is a graduate of Western Kentucky University and the University of Louisville Brandeis School of Law. She began her legal work in private practice in Hartford, Kentucky where she concentrated her practice in domestic relations and criminal matters. She has been with DPA since 1999 (excepting a two year stint where she was a stay at home mom). Shannon is the lucky mom of Max, Sam and Lucy.

Glenda Edwards received her B.A. from Campbellsville University and her J.D. from the University of Louisville. She began her career with DPA as a staff attorney with the trial branch in the Columbia Field Office in 1999. She has served as Directing Attorney for the Columbia Office since 2003, became the Central Regional Manager for the Trial Division in 2010, and in the spring of 2011 she became the Trial Division Director.

Shawna Mackey Geiger is the Training Director for the Colorado Office of Alternate Defense Counsel. Prior to her role as a trainer, Ms. Geiger represented clients as a public defender as well as in private practice where she focused on indigent criminal and juvenile defense. Ms. Geiger teaches trial advocacy, storytelling, persuasion and client communication skills across the country. She serves on the faculty of the National Criminal Defense College and is a core faculty member of Gideon's Promise. She is also faculty for the National Defender Leadership Institute. Ms. Geiger is active in the National Legal Aid & Defender Association, serving as chair of the National Alliance of Indigent Defense Educators and serving as an executive committee member of the Defender Council. She is also active in the National Association for Public Defense, serving on the Education Committee. In her role as trainer, she spends far less time in courtrooms with clients, but loves the time she spends in classrooms and conference rooms teaching lawyers to bring their clients' stories to life in an effort to slowly turn the tides of injustice and uplift our defender communities to continue their valiant fight.

Roger Gibbs is the Eastern Regional Manager. He is a graduate of Georgetown College and the University of Kentucky Law School. He is also a member of KBA, KACDL and Laurel Bar Association. Roger is the husband of Teresa and father of two wonderful children James and Hannah.

Ali Hatheway has been licensed and practicing law in Ohio since 2006. She is a native of Westerville, Ohio and earned her B.A. in Speech Communication from Muskingum University in New Concord, Ohio. While at Muskingum, she excelled on the Women's Varsity Basketball team and was a member of the Theta Phi Alpha Sorority, Beta Delta Chapter. Ali graduated cum laude from Chase College of Law at Northern Kentucky University in 2006. While earning her law degree, she wrote for the Northern Kentucky Law Review. Currently, she is member of the Greater Cincinnati Criminal Defense Lawyers Association. Ali has been on staff at the Law Office of the Hamilton County Public Defender in Cincinnati, Ohio since 2007, where she has experience practicing both juvenile and criminal law. Currently, Ali is a supervising attorney in the Office's Juvenile Division. Ali has previously presented on various topics such as human trafficking, juvenile practice and procedure, juvenile bindover procedure, and creative motion practice.

Kris Hayslett is an Insurance Program Manager with the Kentucky Office of Health Benefit and Health Information Exchange (KOHBHIE). She earned a bachelor's degree in Education and a master's degree in Health Promotion from the University of Kentucky. She has worked for the Cabinet for Health and Family Services (CHFS) since 2006, serving in the Office of Health Policy as a Health Policy Specialist II prior to working for the exchange. She currently serves in the education and outreach division which administers the kynector program and assists with special projects as needed. Before coming to CHFS, she worked as an associate professor for the University of Kentucky.

Casey Holland graduated from the University of Kentucky College of Law in 2006, and has been with DPA since his 2005 summer clerkship. He is currently the Directing Attorney of the Frankfort Trial Office. His practice has taken him throughout central and northern Kentucky on both capital and non-capital cases.

Emily Hughes is a professor at the University of Iowa College of Law, where she directs the Darrow-Baldus Capital Defense College. She also directs a Public Defender Clinic where she supervises law students representing indigent clients facing misdemeanor charges in Iowa. Her other experiences include working as a public defender for the Office of the Iowa State Public Defender in Iowa City, working as a Sacks Fellow at Harvard Law School's Criminal Justice Institute, and being an assistant director at the Center for Justice in Capital Cases at DePaul University College of Law.

