

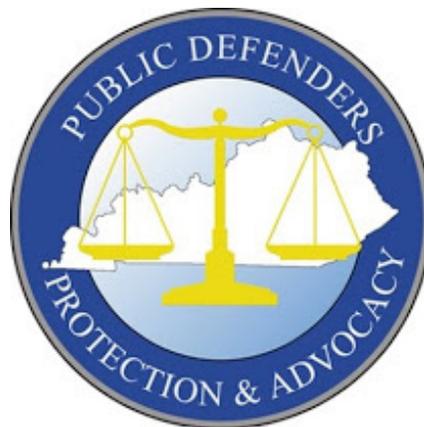
# 45th ANNUAL PUBLIC DEFENDER EDUCATION CONFERENCE

JUNE 19-20, 2017

OWENSBORO CONVENTION CENTER  
OWENSBORO, KY



**Celebrating *In Re Gault* and Due Process for Children**



PRESENTED BY  
KENTUCKY DEPARTMENT OF PUBLIC ADVOCACY'S  
KENTUCKY PUBLIC DEFENDER COLLEGE

## Celebrating *In Re Gault* and Due Process for Children

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### CLE FOR KENTUCKY

SPONSOR:	KENTUCKY DEPT. OF PUBLIC ADVOCACY
ACTIVITY TITLE:	45th ANNUAL KY PUBLIC DEFENDER CONFERENCE
LOCATION:	OWENSBORO, KENTUCKY
DATE:	06/19/2017
ACTIVITY #:	177889
TOTAL CLE CREDITS:	9.0 HOURS
ETHICS:	6.25 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-Tues) 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. Please be mindful of learning and do not bring family members who may distract from the conference.

**EVALUATIONS:** Please evaluate each session that you attend. Shortly after the beginning of each session, a link to “Survey” will appear at the bottom of the session description in the EventsXD app. Click that link to fill out the survey on your phone or tablet. Hardcopy evaluations are available if requested. For more information on the Events XD app, see page 3.

**SOCIAL GATHERINGS:** DPA’s Public Service Recognition Luncheon will be held on Tuesday, June 20, 2017 in Exhibit Hall 3 of the Owensboro Convention Center. 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 lobby of the Convention Center. The Lunch Discussion Tables will be held on Monday, June 19, 2017 in Exhibit Hall 3.

**CLE CREDITS:** There are a total of 9 KBA CLE credits available, including up to 6.25 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 lobby. Please fill out the form and return it to the CLE table before the close of conference.

**KBA CONVENTION:** Your KBA name badge will be available from 8-10am on Tuesday at the DPA registration table. Registered DPA attorneys will attend KBA’s conference on Wednesday, June 21, 2017. The KBA Conference will be held at the Owensboro Convention Center.

**NURSING MOTHERS’ ROOM:** Room 230, signs will be posted on the second floor.

**ONLINE SCHEDULE** is available through the Events XD App. See page 3 for detailed instructions.

**FOOD/BEVERAGES:** The Cafe is open 10-3pm. Vending machines for beverages require bills or exact change.

**MONDAY LUNCH AFFINITY GROUPS**

**BANQUET HALL 3**

202 Hearings: Casey’s Law and Tim’s Law . . . . .	<i>Bob Friedman &amp; John Landon</i>
Advising on Immigration: A Moving Target . . . . .	<i>Eva Hagar</i>
Bail Credit Workgroup . . . . .	<i>Ray Ibarra</i>
Child Support Contempt . . . . .	<i>Efphriam Folberg &amp; Adam Sanders</i>
Creative Use of the Evidence Rules: Bargaining Chips . . . . .	<i>Landon Tingle, Euva Blandford &amp; Linda Hoorsman</i>
Diversity and Inclusion . . . . .	<i>Karema Eldahan &amp; Cheyla Bush</i>
DUI Workgroup . . . . .	<i>Christine Madjar, David Stewart &amp; Steven Buck</i>
Empathy without Burnout . . . . .	<i>Brian Hewlett &amp; Rodney Barnes</i>
Expert Witness Workgroup . . . . .	<i>Roger Gibbs &amp; Julia Pearson</i>
Finding Treatment Placement . . . . .	<i>Rachel Pate &amp; Rena Richardson</i>
Forensics Workgroup . . . . .	<i>Ashely Graham, Aaron Baker &amp; Krista Dolan</i>
Identifying and Handling Conflicts . . . . .	<i>Gregory Griffith &amp; B. Scott West</i>
Increasing the Use of Expungement in Kentucky . . . . .	<i>Kyle Morris &amp; Leigh Jackson</i>
Investigation: Sharing Tactics . . . . .	<i>Patti Fayed &amp; Connie Toczko-Adkins</i>
Medically Assisted Treatment . . . . .	<i>Michael Bufkin</i>
Mentoring Workgroup . . . . .	<i>Melanie Lowe, Andrea Kendall &amp; Jessica Beard</i>
Primary Caregivers . . . . .	<i>Erica Roland &amp; Sarah Fightmaster</i>
Sentencing in Death Penalty Cases . . . . .	<i>Erin Kincaid &amp; Joanne Lynch</i>
Youthful Offender Hearings: Idea Sharing . . . . .	<i>Suzanne Hopf &amp; Anthony Tanner</i>

**EVALUATIONS & SCHEDULE ON YOUR DEVICE**

**TO ACCESS THE ONLINE SCHEDULE AND EVALS:**

1. Go to App Store or Google Play and download “EventsXD”.
2. Create an account by clicking link in bottom right corner to create a new account.
3. Enter email and create password and submit.
4. Re-enter email and password to sign in.
5. Enable request for notifications to enable announcements during the conference.
6. Click search icon in to right of screen.
7. Enter “DPA23352” Click on DPA Conference link to download app.

In the future, you can find the app by clicking on “My”:

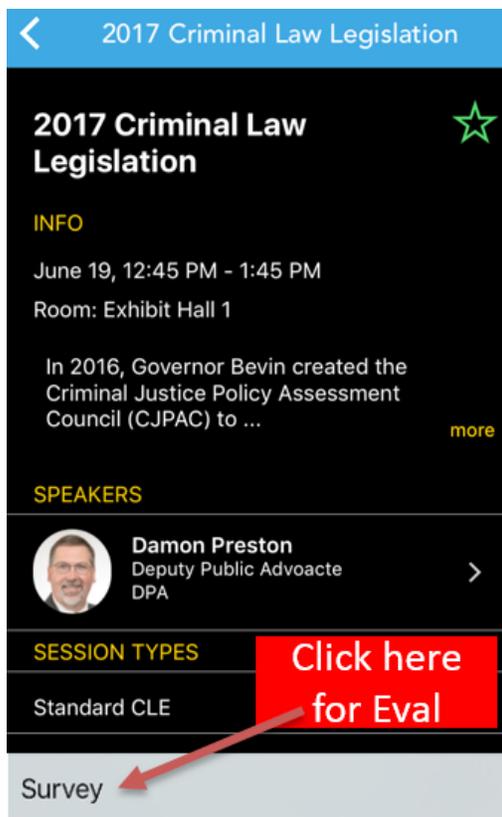
- For iPhone: at top left of screen
- For Android: click the small white triangle at the top right of the screen to get the dropdown menu then click “My”

**FILL OUT YOUR EVALUATION WITH A SIMPLE CLICK!**

Filling out evaluations has never been easier.

1. Go to the session description in your EventsXD app.
2. Click on “Survey”.
3. Complete the survey directly from your device!

**We appreciate your input, so please be sure to fill out an evaluation for every session that you attend.**



**SCHEDULE AT A GLANCE: MONDAY JUNE 19, 2017**

TIME	Exhibit Hall 1	Exhibit Hall 2	Exhibit Hall 3	East E	East BR A-B	East BR C-D	West BR A-B	West BR C-D
10:00-11:30 am	Opening Session							
11:30-12:45 pm			<b>LUNCH</b>					
12:45-1:45 pm	2017 Criminal Law Legislation - Damon Preston	Jury Selection in a Sex Case - Andre Vitale			Litigating Intellectual Disability David Barron	Education Opportunity Centers Tammy Meredith-Castle	Evidence Hot Topics - Linda Horsman - Euva Blandford	Focus on the Client - David Singleton
2:00-3:00 p.m.	Police Misconduct - Elliot Slosar - Amy Staples	Sentence Calculations - Andrea Bentley - Brandi Hawkins	Competency and Ethics - B. Scott West - Melanie Foote  <i>Ethics</i>	People In Crisis - Gina Pruski - Shawna Geiger	A Juvenile Client's Perspective - Suzanne Hopf - Sam Marra - Larry Simon	Medical Evidence in Child Sex Offense Cases - Kara Otis	Litigating Poverty in Non Support Cases - Tim Arnold	Client Communication for Better Direct - Jennifer Sellitti
3:15-4:15 pm	Race and the 4 <sup>th</sup> Amendment - Juval Scott	Cross Examining the SANE - Andre Vitale	The Ethics and Practice of Communicating a Client's Mitigation in The Court of Public Opinion - Ed Monahan  <i>Ethics</i>		Interviewing Teen Clients - Simmie Baer	Crimmigration 101 - Rachel Carmona - Duffy Trager  <i>Ethics</i>	Evidence Hot Topics - Linda Horsman - Euva Blandford	Storytelling in Post Trial - David Singleton
4:30 - 5:30 pm	Kentucky Criminal Law Supreme Court Update - B. Scott West	Storytelling Through Cross - Jennifer Sellitti			Gangs – The Wrong Adjective - Simmie Baer	Sentence Calculations - Andrea Bentley - Brandi Hawkins	Expungement - Kyle Morris - Damon Preston	Investigating Between the Lines - Patti Fayed