Brock Hunter Brock Hunter is a criminal defense attorney who handles all types of criminal cases in the state and federal courts. Brock has served as the President and Legislative Chair for the Minnesota Association of Criminal Defense Lawyers (MACDL) and received its Special Achievement Award in 2009. Brock received the 2011 Professional Excellence Award. Brock has been annually selected by his peers as a "Rising Star" (2006 – 2009) and a "Superlawyer" (2011 – 2014). Brock is also a former U.S. Army Recon Scout who focuses his practice on defending psychologically injured veterans in the criminal courts and advocating for reforms in the way the justice system deals with them. Brock helped draft and lead passage of Minnesota's Veterans Sentencing Mitigation Act, which was subsequently cited in the landmark U.S. Supreme Court case, *Porter v. McCollum*, 130 S. Ct. 447 (2009), the Court's first to address combat trauma in criminal sentencing. Brock has since helped pass similar veteran sentencing legislation in other states, has been called on to brief the Obama Presidential Transition Team, and has spoken to leadership of the Department of Defense, and the Department of Veterans Affairs on more effective ways to address troubled veterans who commit crimes. Brock is the lead editor and co-author of the just-released book, *The Attorney's Guide to Defending Veterans in Criminal Court*. He is also the co-founder and President of the Veterans Defense Project – a non-profit dedicated to advocating and educating for veterans in the justice system.

Lori James-Townes is the Director of Social Work, Leadership & Program Development for the Maryland Office of Public Defenders; where she supervises, oversees, and plans all of social work services. In addition she supervises the social work and the intern programs throughout the state of Maryland and provides training to attorneys' social workers and support staff as well. The social workers and interns provide litigation support and forensic services to every division throughout the agency. Mrs. James-Townes has developed a model defense based social work program; which has become a national model for other public defender agencies. In addition she is responsible the development, implementation and evaluation of statewide professional initiatives that foster the formation of leadership skills among all agency staff. She is the current Chair of National Alliance of Sentencing Advocates and Mitigation Specialist (NASAMS), Executive Committee. She is a past member of the NLADA's Board of Directors. However, her experiences have been framed by the values and experiences gained when working in the community and serving the prison population. As a private mitigation expert she provides forensic services, expert testimony, consultation, and clinical trainings. Her career in the criminal justice field has been extensive. In 2012 she was honored by Morgan State University when she received The Presidential Award in recognition of her outstanding achievements and accomplishments. She has been honored NLADA's by naming her one of their National Gideon's Heroes and again when honored with the Mitigation Life Time Achievement Award. In 2002, the Alumni Association of University of MD School of Social Work named her Alumni of the Decade (90's). In February she named as one of Maryland's Top 100 Women. Mrs. James-Townes resides in Maryland with her daughter Maya.

Raj Jayadev is the founder and director of Silicon Valley De-Bug, a media, community organizing, and social entrepreneurial collective based in San Jose, CA. Through De-Bug, Jayadev started a family organizing model called the Albert Cobarrubias Justice Project – a methodology for families and communities to impact the outcome of cases of their loved ones and change the landscape of power in the courts. They call the approach “participatory defense” and are now training organizations and public defenders on the model nationally. Through participatory defense, Jayadev also created the practice of “social biography videos” to impact sentencing and charging, which received the Silver Heart Award from the Society of Professional Journalists for giving “voice to the voiceless” in the court system. Jayadev is currently an Ashoka Fellow, a fellowship for social entrepreneurs. Jayadev has written for dailies across the country, and his work has been profiled in outlets such as the New York Times, San Francisco Chronicle, and NPR. He can be reached at: raj@siliconvalleydebug.org and more can be found at acjusticeproject.org.

Sarah G. Johnson holds a BSW from Morehead State University and a Masters of Social Work with a mental health concentration from the University of Kentucky. Mrs. Johnson started her career as a mental health and substance abuse treatment provider. She spent the last five years working for the Department of Public Advocacy. In this position she worked with convicted felons to set up alternative sentencing plans that included treatment aimed at addressing the underlying problems that led to their criminal behavior. She was appointed to the Parole Board August 1, 2011.

Erin Kincaid received her B.S. from the University of Cincinnati in 2009, and her J.D. from the University of Denver in 2012. After working with criminal defense teams on trial and post-conviction capital cases in Colorado, she joined DPA's Capital Trail Branch as a mitigation specialist in 2013.