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**For instructions on how to install the Events XD App - Go to Page 3**

**SCHEDULE AT A GLANCE: TUESDAY JUNE 20 2017**

TIME	Exhibit Hall 1	Exhibit Hall 2	Exhibit Hall 3	East E	East BR A-B	East BR C-D	West BR A-B	West BR C-D
8:30-9:30 am	Engineering Credibility - Jennifer Sellitti	Latest Developments in Pretrial Release Litigation - Ray Ibarra	Ethics and Guilty Pleas - Tim Arnold - Glenda Edwards <i>Ethics</i>	People In Crisis - Gina Pruski - Shawna Geiger	Alternative Paths to Post Conviction Relief - Elliot Slosar - Amy Staples  Digital Evidence - Audrey Woosnam	Adolescent Brain Development: Juvenile Competency to Stand Trial - Antoinette Kavanaugh	Challenging Involuntary Community Treatment Orders - Bob Friedman - Amanda Birman - Tamara Scull - Elizabeth Zilberberg	Strategies for De-escalation - Shane Beaubien - Melanie Lowe
9:45 – 10:45 am	Talking about Race in Sentencing - Juval Scott	Cross Examining the Complainant in a Child Sex Case - Andre Vitale <i>Ethics</i>	Winning the Case Through Client Testimony - Tom Griffiths <i>Ethics</i>		Medically Assisted Treatment - Michele McCarthy	Using Adolescent Brain Development in All Aspects of the Case - Simmie Baer	Sex Offender Services in Kentucky - Jim Van Nort	Creative Tactics in Sex Cases - Roger Gibbs - Julia K. Pearson
11:00 – Noon	Sentencing Advocacy in the Age of Technology - Jennifer Sellitti	Likelihood Ratios - Andre Vitale					Bail Credit: Why is Everyone a Danger or Flight Risk - Amy Hannah - Adam Braunbeck	Cross of Lead Detective - Mike Burkin
Noon - 2 pm			<b>BANQUET</b>					
2:15- 3:15 pm	US Supreme Court Review - Allison Connelly	I Think My Client Falsely Confessed - Antoinette Kavanaugh			Storytelling in Sentencing - Shawna Geiger	Complex Trauma - Dani Waller - Monica Foster	Creative Use of Evidence Rules - Juval Scott	Client Centered Approach to the Transgender Client - Demmie Leach
3:30- 4:30 p.m.	Kentucky Sentencing Law Update - Glenn McClister - Melanie Foote	Self Defense: Utilizing Police Training Doctrine - Jay Lambert			Mindfulness - Gina Pruski	Transfer Hearings - Dani Waller - Monica Foster	Evidence Hot Topics - Linda Horsman - Euva Lynch & Blandford	First 90 Days of a Capital Case - Joanne Lynch & Friends <i>Ethics</i>
4:45- 5:30 pm	Closing							

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**ETHICS SESSIONS**

**MONDAY, JUNE 19, 2017**

**2:00-3:00pm**

**EXHIBIT HALL 3**

**THE CLIENT WITH DIMINISHED CAPACITY: PROTECTING THE CLIENT WHILE PROTECTING OUR LICENSE (1.0 ethics credit)**

B. Scott West, General Counsel for the Department of Public Advocacy  
Melanie Foote, Staff Attorney with the Education and Strategic Planning Branch

**3:15-4:15pm**

**EAST BALLROOM C&D**

**IMMIGRATION LAW FOR CRIMINAL LAWYERS (1.0 ethics credit)**

Rachel Carmona  
Duffy Trager

**3:15-5:30pm**

**EXHIBIT HALL 3**

**THE ETHICS AND PRACTICE OF COMMUNICATING A CLIENT'S MITIGATION IN THE COURT OF PUBLIC OPINION: A COMMENT ON "NO COMMENT" (2.25 ethics credits)**

Ed Monahan, Public Advocate

**TUESDAY, JUNE 20, 2017**

**8:30-9:30am**

**EXHIBIT HALL 3**

**ETHICS AND GUILTY PLEAS (1.0 ethics credit)**

Tim Arnold & Glenda Edwards

**9:45-10:45am**

**EXHIBIT HALL 2**

**CROSS EXAMINING THE COMPLAINANT IN A CHILD SEX CASE (1.0 ethics credit)**

Andre Vitale

**3:30-4:30pm**

**WEST BALLROOM C-D**

**90 DAYS TO MAKE A DIFFERENCE: WHAT TO DO EARLY IN YOUR CAPITAL CASE (1.0 ethics credit)**

Mike Bufkin, Erin Kincaid, Joanne Lynch, Jessica Shoemaker & Audrey Woosnam

**DETAILED SCHEDULE WITH SESSION DESCRIPTIONS**

**MONDAY, JUNE 19, 2017**

**10:00-11:30am**

**EXHIBIT HALL 1**

**OPENING: CELEBRATING *IN RE GAULT* AND DUE PROCESS FOR CHILDREN**

*Ed Monahan & Simmie Baer*

Fifty years ago the United States Supreme Court changed how children are protected and represented in this country. By guaranteeing the right to counsel for all juveniles facing a loss of liberty, *In re Gault* gave defenders the ability to advocate for young people in need of help. Armed with the power of *In re Gault*, Kentucky has continued to fight for all children in the Commonwealth. Join us as we celebrate the 50th anniversary of this landmark decision and all of the hard working defense teams, who protect our young clients. Ed Monahan, Public Advocate, will open the session by honoring and celebrating juvenile defense attorneys, and their teams, who tirelessly fight for all children. Simmie Baer will provide the keynote address, Sharing Victories.

**11:30am-12:45pm**

**EXHIBIT HALL 3**

**NETWORKING LUNCH: LUNCH DISCUSSION GROUPS**

- 202 Hearings: Casey's Law and Tim's Law
- Advising on Immigration: A Moving Target
- Bail Credit Workgroup
- Child Support Contempt
- Creative Use of the Evidence Rules: Bargaining Chips
- Diversity and Inclusion
- DUI Workgroup
- Empathy without Burnout
- Expert Witness Workgroup
- Obstacles to Treatment
- Forensics Workgroup
- Identifying and Handling Conflicts
- Increasing the Use of Expungement in Kentucky
- Investigation: Sharing Tactics
- Medically Assisted Treatment
- Mentoring Workgroup
- Primary Caregivers
- Sentencing in Death Penalty Cases
- Veterans Workgroup
- Youthful Offender Hearings: Idea Sharing

**12:45-1:45pm**

**EXHIBIT HALL 1**

**2017 CRIMINAL LAW LEGISLATION UPDATE**

*Damon Preston, Deputy Public Advocate*

In 2016, Governor Bevin created the Criminal Justice Policy Assessment Council (CJPAC) to make recommendations to reduce the prison population, decrease recidivism, and reform the penal code. Those recommendations led to passage in 2017 of Senate Bill 120, but only after significant reforms were removed from the bill. In this annual review of new legislation, we will discuss criminal law legislation passed by the 2017 General Assembly, including SB 120.

**EXHIBIT HALL 2**

**JURY SELECTION IN A SEX CASE: TURNING AWAY THE ANGRY MOB**

*Andre Allen Vitale*

Jury Selection can be one of the most important parts of any criminal trial. Many times a case can be won or lost based upon the types of jurors you select. These concepts are never more true than in a sex case. Many prospective jurors enter the courtroom with preconceived notions about allegations of sex crimes. Some can be helpful, some can make being successful very challenging. This presentation will discuss effective ways to select a jury in a sex case. It will address those themes that can be important in developing a successful story of innocence. We will discuss how to develop those themes with prospective jurors in a way that will be probative and survive prosecutorial objections. You will learn ways in which to develop those themes during jury selection as well as how to carry them throughout the trial and into your closing argument in a persuasive manner that will enable you to garner the jurors' trust in support of a successful defense.

**EAST BALLROOM A&B**

**HE DOESN'T SEEM DISABLED TO ME, BUT HE REALLY IS: LITIGATING INTELLECTUAL DISABILITY IN THE POST-HALL, *BRUMFIELD*, *MOORE* AND *WHITE*, WORLD.**

*David Barron*

Exploring the possibility that our client is intellectually disabled is as important as it can get. It categorically exempts our client from execution. But, determining whether a client is intellectually disabled is not as easy as it may seem. Regardless of how functional and intelligent our client may appear; we cannot rule it out. And, even a person whose IQ scores are in the 80s can be intellectually disabled. Intellectual disability is defined by significant intellectual deficit, significant adaptive deficits, and onset during the developmental period. While the definition of intellectual disability may seem straightforward, numerous questions arise as to the first two prongs. And, the law regarding it has changed immensely during the past three years with the Supreme Court of the United States decisions in *Hall v. Florida*, *Brumfield v. Cain*, and most recently *Moore v. Texas*, and with Kentucky's own case of *White v. Commonwealth*. This session will discuss the impact of those cases on Kentucky's definition of intellectual disability, how in light of those cases the 70 or below IQ score cutoff that existed in Kentucky for years no longer exists, the variables that must be applied to determine from an IQ score what is a person's actual IQ, and how adaptive deficits should be analyzed post-*Brumfield* and *Moore*. It will also discuss how to use these cases both as a sword and also as a shield to prevent the Commonwealth from presenting some of its most common arguments and from successfully relying on the conclusion of its own expert, or to at least deflate the persuasiveness of the Commonwealth's arguments. In other words, this session will discuss the current state of the law and best practices for successfully litigating an intellectual disability claim whether in post-conviction or at trial.

**EAST BALLROOM C&D**

**EDUCATION OPPORTUNITY CENTER - PROGRAMS DESIGNED FOR YOUR POPULATION**

*Tammy Meredith-Castle*

The Commonwealth Educational Opportunity Center offers financial aid and post-secondary enrollment assistance. We work one-on-one with the participant every step of the way to become enrolled. We offer pre-college online programs to better assist the participant to become college ready, refer to partners such as Adult Education, Vocational Rehabilitation, Accelerated Opportunity and many more agencies to ensure a successful experience in becoming a post-secondary student. Come hear what we are all about!

**WEST BALLROOM A&B**

**EVIDENCE HOT TOPICS**

*Linda Horsman & Euva Blandford*

Update on changes to the Rules of Evidence and decisions of the appellate courts interpreting the Rules.

**WEST BALLROOM C&D**

**FOCUS ON THE CLIENT**

*David Singleton*

This session will focus on the importance of client-centered advocacy.

**2:00-3:00pm**

**EXHIBIT HALL 1**

**POLICE MISCONDUCT: EXPOSING POLICE CORRUPTION THROUGH DISCOVERY**

*Elliot Slosar & Amy Robinson Staples*

Headlines about police misconduct occur daily, but the departmental policies and procedures that enable such misconduct are often overlooked. This CLE course will provide examples of police misconduct in a variety of criminal cases from various parts of Kentucky. Most examples stem from cases investigated by the following agencies: Newport Police Department, Covington Police Department, Louisville Police Department, Knox County Sheriff's Department, Barbourville Police Department, and the Kentucky State Police. The CLE will also discuss the structure of the aforementioned police departments (including their training, practices, written policies and procedures) and how they contribute to the withholding of exculpatory evidence.

**EXHIBIT HALL 2**

**SENTENCE CALCULATIONS & OTHER DOC TOPICS**

*Andrea Bentley & Brandi Hawkins*

An overview of the Kentucky Department of Corrections sentencing calculations with speakers Andrea Bentley and Brandi Hawkins of the Department of Corrections, Offender Records. Learn how DOC interprets your clients sentence.

**EXHIBIT HALL 3**

**THE CLIENT WITH DIMINISHED CAPACITY: PROTECTING THE CLIENT WHILE PROTECTING YOUR LICENSE**

*B. Scott West & Melanie Foote*

What should (must) I do when I think that a client may be not competent? What does ethics allow, and require, when my client wants neither an attorney or an evaluation? After a finding that my client is incompetent, can I allow them to accept a guilty plea? After a finding that my client is competent, what do I do to protect my client? All of these questions, and more, will be answered in this session.

**EAST BALLROOM A&B**

**A JUVENILE CLIENT’S PERSPECTIVE**

*Samuel Marra, Suzanne Hopf & Larry Simon*

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 Suzanne Hopf and Larry Simon will interview their client, Sam Marra. Sam was in state’s custody from the age of 16 through 21 years of age. Larry represented Sam from the age of 16, and Suzanne came on board with his case when he was 17. Sam was charged and convicted of murder. Larry represented Sam at the trial stage, and Suzanne picked up the case when Sam was sent to residential treatment with DJJ. Larry and Suzanne worked together as strong collaborators, in spite of some of the post-conviction tensions that could have occurred due to the nature of the case. Suzanne and Larry will share their thoughts on working together in a positive manner even when possible tensions between post-conviction and trial counsel can arise and Sam will discuss his experience in light of the various aspects of representation by the two attorneys. Sam will share his insights about how attorneys can better work with their clients to ensure a harmonious and successful working relationship between client and counsel.

**EAST BALLROOM C&D**

**MEDICAL EVIDENCE IN CHILD SEX CASE**

*Kara Ottis*

This session will give you the tools to effectively attack the state’s medical evidence in child sex cases. First, we will discuss the qualifications of the possible experts. Next, an anatomy lesson will be given in the context of how to cross examine the typical conclusions made by the state’s experts. Finally, we’ll discuss how to infuse this knowledge into your closing arguments.

**WEST BALLROOM A&B**

**LITIGATING POVERTY IN NONSUPPORT CASES**

*Tim Arnold*

Often the defense to nonsupport and flagrant nonsupport cases is that the defendant simply could not afford the support payments, and therefore was not intentionally depriving his relative of care. However, that defense is often undermined by jury instructions that appear to permit a jury to find the defendant guilty based on an arrearage amount, without considering the defendant’s financial ability to pay. In this session we will discuss the constitutional limitations on prosecuting an individual for offenses which might be caused purely by poverty, and discuss proposed jury instructions intended to ensure that those constitutional rights are protected by the jury.

**WEST BALLROOM C&D**

**BEING HUMAN IS HARDER THAN IT SEEMS: CLIENT COMMUNICATION FOR BETTER DIRECT**

*Jennifer Sellitti*

Every conscientious attorney strives to be client-centered, to build relationships with our clients, and to truly know his/her story. Time constraints and heavy caseloads, however, sometimes make the task of truly knowing our clients seem impossible. This lecture aims to give participants efficient ways to build client relationships. It takes the concepts of compassion, communication, and empathy out of the realm of the “touchy feely” and repositions them as tools for better trial advocacy. The trial advocacy skill that anchors the lecture is direct examination, but the techniques can be applied to any other area of practice. Through lectures and exercises, participants will learn to: improve communication with clients, achieve greater efficiency in client communication (obtain more information in a shorter time), use information gleaned from clients to build theme and theory; build “scenes” for direct examinations, structure more compelling examinations, and discover why empathy is a critical tool for achieving results for our clients.

**2:00-5:30pm**

**EAST BALLROOM E**

**PEOPLE IN CRISIS: AN INTERACTIVE PROGRAM**

*Gina Pruski & Shawna Geiger*

The SPD's "People in Crisis" program is an interactive exercise with up to 74 participants assuming the roles of up to 26 different families living with limited resources. Some families are newly unemployed, some are recently deserted by the "breadwinner" and others receive Temporary Assistance for Needy Families (TANF), either with or without additional income. Still others are senior citizens receiving Social Security or grandparents raising grandchildren. The task of the "families" is to provide for basic necessities and shelter during the course of one "month" represented by four fifteen-minute "weeks." The families have available to them during the exercise a variety of community resources and service agencies, including a bank, food pantry, general employer, payday and title loan company, and social services agency. Volunteers play the roles of the community resources and service agencies. The experience lasts approximately two and one-half hours. The experience includes an introduction, the actual interactive exercise, and a debriefing period in which the participants and volunteers share their feelings and experiences and talk about what they have learned during the exercise. The "People in Crisis" exercise is designed to help participants better understand what it might feel like to live in a low-income family trying to meet basic needs each month. While we may be intellectually familiar with the statistics of poverty, this exercise enables participants to experience some of the emotional stresses and frustrations created by having limited resources as well as the difficult choices people with few resources feel they may need to make in order to survive.

**3:15-4:15pm**

**EXHIBIT HALL 1**

**RACE & THE 4<sup>TH</sup> AMENDMENT**

*Juval O. Scott*

Litigation over New York City's stop and frisk practices and the killing of unarmed minorities by police officers has placed a new focus on the reasonableness of law enforcement stops of minorities. This session will address how previous assumptions about their reasonableness may be challenged.

**EXHIBIT HALL 2**

**CROSS EXAMINING THE SANE NURSE: DON'T GO inSANE DEFENDING A SEX CASE**

*Andre Allen Vitale*

Too many times in the defense of a sexual assault case when the defense receives information that either: (a) no physical injuries were observed; or (b) physical injuries were found which were deemed "consistent with forced sexual contact", no attempt is made to consult a SANE expert. This program will address the need and benefit of consulting an expert in all cases in which a SANE will be called by the prosecution. It is imperative to consult a SANE consultant even when you will not be presenting their testimony to enable to you to adequately challenge the Prosecution's witness and be ready for testimony that may not be supported by actual facts of the case. We will discuss the Chapters that can be developed in every case to cross examine the SANE and attack the weight of his/her likely testimony. This presentation will discuss some medical conditions that can mimic the physical findings that a SANE will testify are consistent with sexual intercourse. We will discuss those chapters to develop during cross-examination both in cases when: (a) no injuries are observed; and (b) when those injuries are deemed "consistent with forced sexual contact."

**EAST BALLROOM A&B**

**INTERVIEWING TEEN CLIENTS: HOW TO GET MORE THAN A MONOSYLLABIC RESPONSE**

*Simmie Baer*

A demonstration and explanation of techniques to conduct client-centered interview to get what do you need.