Laura Karem started with DPA as a law clerk, then staff attorney/juvenile specialist for the London and Pineville trial offices. She is a graduate of the University of Kentucky and the University of Louisville Brandeis School of Law (2006). She has practiced in Bell, Harlan, Knox, Laurel, and Whitley district juvenile court, Knox and Laurel Family Court, and Bell/Harlan Circuit courts.

Larry Komp is a 1992 graduate of the Washington University Law School in St. Louis. He has represented capital clients in state and federal courts and on appeal from 1992- 2001 with the Ohio Public Defender Office in Columbus, Ohio. He is now in private practice in St. Louis, representing capital clients in several states.

Cicely Jaracz Lambert is an Assistant Appellate Defender with the Office of the Louisville Metro Public Defender. Previous work experience includes the Kentucky Administrative Office of the Courts (Director and General Counsel); Kentucky Court of Appeals (Staff Attorney); Kentucky Attorney General (Assistant Attorney General, Criminal Appeals); and private practice (Lambert and Lambert).

Jay Lambert is a 1983 graduate of the University of Kentucky School of Law. He came to work for the Office of the Louisville-Jefferson County Public Defender upon graduation and worked in the Adult Trial and Major Litigation Divisions until 1993, when he left to establish his own firm concentrating in the areas of criminal law and civil rights litigation. Mr. Lambert returned to the Office of the Louisville-Jefferson County Public Defender in 2000 as an Adult Trial Division Chief. From 2003 until 2013 he was the Capital Trial Division Chief. In January, 2013 he was named Director of Training and Performance Evaluation. During his years of practice, Mr. Lambert has tried more than ninety Circuit Court jury trials. He is admitted to practice in Kentucky state courts, the United States District Court for the Eastern and Western Districts of Kentucky and the Sixth Circuit. He has served as an instructor in criminal procedure at the Louis D. Brandeis School of Law at the University of Louisville and has taught various criminal law topics and trial techniques at numerous seminars and workshops throughout Kentucky for the Department of Public Advocacy, the Louisville Bar Association, the Kentucky Association of Criminal Defense Lawyers and the American Trial Lawyers Association. Mr. Lambert was the recipient of the 2005 Gideon Award presented by the Department of Public Advocacy, and also received the 2009 Frank E. Haddad, Jr. Award from the Kentucky Association of Criminal Defense Lawyers.

Courtney Lollar joined the faculty of the University of Kentucky College of Law in 2013. Prior to joining the UK law faculty, Professor Lollar was a clinical faculty fellow at Washington University in St. Louis, where she taught the Criminal Justice Clinic. She previously represented adult and juvenile defendants at the trial and appellate level at the Federal Defender Program in Atlanta, Georgia, and the Public Defender Service for the District of Columbia. She has served as a legal consultant in India for the Initiative for Medicines, Access, and Knowledge, and a research assistant to the United Nations Special Rapporteur on Violence Against Women. Professor Lollar received her B.A. magna cum laude from Brown University, and her J.D. from New York University School of Law, where she was Editor-in-Chief of the Review of Law and Social Change. Her primary research interests involve the intersections among criminal procedure, criminal law, gender, sexuality, social science and remedies.

Joanne Lynch has entered her third decade of practicing criminal defense law. She has worked in private practice and as a public defender in Louisville and with DPA. She graduated from the Indiana University - Indianapolis Robert F. McKinney School of Law and from Franklin College. Her pre-law-school job was as a sports reporter for The Indianapolis Star.

Molly Mattingly is a Staff Attorney with the Appeals Branch, having joined the Kentucky Bar in October 2010 and the DPA in November 2010. She is a graduate of Wake Forest University in Winston-Salem, North Carolina, Vanderbilt University Divinity School in Nashville, Tennessee, and the University of Louisville's Brandeis School of Law.

Karen Shuff Maurer has a B.A. in English from the University of Kentucky, a M.A. in Russian and East European Studies and a Law Degree from the University of Kansas. While in law school, Karen won the International Law Moot Court Competition. She worked in the school's defender clinic and then supervised the clinic her final year of law school. She obtained a grant of the Writ of Certiorari from the United States Supreme Court in 2009. She has been with the Department of Public Advocacy since 1995 in the Appeals Branch.

Glenn McClister is a Staff Attorney with DPA's Education and Strategic Planning Branch. Glenn received his J.D. from the University of Kentucky in 1997, and for nine years worked as an Assistant Public Advocate in Somerset, Kentucky, handling over 400 cases per year. Prior to becoming an attorney, Glenn was a state champion in speech during high school and competed during college as well. After completing the requirements for an M.A. in philosophy, including teaching for six years, he then spent two years as a professional actor, getting the chance to play the lead in "Two Gentlemen of Verona" on the stage of the Globe Theater in London, during a summer program there. After having secured a talent agent on 88th street in New York and spending a great deal of time unemployed, Glenn joined the 101st Airborne Division when Desert Storm began and served for two-and-a-half years as an infantryman. After digging ditches in a Kentucky state park for a year, Glenn went to law school where he directed a production of "Gone with the Wind" starring the law school faculty and students during his third year, and won the College of Law Faculty Cup at graduation. Since joining the education branch, Glenn has designed and revised the new attorney training portion of the Kentucky Public Defender College, published four editions of the DPA Trial Law Notebook, contributed numerous studies of criminal justice issues to the Public Advocate, and designed the investigator training portion of Faubush. Glenn has also trained public defenders in Georgia, Pennsylvania, and Missouri.

Nathan Miller is a 2002 graduate of the Brandeis School of Law at the University of Louisville and completed undergraduate studies at Georgetown College, where he earned a bachelor of science in biology and chemistry. He has previously worked in Washington DC on Capitol Hill, where he was a legislative analyst and lobbyist for drug policy reform. He returned to Kentucky in 2010 to concentrate criminal defense, practicing both privately and with DPA, first in the Bell County office and currently with the Morehead office. He is a member of the National Association of Criminal Defense Lawyers and has served by appointment since 2009 on their State Legislative Affairs Committee. He was certified in 2013 by the National Highway Traffic Safety Administration in DUI Detection and Standardized Field Sobriety Testing, completing the same three day course as law enforcement.

Luke Milligan is an Associate Professor of Law at the University of Louisville. Milligan teaches Criminal Law and Criminal Procedure. He previously practiced criminal defense at the Williams & Connolly law firm in Washington, D.C., and served as law clerk to Judge Edith Brown Clement of the U.S. Court of Appeals for the Fifth Circuit and Judge Martin L.C. Feldman of the U.S. District Court for the Eastern District of Louisiana. He is a member of the DPA Commission.

Edward C. Monahan began as a public defender in 1976. He was appointed Kentucky Public Advocate by the Governor September 1, 2008 to a four year term and reappointed to a second four year term September 2012. He led the development of the nationally recognized legal education program. Ed is a charter board member of the Kentucky Association of Criminal Defense Lawyers and is past president of KACDL, past chair of the Kentucky Bar Association's criminal law section, was a member of the KBA Ethics Committee (2000-2007; 2008-2011). He is past chair of the American Council of Chief Defenders, chief defenders from across the nation dedicated to securing a fair justice system and ensuring high quality legal representation for poor people who face loss of life, freedom or family. He was co-counsel in *Gall v. Parker*, 231 F.3d 265 (6th Cir. 2000) and *Kordenbrock v. Scroggy*, 919 F.2d 1091 (6th Cir. 1990) (en banc) both granting federal habeas relief to clients sentenced to death. Monahan was counsel in *Binion v. Commonwealth*, 891 S.W.2d 383 (Ky. 1995) where the Kentucky Supreme Court recognized the need for defense experts.