**EAST BALLROOM C&D**

**CRIMMIGRATION 101: IMMIGRATION FOR THE CRIMINAL DEFENSE LAWYER**

*Rachel Carmona & Duffy Trager*

This presentation will explain the ethical responsibility of attorneys to advise their clients of the immigration consequences of criminal pleas and provide an overview of common Kentucky crimes with immigration consequences. The presentation will include a description of the various types of immigration statuses and the specific consequences associated with those immigration statuses. The presenters will discuss diversion, informal diversion, juvenile convictions, Alford pleas and the definition of a conviction in immigration law. The presentation will also discuss the recent Trump Executive Orders and their impact on the intersection of criminal and immigration law.

**WEST BALLROOM A&B**

**EVIDENCE HOT TOPICS**

*Linda Horsman & Euva Blandford*

Update on changes to the Rules of Evidence and decisions of the appellate courts interpreting the Rules.

**WEST BALLROOM C&D**

**STORYTELLING IN POST TRIAL REPRESENTATION**

*David Singleton*

This session will focus on the importance of storytelling during the appellate and post-conviction phases of representation. This session will discuss the importance of developing a theory of injustice and how that theory will drive appellate and post-conviction representation.

**3:15-5:30pm**

**EXHIBIT HALL 3**

**THE ETHICS OF PRACTICE OF COMMUNICATING A CLIENT’S MITIGATION IN THE COURT OF PUBLIC OPINION: A COMMENT ON “NO COMMENT”**

*Ed Monahan*

Highly effective litigators always seize opportunities to control the narrative of their cases and to influence the thinking and perceptions of those who make decisions about their clients, both in and outside the courtroom. Good lawyers – much like good media strategists and major corporations facing challenges - do this all the time by framing, bridging, and providing context to facts that were first presented to the public by the other side. This webinar will discuss KRPC 3.6 and KRPC 1.1, their interpretation and application to the ethics of commenting and it will provide practical tips for framing and bridging.

**4:30-5:30pm**

**EXHIBIT HALL 1**

**KENTUCKY SUPREME COURT CRIMINAL LAW UPDATE**

*B. Scott West*

All of the published criminal decisions since last conference, as well as some of the important unpublished ones.

**EXHIBIT HALL 2**

**KURT VONNEGUT, STEVEN SPIELBERG, MARLON BRANDO AND THE ART OF STORYTELLING THROUGH CROSS**

*Jennifer Sellitti*

Great cross involves more than just mastering the chapter method; it means being able to identify the story of your case, structure it into a compelling and event-driven narrative, and deliver that narrative to your judge or jury. Using help from some of the great writers, directors and actors of our time we will explore the art of storytelling and apply those lessons to the skill of cross-examination. This presentation will involve both lecture and exercises designed to bring the techniques we discuss to life.

**EAST BALLROOM A&B**

**GANGS: THE WRONG ADJECTIVE FOR TEENAGE BEHAVIOR**

*Simmie Baer*

Deconstructing the negative “Tag” of “Gang” in a way that shares the client’s true, complete story to judges, prosecutors and juries.

**EAST BALLROOM C&D**

**SENTENCE CALCULATIONS & OTHER DOC TOPICS**

*Andrea Bentley & Brandi Hawkins*

An overview of how the Kentucky Department of Corrections calculates sentences.

**WEST BALLROOM A&B**

**EXPUNGEMENT**

*Kyle Morris & Damon Preston*

This session covers the basics of misdemeanor and felony expungement for the newest DPA attorney to the seasoned pro. House Bill 40 (2016) made significant changes to the expungement process and made some low-level felonies eligible for the first time. Senate Bill 195 (2017) reformed the juvenile record expungement process. Come learn about the three-step process for expungements, what felonies are eligible, how to clear up a juvenile record, and what challenges to expect as we help our clients get a fresh start!

**WEST BALLROOM C&D**

**INVESTIGATING BETWEEN THE LINES**

*Patti Fayed*

This session will cover what every investigator needs to know about the forensic examination of our clients' computers and cell phones. It will also cover "spoofing" and other apps of concern, as well as the creative use of open records requests.

**TUESDAY, JUNE 20, 2017**

**8:30-9:30am**

**EXHIBIT HALL 1**

**ENGINEERING CREDIBILITY:  
HOW TO STRATEGICALLY ARGUE WITNESS CREDIBILITY TO THE COURT**

*Jennifer Sellitti*

Witness credibility wins and loses cases; and the power of a compelling story about why a witness should or should not be believed by the factfinder cannot be underestimated by any successful attorney. This presentation explores how attorneys, both in motion practice and at trial, can more effectively persuade judges and juries that a particular witness either should or should not be believed. Many attorneys argue credibility from a subjective position, "Judge, the witness just didn't seem believable!" or "Judge, that story just doesn't make sense." This presentation will help attorneys plan motions and trials to make credibility arguments that are more objective and founded in facts that are purposely and carefully elicited during cross and/or direct examination.

**EXHIBIT HALL 2**

**THE LATEST DEVELOPMENTS IN PRETRIAL RELEASE LITIGATION**

*Ray Ibarra*

This session will discuss: Litigating Administrative Release Issues; Appealing bail decisions under the new RCr bail appeals rule; Appealing denials of Bail Credit; and The five cases the criminal defense attorney ABSOLUTELY must know.

**EXHIBIT HALL 3**

**ETHICS AND GUILTY PLEAS: DISCUSSING THE OFFER WITH YOUR CLIENT**

*Tim Arnold & Glenda Edwards*

The rules of professional responsibility impose many duties on attorneys, especially where the attorney is assisting the defendant to waive almost all of her rights in the criminal justice process and plead guilty. In this session, we will discuss the ethical duties of counsel in the context of a guilty plea, including the duties to document the plea conversation and the duties of counsel when a defendant is seeking to withdraw a plea pre- or post-judgment. This discussion will touch on related topics like who controls the file after the plea is entered, what documentation is appropriate for an attorney to retain in conjunction with plea advice, and the importance of documenting advice when a plea is rejected.

**EAST BALLROOM A&B**

**ALTERNATIVE PATHS TO POST-CONVICTION RELIEF**

*Elliot Slosar & Amy Robinson Staples*

This session will delve into the complicated world of seeking relief, through petitions for a pardon and/or clemency, from a sitting governor. The CLE will provide insight into strategies that have proven successful before conservative sitting governors in Illinois, Indiana, and Kentucky. The session will also explore pitfalls that can ruin potentially successful petitions for gubernatorial relief.

**WEST BALLROOM A&B**

**WHEN TIM MET CASEY:**

**CHALLENGING THE EXPANSION OF INVOLUNTARY COMMITMENT TREATMENT ORDERS**

*Bob Friedman, Elizabeth Zilberg, Amanda Birman & Tamara Scull*

The 2017 General Assembly passed Senate Bill 91 (Tim’s Law) over Governor Bevin’s veto, creating a system for court-ordered involuntary community mental health treatment under KRS Chapter 202A. At the same time, a bill to expand court-ordered substance abuse treatment under Casey’s Law passed the House, but was not called for a vote in the Senate. In this session, we will discuss client-centered representation in Tim’s Law and Casey’s Law cases. Among the topics for discussion are legal challenges, proposals for improvement of the statutes, and anticipated workload increases.

**8:30-9:30am**

**WEST BALLROOM C&D**

**DECODING DIFFICULT BEHAVIORS: STRATEGIES FOR DE-ESCALATION**

*Shane Beaubien & Melanie Lowe*

Participants will learn how to identify the behaviors which cause individuals to be labeled as “difficult,” provide an explanation for why common behaviors present, and suggest techniques for diffusing interactions with an eye toward preserving the relationship.

**8:30-10:45am**

**EAST BALLROOM C&D**

**SCIENCE PROVES WHAT OUR GRANDMOTHERS KNEW: ADOLESCENTS ARE DIFFERENT**

*Antoinette Kavanaugh*

Dr. Kavanaugh will present empirical evidence related to juvenile competence and describe how mental health practitioners conduct these evaluations. She will also provide resources that attorneys can use when choosing an expert, reviewing a report, and crossing an expert witness.

**8:30-12:00pm**

**EAST BALLROOM E**

**PEOPLE IN CRISIS: AN INTERACTIVE PROGRAM**

*Gina Pruski & Shawna Geiger*

The SPD’s “People in Crisis” program is an interactive exercise with up to 74 participants assuming the roles of up to 26 different families living with limited resources. Some families are newly unemployed, some are recently deserted by the “breadwinner” and others receive Temporary Assistance for Needy Families (TANF), either with or without additional income. Still others are senior citizens receiving Social Security or grandparents raising grandchildren. The task of the “families” is to provide for basic necessities and shelter during the course of one “month” represented by four fifteen-minute “weeks.” The families have available to them during the exercise a variety of community resources and service agencies, including a bank, food pantry, general employer, payday and title loan company, and social services agency. Volunteers play the roles of the community resources and service agencies. The experience lasts approximately two and one-half hours. The experience includes an introduction, the actual interactive exercise, and a debriefing period in which the participants and volunteers share their feelings and experiences and talk about what they have learned during the exercise. The “People in Crisis” exercise is designed to help participants better understand what it might feel like to live in a low-income family trying to meet basic needs each month. While we may be intellectually familiar with the statistics of poverty, this exercise enables participants to experience some of the emotional stresses and frustrations created by having limited resources as well as the difficult choices people with few resources feel they may need to make in order to survive.

**9:45-10:45am**

**EXHIBIT HALL 1**

**TALKING ABOUT RACE AT SENTENCING**

*Juval O. Scott*

Race and ethnicity are integral to our clients' identities and experiences. Yet, we are uncomfortable talking about race with the court. We sometimes act as if it is too sensitive for us to address. At times, we mistakenly treat it as if it is irrelevant. There are ways to talk about race at sentencing that educate the court and explain how it should be considered by the court in its decision making process. This presentation looks to the data and empirical evidence, to help craft legal challenges to disparate sentencing practices, and discusses how to present our clients' personal experiences to the court.

**EXHIBIT HALL 2**

**CROSS EXAMINING THE COMPLAINANT IN A CHILD SEX CASE**

*Andre Allen Vitale*

Especially where the witness is a child—can be one of the most challenging tasks for even the most experienced trial lawyer. Even though a child, does not mean the witness has to be handled with “kid gloves.” Cross-examining a sex complainant can be delicate. It does not mean your cross examination cannot be as compelling and surgical as with any other witness, thereby undermining the trust the jury places in their testimony. This presentation will discuss the style and content necessary to conduct an effective cross-examination of a child complainant. We will discuss the ethical importance of being fully prepared through research and investigation in order to adequately defend a person someone charged with a child sex crime (Model Rule 1.1)—including becoming familiar with the facts of the case through investigation before a lawyer can recommend a client accept a plea (Model Rule 1.2). We will discuss how to use this investigation to develop effective chapters in developing an compelling story of innocence. We will discuss the ethical requirement of zealous representation (Model Rule 1.3) which is just as important, if not more, when a person is accused of a child sex crime. The requirement of zealous advocacy (*Nix v. Whiteside*, 475 US 157) is not diminished even if there is reason to believe the person you represent committed the acts for which he or she is charged; thereby requiring a full and complete cross examination equal to that of any other case and witness. We will address some other important challenges (e.g., runaway witness, a crying witness, ..... ) that can occur during a cross examination and effective ways of dealing with each. Sex cases can be won. But they must be handled in a different manner than any other type of case. This presentation will provide you the tools necessary to develop and present an effective story of innocence through your cross examination of the complainant in a sex case.

**EXHIBIT HALL 3**

**WINNING THE CASE THROUGH CLIENT TESTIMONY**

*Tom Griffiths*

We will examine the practical and ethical aspects of how to prepare a client to testify and why that wins the case.

**EAST BALLROOM A&B**

**DIGITAL FORENSIC EVIDENCE**

*Audrey Woosnam*

Digital forensic evidence hides in plain sight making it easy to overlook. This session will help you identify places where digital forensic evidence can exist in your case, how to get the information you need and what to do with the evidence once you have it.

**WEST BALLROOM A&B**

**SEX OFFENDER SERVICES IN KENTUCKY**

*Jim Van Nort*

Presenter Dr. Van Nort, Program Administrator for the Sex Offender Treatment Program at the Department of Corrections, will discuss sex offender treatment requirements. This session will focus on the assessment and treatment services available to sex offenders in Kentucky. It will identify and describe pertinent laws and regulations related to sex offender services. The session will describe what comprises a Comprehensive Sex Offender Pre-Sentence Evaluation and the Sex Offender Treatment Program.

**WEST BALLROOM C&D**

**CREATIVE TACTICS IN SEX CASES**

*Roger Gibbs & Julia Pearson*

Using new and creative methods to attack sex charges.

**11:00am-12:00pm**

**EXHIBIT HALL 1**

**YOU CAN WIN ‘EM ALL: SENTENCING ADVOCACY IN THE AGE OF TECHNOLOGY**

*Jennifer Sellitti*

Defense attorneys know all too well that not every case can result in a not guilty verdict. Losses at trial and plea bargains are an unfortunate reality for our clients and one we must prepare for early on in the case. This presentation explores ways to soup-up sentencing advocacy in both word and form. We will discuss everything from creating more compelling sentencing memos to using literature and scholarly articles to influence the judge to creating sentencing PowerPoints and videos. We will also discuss ways to neutralize victim impact statements and how to prepare your client to speak at sentencing.

**EXHIBIT HALL 2**

**LIKELIHOOD RATIOS: LIES, D\*@N LIES, & STATISTICS**

*Andre Allen Vitale*

Following the latest NAS report, more Crime Labs are using Likelihood Ratios (replacing RMP) for the Statistical Calculation for complex mixtures in DNA evidence. This presentation will discuss the number of different Likelihood ratios that exist and how the statistic chosen by the Government’s witness can reveal the bias in their analysis and presentation of the evidence. This presentation will address different Evidence Blocking techniques to use in attempting to preclude or limit the Likelihood Ratio presented at trial. We will help attendees understand the meaning and significance of the statistic being presented as well as different approaches to undermining its persuasiveness with the Jury. It is important to understand Likelihood ratios and be able to both explain them to the Jury as well as prevent Prosecution from misrepresenting their meaning. Attendees will leave this presentation with a better understanding of Likelihood ratios and how to fight against them and their misrepresentation by the Government.

**EAST BALLROOM A&B**

**EVIDENCE-BASED TREATMENT FOR OPIOID ADDICTION-UNDERSTANDING THE FACTS ABOUT MEDICATION ASSISTED TREATMENT**

*Michele Flowers McCarthy, MRC, LPCC*

As Kentucky continues to battle the opioid epidemic, we need to be able to utilize all the tools available to us to treat the disease of addiction. This begins with a better understanding of addiction, the persons impacted, and evidence-based treatment options. Participants will discuss common misperceptions about medication assisted treatment (MAT); learn about medications currently available to treat opiate addiction; and increase understanding of patient rights. We will also discuss some basic recommendations, guidelines and laws as related to the MAT model.

**EAST BALLROOM C&D**

**UTILIZING ADOLESCENT DEVELOPMENT IN ALL ASPECTS OF YOUR CASE:  
A TEEN’S FUNDAMENTAL RIGHT TO THEIR YOUTHFULNESS**

*Simmie Baer*

How US Supreme Court precedent has recognized teen immaturity for over 80 years. It didn’t begin with *Roper*. How we can incorporate the present and the past in every stage of our representation of youth.

**WEST BALLROOM A&B**

**BAIL CREDIT: WHY IS EVERYONE A DANGER OR FLIGHT RISK?**

*Amy Hannah & Adam Braunbeck*

Since 2011 “regardless of the amount of the bail set, the court shall permit the defendant a credit of one hundred dollars (\$100) per day as a payment toward the amount of the bail set for each day or portion of a day that the defendant remains in jail prior to trial” unless the court finds the defendant “to present a flight risk or to be a danger to others.” Unfortunately in the six years since bail credit became the law, the exceptions have swallowed the rule; it’s rare that a defendant receives the mandated credit. This session will explore the history of the bail-credit statute, the current status of bail-credit litigation from Jefferson County, and suggestions and tips for challenging the routine denial of bail credit.

**WEST BALLROOM C&D**

**ADVANCED CROSS EXAMINATION: THE LEAD DETECTIVE**

*Michael Bufkin*

This presentation explores the cross examination of the lead detective in a homicide case. How to pin down the cop; featuring excerpts from *Commonwealth v. Ed Carter*, including impeachment.

**12:00-2:00pm**

**EXHIBIT HALL 3: LUNCHEON AWARDS BANQUET**

**2:15-3:15pm**

**EXHIBIT HALL 1**

**U.S. SUPREME COURT REVIEW**

*Allison Connelly*

This session will review the important criminal constitutional cases decided by the U.S. Supreme Court this term.

**EAST BALLROOM A&B**

**STORYTELLING AND SENTENCING**

*Shawna Geiger*

The challenge of public defense is that a majority of our advocacy work is done at sentencing. This session will focus on the importance of storytelling during sentencing with the goal of convincing a jury or judge to impose a just sentence that both meets client needs and protects the community. The session will encourage participants to explore a number of ways to present stories of mitigation at sentencing with an eye toward better outcomes for clients and a more satisfying practice for legal professionals.

**EAST BALLROOM C&D**

**COMPLEX TRAUMA: IDENTIFYING, UNDERSTANDING AND PRESENTING THE IMPACT**

*Dani Waller & Monica Foster*

Many of our clients have survived traumatic childhoods and devastating events throughout their lives. In order to present a compelling picture, we must know what to look for and how to gather the information. It is equally important for us to understand the complexities and devastating impact complex trauma has on the lives of those we represent. This session will explore techniques to uncover and present traumatic life stories.

**WEST BALLROOM A&B**

**CREATIVE USE OF THE EVIDENCE RULES**

*Juval O. Scott*

Even when the rules of evidence aren’t in play, there are limits on what information the court can consider at a hearing. This session will discuss strategies for combatting government efforts to rely on prejudicial and unreliable evidence at hearings and offer suggestions for getting the evidence you need into the record.

**WEST BALLROOM C&D**

**A CLIENT CENTERED APPROACH TO THE TRANSGENDER CLIENT**

*Dennie Leach*

A contextual approach to gender based issues and how those issues may affect clients. The session will explore topics of gender in order to gain a better understanding of our clients and how to approach the topic in a respectful way.