Janet Moore joined the University of Cincinnati College of Law faculty in 2012, teaching in the areas of criminal law, criminal procedure and evidence. She received both the College of Law's Goldman Prize for Teaching Excellence and the Junior Scholar Paper Competition Award sponsored by the Criminal Justice Section of the Association of American Law Schools. Prof. Moore's scholarship focuses on the legal and political conditions that empower stakeholders to obtain greater transparency and accountability from criminal justice systems. Her work is informed by critical theory and long experience in capital defense and criminal justice reform research and advocacy. Before beginning her academic career, Prof. Moore had her own practice and also served as an attorney for the Ohio Justice & Policy Center, a nonprofit public interest law firm dedicated to evidence-based justice reform. She previously had served as an Assistant Appellate Defender in North Carolina, focusing primarily on death penalty cases. In 2007, she was awarded a Senior Justice Advocacy Fellowship by the Open Society Institute. Her project focused on improving indigent defense systems. That work led to her appointment by the Ohio Supreme Court to the state Public Defender Commission in 2009. Professor Moore received joint J.D./M.A. (Philosophy) degrees from Duke University and an M.A. degree (Divinity) from the University of Chicago. After graduation, she clerked for the Honorable J. Dickson Phillips, Jr., on the United States Court of Appeals for the Fourth Circuit.

Jose Padilla immigrated to America from Honduras in the 1960s. He served in the United States Army, volunteered and fought honorably in the Vietnam conflict, and was decorated for his service. After his service he settled in California, where we raised six children and became a trucker. In 2001 he was arrested at an Elizabethtown weigh station and charged with trafficking in marijuana and related offenses. He pled guilty, and his plea became the basis for a petition to deport him back to Honduras. He filed a pro se challenge to his plea and conviction, arguing that his attorney should have advised him about the immigration consequences of his conviction prior to the plea. His case eventually went to the U.S. Supreme Court, and resulted in the landmark decision of *Padilla v. Kentucky*, 559 U.S. 356 (Ky. 2010), holding that an immigrant defendant is generally entitled to advice concerning the immigration consequences of a guilty plea. Eventually, his conviction was vacated and his charges were dismissed as part of a deferred prosecution agreement. He remains in California with his wife and children.

Julia Pearson recently celebrated her 26th anniversary with the Department and her 12th anniversary in the Appeals Branch. She is also a retired Army wife (her husband, Paul, served 28 years in the Army/Army Reserve, including 15 months in Kuwait and Iraq, before he retired in 2011). Julia and Paul provide warm-blooded furniture for five spoiled cats and Lilly, the yellow Lab.

Damon Preston is the Deputy Public Advocate for DPA. After graduating from Transylvania University and Harvard Law School, Damon began his legal career in the Criminal Appeals Bureau of the Legal Aid Society in New York City. He returned to Kentucky in 1997 and has been with DPA ever since. First a staff attorney in the Richmond trial office, Damon led the Paducah and then Cynthiana offices as Directing Attorney. Starting in 2004, he managed DPA's Appeals Branch before joining DPA's Leadership Team as Trial Division Director in 2007. Early in 2011, he was appointed Deputy. In addition to work through DPA, Damon serves on the board of the Kentucky Association of Criminal Defense Lawyers and is the current chair of the Criminal Law Section of the Kentucky Bar Association. In spare time, he coaches his daughters Abbie and Marissa in softball with his wife Amy.

Shelly Rice has worked in law offices and the court system throughout Eastern Kentucky. She understands how to analyze, evaluate, review and collect relevant discovery and evidence necessary to successfully prepare a case for trial and present said material in court. In 2010, she began working at Stidham Reconstruction & Investigation, LLC. Since that time, through experience, training, and education, she progressed in this field and is now a licensed private investigator; certified not only in blood pattern interpretation and crime scene processing, but also as a Crime Scene Reconstructionist through IPTM at North Florida University. IPTM's training is both academic and real world, comprised of classroom lecture, labs, and field work. Shelly is one of only 2 people in the world that IPTM has certified as proficient in Crime Scene Investigation.

Marla Sandys received her Ph.D. in social psychology from the University of Kentucky. She is one of the original and continuing members of the consortium of researchers that comprise the Capital Jury Project (CJP), funded by The National Science Foundation. The primary focus of that work is to understand, from the jurors themselves, why they voted for life or death and whether those decisions are in keeping with the law designed to guide juror decision making in capital cases. Professor Sandys also works with colleagues at the Law School in Indianapolis who run the Wrongful Conviction Clinic that is designed to assist in the release from prison of persons wrongfully convicted. Recently, Professor Sandys received a foundation grant to study Indiana citizens' support for the death penalty for people who are mentally ill. Professor Sandys teaches courses and seminars on such topics as research methods, capital punishment, juries, and innocence.

Jeff Sherr is the Manager of the Education and Strategic Planning Branch of the Kentucky Department of Public Advocacy. Jeff has been with the DPA since 1994, starting first as a law clerk, then working with the Juvenile Post Dispositional Unit, then in the trial division with the Stanford Field Office, and now in Frankfort with the education staff. Jeff graduated from the University of Kentucky College of Law in 1995. Jeff is a faculty member for Gideon's Promise, the National Criminal Defense College, Clarence Darrow Death Penalty College, and other state litigation institutes. In addition to regularly training public defender litigators and trainers, Jeff has trained public defender leaders for nationally and for many individual defender states and offices. He is the editor of the DPA's online journal, *The Advocate*, and *The Small Group Coaching Handbook: Tips and Techniques for Criminal Defense Education*. Jeff also has an extensive background in theatre having studied with the National Shakespeare Conservatory and the University of Kansas.

Jessica Shoemaker is an investigator in the Capital Trials Branch of the Kentucky Department of Public Advocacy. Jessica began with the agency in the Cynthiana Trial office in 2010 and worked there three years before transferring to La Grange. Jessica is a board certified criminal defense investigator, who earned her Masters and Bachelors of Science degrees in Criminal Justice at the University of Alabama at Birmingham. Since joining DPA, she has received additional training in mitigation, forensics, crime scene photography, and capital voir dire. Jessica is an Alabama native, who resides with her husband George and daughters, Mamie and Georgia.

Leo G. Smith is a trial attorney who serves as Deputy Chief Public Defender in the Office of the Louisville-Jefferson County Public Defender. A Louisville native, he attended St. Xavier High School, graduated from the University of Louisville with high honors and a Bachelor of Science degree in Commerce and, thereafter, graduated cum laude from the Louis D. Brandeis School of Law at the University of Louisville, where he served as Executive Editor of the *Law Review*. He was also a member of the Brandeis Honor Society and, upon graduation, received the Robert C. Jayes Memorial Award. For the past 32 years, he has served as a staff trial attorney and held several leadership positions with the Public Defender's Office, including Director of Training and Chief of the Adult Trial Division. He has acted as lead counsel in numerous jury trials, including several death penalty cases. In 2000, he received the Distinguished Alumnus Award from the University of Louisville's Brandeis School of Law. His work was also recognized by the Department of Public Advocacy and Kentucky Bar Association in 1999 with the presentation of its first Professionalism and Excellence Award. He has authored several articles on criminal defense practice that have been published in *The Advocate*, the *Journal of Criminal Justice Education & Research* publication of the Kentucky Department of Public Advocacy. Mr. Smith is a former member of the Board of Directors of the Louisville Bar Foundation. He is past chair of the Criminal Law Section of the Kentucky Bar Association, as well as a past chair of the Criminal Law Section of the Louisville Bar Association and a former member of the LBA Professional Responsibility Committee. Mr. Smith was trial counsel in the case of *Griffith v. Kentucky*, 107 S.Ct. 708 (1987), which decided the retroactivity question left open in the landmark case of *Batson v. Kentucky*. He has received numerous Walker Awards in recognition of excellence of advocacy in felony jury trials that resulted in the acquittal of his clients.

Linda A. Smith is the Supervising Attorney for the Kentucky Innocence Project, litigating claims of actual innocence in cases of wrongful conviction since 2010. Along with Investigator James "Jimmer" Dudley, Linda co-teaches externship classes in post-conviction law at all three of the Commonwealth's law schools in addition to supervising students while they investigate cases of potential wrongful conviction. Linda is also a member of the National Innocence Network Executive Board and the International Council of Innocence Network Directors. In 2013, Linda was honored to receive the Kentucky Bar Association Donated Legal Services Award.

Amy Robinson Staples is the Post-Conviction Branch Manager for the Department of Public Advocacy. She is a graduate of Georgetown College and the University of Kentucky College of Law. Amy began her career with DPA as a law clerk with the Juvenile Post-Disposition Branch in 1998. Since that time, she has enjoyed stints as a staff attorney with the JPDB and with the Kentucky Innocence Project and as supervisor of the Frankfort Post-Conviction unit. In 2014, she was the proud recipient of DPA's Professionalism and Excellence Award. She and her husband Robbie are the very proud parents of a handsome, bright, funny, and all-around good natured 5-year-old son, Briley.