**2:15-4:30pm**

**EXHIBIT HALL 2**

**I THINK MY CLIENT FALSELY CONFESSED - NOW WHAT?**

*Antoinette Kavanaugh*

This presentation will describe factors related to both the interrogation and the suspect that can produce a false confession. Dr. Kavanaugh will also present the evolution process for when a false or unreliable confession is suspected.

**3:30-4:30pm**

**EXHIBIT HALL 1**

**KENTUCKY SENTENCING LAW: A REVIEW AND UPDATE**

*Glenn McClister & Melanie Foote*

An overview of current Kentucky Sentencing Law with a focus on newly enacted laws and recent interpretation of law that will impact your clients' eligibility for diversion, probation or release from custody on parole. There will be an emphasis on sentencing advocacy and how to take control of your clients sentencing hearing so that they do not encounter unintended consequences. This session will also include a quick overview of general Kentucky sentencing principles.

**EXHIBIT HALL 3**

**IF IT'S GOOD ENOUGH FOR THEM, IT'S GOOD ENOUGH FOR US:  
UTILIZING POLICE TRAINING DOCTRINE AND STUDIES IN THE DEFENSE CASE**

*Jay Lambert*

Police use-of-force doctrine, training and studies are relied on across the country to clear police officers in civil suits and criminal actions. They are utilized to explain why officers fired when they did, why suspects were shot in the back or shot multiple times, why the discharge of a firearm was not intentional and often to explain discrepancies between an officer's inculpatory statement and known physical evidence or other eyewitness accounts. This session will survey how many of the same concepts and studies relied on by police to put their own use of force and statements into an exculpatory context can be utilized in the defense of a civilian defendant.

**EAST BALLROOM A&B**

**AN INTRODUCTION TO MINDFULNESS AND HOW IT HELPS US TO BE BETTER ADVOCATES**

*Gina Prushi*

Mindfulness is defined as "being aware of or bringing attention to this moment in time, deliberately and without judging the experience." Science has shown that mindfulness makes us better able to deal with the unexpected, allowing for a thoughtful response instead of an automatic reaction. As public defender advocates, mindfulness can enhance our ability to be more genuine and present for whatever arises in our interactions with clients, colleagues, witnesses, and adversaries. In addition to learning the science behind mindfulness, participants of this session will learn and practice simple mindful activities that can easily be incorporated into our busy lives.

**EAST BALLROOM C&D**

**TRANSFER HEARINGS: FIGHTING EVERY STEP OF THE WAY**

*Dani Waller & Monica Foster*

Litigating with a vengeance in telling your client's life story can be the difference between your client being transferred or being treated like the child they are. This session will explore story telling techniques and gonzo theories of litigation.

**WEST BALLROOM A&B**

**EVIDENCE HOT TOPICS**

*Linda Horsman & Euva Blandford*

Update on changes to the Rules of Evidence and decisions of the appellate courts interpreting the Rules.

**WEST BALLROOM C&D**

**90 DAYS TO MAKE A DIFFERENCE: WHAT TO DO EARLY IN YOUR CAPITAL CASE**

*Mike Bufkin, Erin Kincaid, Joanne Lynch, Jessica Shoemaker & Audrey Woosnam*

This session will discuss capital case litigation with an emphasis on the ethical issues which frequently arise in representing clients in capital proceedings. The discussion will emphasize capital defense representation with an emphasis on the duties of competence (Rule 1.1), diligence (Rule 1.3), communication (Rule 1.4), and the attorney's role as an advisor (Rule 2.1), as they are found in the Kentucky Rules of Professional Conduct. The session will also include mention of the ABA Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases, particularly Guideline 1.1 B, which extends the guidelines to every phase of a capital proceeding, and mention of the ABA Supplementary Guidelines for the Mitigation Function of Defense Teams in Death Penalty Cases.

**4:45-5:30pm**

**EXHIBIT HALL 1**

**CLOSING SESSION**

*Ed Monahan, DPA Public Advocate*

Join us as we bring the DPA Annual Conference 2017 to a close. Come celebrate the dedication, hard work and victories of the past year.