Joseph Stidham is a former KSP Trooper and was trained as a traffic Collision Reconstructionist by IPTM as a Trooper. He left the KSP in 1998 and opened SRI. Over the past 16 years with SRI, Joey has continued to train in the field of traffic collision reconstruction and has over 1,000 hours training; an equivalent to 2.5 years of college as a full-time student specific to the field of traffic collision reconstruction. Joey has been qualified as an expert in numerous courts in KY, WV, and TN. He has set himself apart from other people by his ethics and honesty. SRI has the technology and equipment to support Joey in any situation in the field of reconstruction. He has assisted and or testified in 18 criminal cases where there have been acquittals and or dismissals in cases ranging from assault to murder. Joey is trained to the highest level possible from the IPTM the Institute of Police Technology and Management.

Watani S. U. Tyehimba is a Certified Protection Professional (CPP), and a Board Certified Criminal Defense Investigator (CCDI). He is President and CEO of (TSI) Tyehimba Services, Inc., which specializes in criminal defense, mitigation and post-conviction investigations in complex high profile capital cases. He is a firearms and self-defense instructor specializing in issues regarding the use of force, and has qualified and testified as an expert witness on firearms forensic evidence, and reconstructive aspects of crime scenes, and shooting incidents for the Superior Courts of Georgia and Mississippi.

Dehlia Umunna was recently appointed as a Clinical Professor of Law at Harvard Law School, where she is the Deputy Director of Harvard Law School's Criminal Justice Institute (CJI), and supervises third year law students in their representation of adult and juvenile clients in criminal and juvenile proceedings in Massachusetts Courts. Professor Umunna coaches the Harvard Law School (HLS) National Criminal Justice Trial Advocacy team and the HLS Black Law Student Association trial teams, leading both teams to numerous national and regional awards. In addition to her work at HLS, Professor Umunna also serves as a faculty member for Gideon's Promise (formerly the Southern Public Defender's Training Center) and is a frequent presenter at Public Defender Training Conferences around the country. In September 2014, Professor Umunna received the 2014 Dean's Award for Excellence, in recognition of her outstanding service to the Harvard Law School Community, where she has excelled as student supervisor, staff manager, lecturer, coach, and mentor. Prior to coming to Harvard, Professor Umunna spent seven years at the Public Defender Service for the District of Columbia (PDS) as a trial attorney. At PDS, she was a felony one trial attorney, representing indigent clients in hundreds of cases that ranged in seriousness from misdemeanor charges of theft, assault, and drug possession, to kidnapping, child sexual abuse, rape, to homicide. She also served as a presenter in training attorneys under the District of Columbia Criminal Justice Act. From 2002 to 2007, Professor Umunna was an adjunct professor of law and Practitioner in Residence at American University, Washington College of law. She was also a board member of the District of Columbia Law Students in Court Clinic and a guest lecturer for several years at the George Washington University Law School. Professor Umunna is a member of the Massachusetts, Maryland, and District of Columbia Bar Associations. She earned her Bachelor of Arts in Communication from California State University, a JD from George Washington University Law School, and a Masters in Public Administration (MC) from the Harvard Kennedy School of Government. Her article "Rethinking the Neighborhood Watch: How Lessons from Nigerian Villages Can Creatively Empower Communities to Assist Low-Income, Single Mothers In America," was recently published in AM. U. J. GENDER, SOC. POL'Y & L. (Volume 20, Number 4). She is the very proud mother of daughter, Ifeanyi and son, Edozie.

B. Scott West is currently DPA's General Counsel; prior to that, Scott was Bluegrass Regional Manager in the Richmond Field Office, Directing Attorney for Murray Field Office, and a staff attorney in the Hazard Field Office. A graduate of the University of Kentucky Law School (1988), and Vanderbilt University (1985), Scott practiced for ten years at Texaco Inc., in Houston, Texas, before joining DPA in 1999. He is married to Beverley and father to Hannah. They live in Richmond.

Erin Yang began working for DPA as a law student at University of Louisville School of Law. She has been with the Appeals Branch for 11 years and is fortunate enough to work with her husband, Robert Yang. When they are not working, Robert and Erin enjoy hanging out with their son and daughter.