**WEDNESDAY, JUNE 21, 2017**

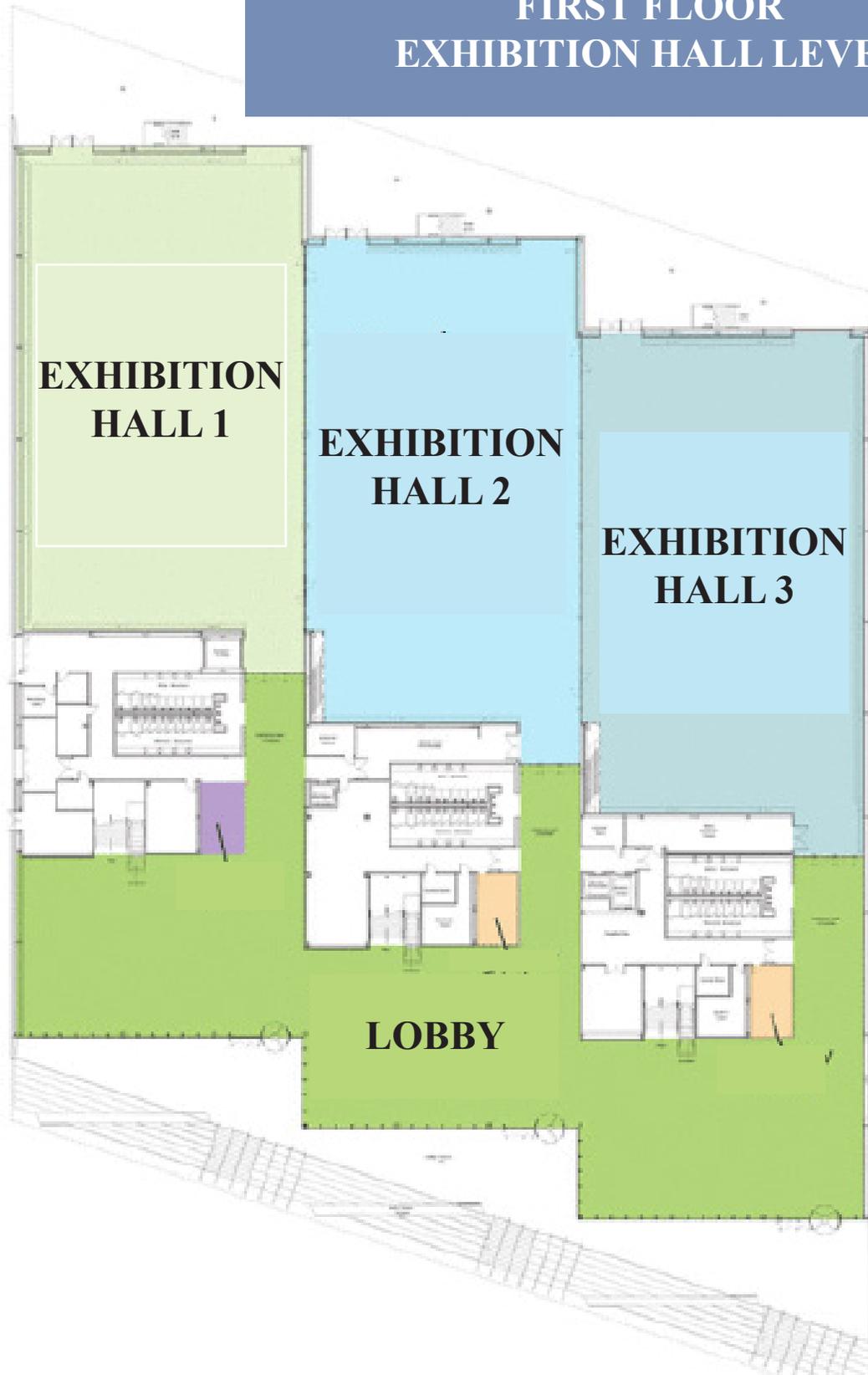
**10:40am-4:35pm**

**KENTUCKY BAR ASSOCIATION CONFERENCE**

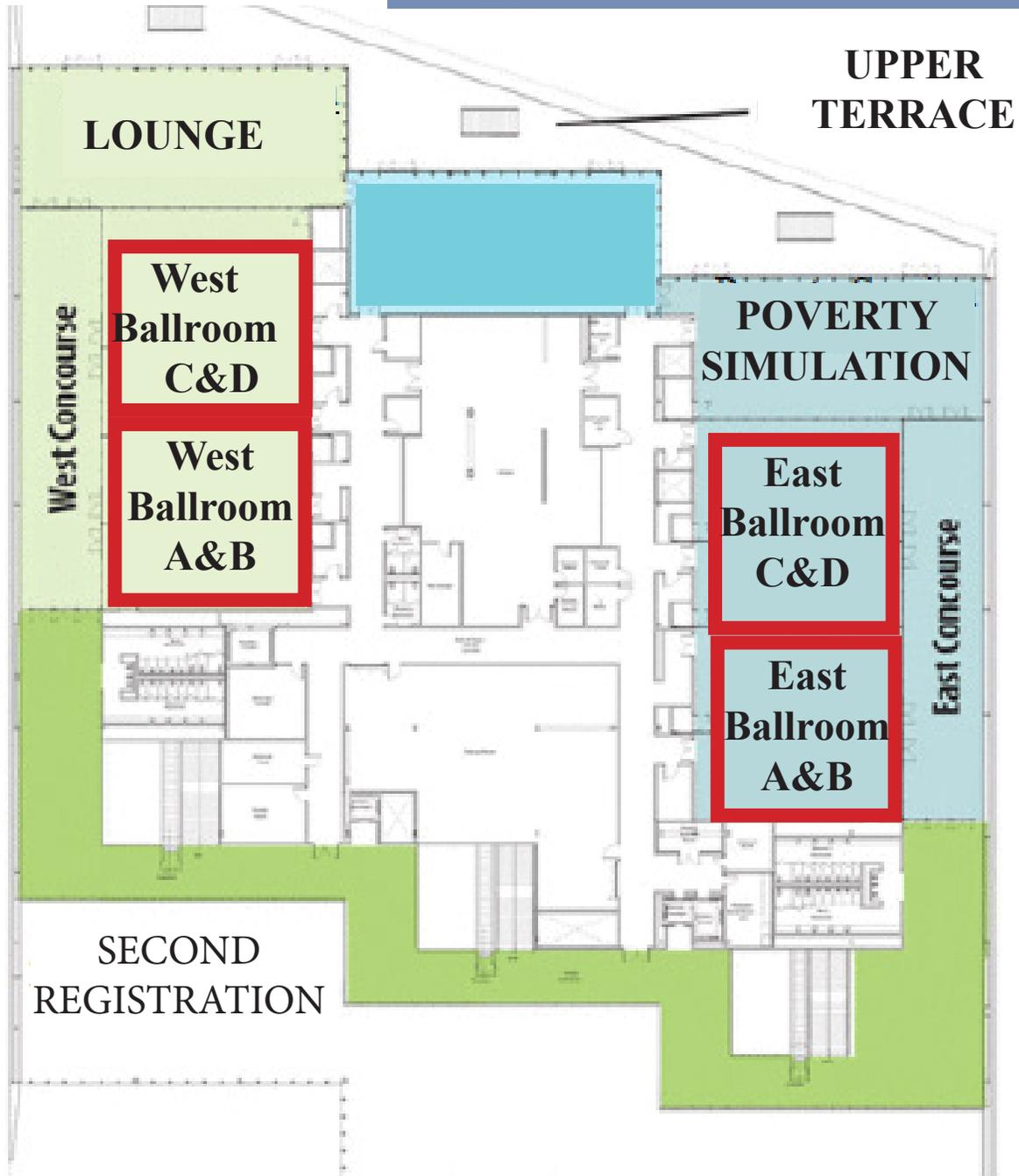
DPA Attorneys to Attend

VENUE MAPS

FIRST FLOOR  
EXHIBITION HALL LEVEL



**THIRD FLOOR  
MEETING LEVEL**



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FACULTY BIO'S

**Tim Arnold** graduated from Knox College in Galesburg, Illinois in 1993, and the University of Kentucky College of Law in 1996. Tim started his legal career as an attorney in the Juvenile Post-Disposition Branch of the Department of Public Advocacy in 1996, eventually becoming the manager of that branch in 2004. He has been the Director of DPA's Post-Trial Division since 2008. Tim has argued cases before the Kentucky Court of Appeals, the Kentucky Supreme Court, and the Sixth Circuit Court of Appeals, as well as assisting with the briefing in the landmark United States Supreme Court case of *Padilla v. Kentucky*. He has received the Furman Award for excellence in capital representation and the *In Re Gault* Award for excellence in juvenile representation from the DPA. He has also received the Juvenile Justice Award from the Kentucky Association of Criminal Defense Lawyers, and the Jack Wasserman Memorial Award for excellence in immigrant rights litigation from the American Immigration Lawyers Association for his work on the *Padilla* case.

**David M. Barron** has, since 2003, focused entirely on representing death-sentenced inmates at all stages of state post-conviction and federal habeas proceedings in South Carolina, Maryland, and Kentucky. During that time, he has represented nearly thirty different death-sentenced inmates, winning capital cases in both state and federal court and obtaining multiple last-minute stays of executions. He has also led the execution procedures litigation in Kentucky from its inception in 2004 through the present and was counsel of record before the Supreme Court of the United States in *Baze v. Rees*, 553 U.S. 35 (2008). He has published a couple articles and has written multiple chapters of the Kentucky Death Penalty manual, including the chapter on intellectual disability that he continuously updates while litigating numerous post-conviction intellectual disability claims in capital cases. In addition to practicing law, Barron is an Adjunct Professor of Law at Northern Kentucky University, Chase College of Law, where he teaches both a seminar on federal habeas corpus and a seminar on the death penalty. Over the years, Barron has presented on lethal injection litigation, the Anti-Terrorism and Effective Death Penalty Act (AEDPA), and intellectual disability at numerous national and local conferences. He is also a two-time recipient of the Furman Award for excellence in capital representation (sharing the award the first time with the *Baze* lethal injection litigation team). Barron is admitted to practice law in Kentucky and South Carolina and before the Supreme Court of the United States, the United States Court of Appeals for the Fourth Circuit, the United States Court of Appeals for the Sixth Circuit, the United States District Court for the Eastern District of Kentucky, and the United States District Court for the Western District of Kentucky. Barron is a 2003 graduate of Brooklyn Law School and a 2000 alum of Boston College. In his spare time, Barron enjoys obsessing over the Boston Red Sox, watching the New England Patriots and Boston Celtics, writing political satire, playing basketball, darts (he will challenge anyone to a game), ping pong, running, and eating just about any ethnic food, with a particular affinity towards Filipino, Ethiopian, Indonesian, and Turkish cuisines.

**Simmie Bear** is a nationally renowned juvenile defender who was the litigation director of the Children and Family Justice Center at Northwestern University School of Law in Chicago and served

as attorney-supervisor of the Juvenile Division of The Defender Association in Seattle for 16 years. She is a founder of Teamchild, a national model for educational and juvenile justice advocacy with offices in five counties in Washington. She is also a board member of the Public Defender Trial Advocacy Program of the National Defender Training Project. Baer's passionate advocacy as a juvenile defender has earned her several awards, including the Livingston Hall Award of the American Bar Association (1995), the Paul Robeson Peace and Justice Award from Mothers for Police Accountability, and the William O. Douglas Award of the Washington Association of Criminal Defense Lawyers (2002).

**Shane Beaubien** is a 2001 graduate of Murray State University. He is currently the investigator with the Frankfort Trial Office. Prior to this, he worked for 14 years in the Murray Trial Office. In 2009, Shane was the recipient of the Rosa Parks Award for courageous investigation on behalf of his clients. Shane resides in Franklin County, Kentucky, with his wife Jessica and their children.

**Andrea Bentley** is an Offender Information Administrator with the Department of Corrections. Andrea has worked for the Department of Corrections for 12 years. She began her career in 2004 as an Administrative Assistant at Northpoint Training Center. In June 2008, she was promoted to Offender Information Specialist I. During this time, she gained valuable experience working with attorneys, courts and other law enforcement agencies. Andrea was promoted to Offender Information Supervisor in the DOC's Central Office in November 2013. In this position, she supervised the Calculations section. That section's responsibilities include ensuring the offender's sentence is calculated per Kentucky Revised Statutes. In September 2014, Andrea was promoted to her current position as Offender Information Administrator. She oversees the Sentence Credit section, which is responsible for applying/auditing credits for all active inmates and parolees. This section also calculates and reviews offenders for parole supervision credit when they return from parole and MRS. She also oversees the Office Support section, which includes open records and the Pre-Release section that reviews inmates prior to seeing the Parole Board or being released on MRS. The Pre-Release section is also responsible for issuing the final discharge certificate for those offenders on supervised release. Andrea is a graduate of the 2015 Commissioner's Executive Leadership Program.

**Amanda Birman** is currently a DPA Staff Attorney in the Hazard Trial Office. She received a Bachelor's Degree in Political Science and a Bachelor's Degree in Criminology with honors from North Carolina State University. Amanda attended and received her Juris Doctor at the University Of Louisville Brandeis School Of Law. Amanda has been with the DPA since 2012--beginning her legal career as the Harlan Trial Office's very first intern. She later participated in an externship at the Bullitt County Trial Office. Amanda has been with the Hazard Trial Office since 2015, first as a Law Clerk and then as DPA Staff Attorney following her bar admission. Amanda's greatest sense of accomplishment comes from helping her 202A clients.

## Celebrating *In Re Gault* and Due Process for Children

**Euva Blandford** received her J.D. from Brandeis School of Law at the University of Louisville. She has practiced law for 18 years. She began as an attorney in direct appeals. After clerking for the Kentucky Supreme Court, she returned to DPA in the Post-Conviction Branch. She has experience litigating capital and non-capital cases in state and federal court.

**Adam Braunbeck** is an assistant appellate defender at the Louisville Metro Public Defender's Office. Before moving to the Appellate Division, Adam was an attorney in the Adult Trial Division for five years. He is currently part of the team litigating bail issues in Jefferson County. He is a former Public Defender Corps Fellow and a graduate of the Gideon's Promise training program.