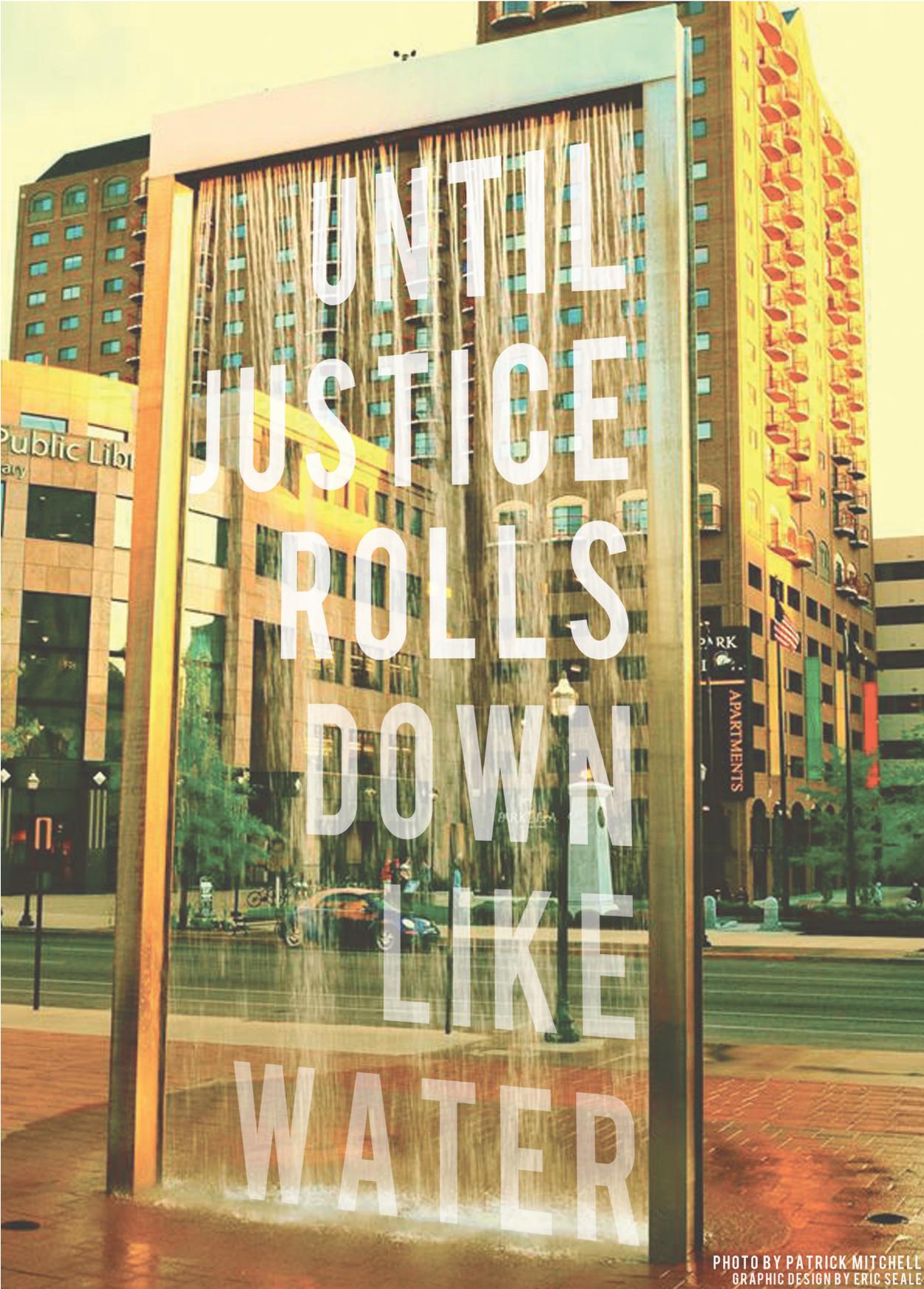


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GRAPHIC DESIGN BY ERIC SEALE

PARTICIPATORY DEFENSE COMES TO LEXINGTON

JUNE 16TH 6:30-8:30 AT THE LYRIC THEATRE 300 EAST 3RD ST.
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