**Michael Bufkin** received his J.D. from the University of Louisville, Brandeis School of Law. He began his law career at the Jefferson County Public Defender in Louisville, Kentucky in the Adult Trial Division. He later joined the Capital Trial Division there. Mr. Bufkin currently works with the Department of Public Advocacy, Commonwealth of Kentucky, Capital Trial Branch, West.

**Rachel Carmona** is a criminal defense and immigration attorney in Louisville, Kentucky. She practices criminal defense primarily in Jefferson County and in federal court. She is still a public defender at heart, and is a member of the Louisville Metro Public Defender Assigned Counsel Panel. She practices immigration law before the Immigration Court in Louisville, travelling often to Chicago to defend immigrants who are incarcerated. She also litigates before the Board of Immigration Appeals. She has worked extensively in matters involving the immigration consequences of criminal convictions. Mrs. Carmona is a member of the American Immigration Lawyers Association (AILA) and serves as a liaison to AILA national and represents the MidSouth chapter regarding matters related to U.S. Immigration and Customs Enforcement (ICE). She earned her J.D. in 2010 from University of Louisville Brandeis School of Law. She is admitted to the Kentucky bar, the United States District Court in the Eastern and Western Districts of Kentucky, and before the Immigration Court and Board of Immigration Appeals.

**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 seventeen years. She has received numerous awards for teaching and public service including the University of Kentucky College of Law's Duncan Teaching Award,

the University of Kentucky's 2016 William E. Lyons Outstanding Public Service Award, the Kentucky Bar Association's 2015 Donated Legal Services Award, the 2011 Kentucky Bar Association's Service to Young Lawyers Award, and the 2009 UK Alumni Association Great Teacher Award.

**Glenda Edwards** began her career with DPA in 1999 in the Columbia Field Office. She worked as a staff attorney representing juvenile and adult indigent defendants. After stops as a Directing Attorney of the Columbia Office (2003-2010) and Central Regional Manager (2010-2011), Glenda became the Trial Division Director and now supervises the 36 DPA Trial Offices with the assistance of Regional Managers. Glenda is a 1998 graduate of the University of Louisville, Brandeis School of Law and 1995 graduate of Campbellsville University. In 2010, she received the KACDL Juvenile Justice Award. Glenda served as a member of the Juvenile Task Force that culminated in suggestions for the reform of the KY juvenile system known as SB200. Glenda also serves on the KY Juvenile Justice Advisory Board and Standing Committee on Juvenile Court Rules.

**Patti Fayed** is an Investigator III with the Shelbyville Trial Office of the Kentucky Department of Public Advocacy. Patti has been with the DPA since 2014. During this time, she has worked on numerous murder cases, provided training to investigators and assistance to DPA members around the State. Patti graduated from Eastern Kentucky University with a B.S. in Police Administration and a Minor in Biology. After graduation, she joined the New Haven Police Department in New Haven, CT. While with the New Haven Police, Patti worked as a patrol officer and Sergeant. She was on the Bomb Squad, National Anti-Terrorism Task Force, National Outlaw Motorcycle Gang Task Force, and Supervisor of the Warrant Squad, Investigator assigned to Drug Interdiction, Sexual Assaults, Robberies, and Homicides. She was also a Hazardous Materials Technician with specialized training in Biological, Chemical and Nuclear Weapons. Patti was an Explosives Post Blast Investigator and worked with the FBI on a Bombing that occurred just months after 9/11. After leaving policing, Patti was a Police Instructor at the Department of Criminal Justice Training in Richmond, KY. Patti spent 5 years training Kentucky Law Enforcement in every area of policing. She is a certified Adult-Learning Instructor and certified to teach all aspects of policing. During her time at the police academy, she trained officers in Pursuit and Defensive Driving, Advanced Patrol Skills, Explosives, Homeland Security, Interview and Interrogation, Drug Interdiction, High Risk calls, Active Shooter (in schools), Outlaw Motorcycle Gangs, Street Gangs and Intelligence Gathering. During this time, Patti remained an undercover investigator on the National Outlaw Motorcycle Gang Task Force and traveled around the country conducting investigations with the team. Patti left the Police Academy to travel to the Middle East where she put together an entire training course for the female members of the United Arab Emirates female Presidential Guard. During her 4 years in Abu Dhabi, Patti trained UAE female military soldiers in all aspects of VIP Protection. She created the training schedule, supervised the team of female instructors, supervised the military students and assisted in developing the Standards and Protocols, Patti wrote all of the advanced courses, trained all aspects of the course; and, at the end of 4 years, had trained more than a full company (120) of female Protection Agents. This had never been done before in the Gulf Region, and not to this scale anywhere else in the Middle East.

## Celebrating *In Re Gault* and Due Process for Children

**Melanie Foote** joined the Education Branch in 2015. She received her undergraduate degree from the University of California, San Diego and her J.D. from Brooklyn Law School. She is a member of New York and Kentucky State Bars, and has been practicing in Kentucky since she joined the Adult Post Conviction Branch of the Department of Public Advocacy in 2007. While in the Post Conviction, Melanie represented adult clients on claims of ineffective assistance of counsel, mistake in the proceedings, and claims of actual innocence. In that role, she secured the release and exoneration of Mr. Jason Girts, who had been wrongfully convicted based on false statements made by the child complaining witness. In 2009, she joined the Kentucky Innocence Project to work exclusively on DNA based claims of actual innocence. At the completion of the DNA Grant in 2010, she began representing clients in district, circuit, juvenile and family court in the Elizabethtown and LaGrange Trial Offices. While at the Elizabeth Trial Office, Melanie had the pleasure of representing Mr. Jose Padilla after his case was vacated and remanded by the United States Supreme Court. Mr. Padilla's charges were ultimately dismissed after a period of deferred prosecution, allowing him to remain in the United States. Melanie is a faculty member of the 2017 Public Defender Trial Advocacy Program in Dayton, Ohio.

**Monica Foster** was appointed Chief Federal Defender for the Southern District of Indiana in September of 2012. Prior to that she was in private practice where her work focused on death penalty defense. She has represented capital clients throughout the United States from trial through habeas and clemency. Monica has argued in the United States Supreme Court and various state and federal courts throughout the country. She also represented the Government of Mexico when their nationals were charged with capital eligible offenses in the United States. Always an advocate for the underdog, she is a relentless rescuer of small dogs and a fan of the Buffalo Bills. She and her husband are trying to bring peace to the Middle East one young Arab boy at a time; they have hosted foreign exchange students from Saudi Arabia for the past 10 years.

**Bob Friedman** was born at George Washington University Hospital a long time ago, and grew up across the Potomac River in Annandale, Virginia. He graduated from Annandale High School, where all the teams were called the Atoms. (It was the cold war era. But they're still the Atoms, decades after Bob graduated.) Of course, Bob was a nerd, so his teams were the math team, the debate team and the model U.N. He went to college and grad school at the University of Virginia, got a Ph.D. in philosophy, and was an academic for a number of years, publishing articles on Aristotle's philosophy of biology—admittedly a rare and obscure interest. He opted for what was essentially a mid-life career change, and started practicing law at the age of 40. After four years as a plaintiff's attorney, Bob became a public defender in Lexington, and has been one since 1998. While some of his practice consists of felony cases and misdemeanor cases, he has a special interest in representing clients with mental illnesses, intellectual disabilities and traumatic brain injuries. As a result, he practices involuntary commitment and forced medication cases at Eastern State Hospital. He also enjoys assisting other attorneys with competency and criminal responsibility issues.

**Shawna Mackey Geiger** is the Training Director for the Office of the Federal Public Defender, District of Colorado & Wyoming. Before moving to the federal system, she spent 9 years as 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, currently serving on the executive committee of the National Alliance of Indigent Defense Educators. 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 a graduate of Georgetown College and the University of Kentucky College of Law. He was a staff attorney for the Jefferson County Public Defender's office from 1986 to 1993. Roger was the Directing Attorney for DPA's London office from 1993 to 2010 and the Eastern Regional Manager since 1998. He is a member of KACDL, KBA, and the Laurel Bar Association. Roger is the father of two wonderful children, James and Hannah, and the husband of Teresa.

**Tom Griffiths** is the Managing attorney SCRAP Division of the King County, Washington public defender system. Tom is a lifelong public defender. His career includes work from trial level juvenile representation to managing statewide capital defense in Kentucky. He is the winner of the Kentucky *in Re Gault* Award and the Furman Award. Previously, Tom was the head of the Capita Trial Branch and Manager of the Lexington Trial office. He originally hails from Boston where his interests included books, bourbon, and lost causes. He came to Kentucky in 1996 and has been representing the poor ever since.

**Amy I. Hannah** is currently the Assistant Director of Training and Special Litigation at the Louisville Metro Public Defender's Office. She graduated from American University in Washington, DC in 1996 with a Bachelors of Arts degree in Political Science. Ms. Hannah graduated from the University of St. Thomas School of Law in 2004. Ms. Hannah has been at the Louisville Metro Public Defender's Office since June of 2004. She has previously worked in the Adult Trial Division and as a Division Chief. Ms. Hannah previously worked in the Capital Trial Division where she successfully represented clients facing the death penalty. She is currently part of the team litigating bail issues in Jefferson County. In 2009, Ms. Hannah was awarded the Clarence Darrow Prodigy Award from the Kentucky Association of Criminal Defense Lawyers (KACDL). She is the current president of KACDL.

## Celebrating *In Re Gault* and Due Process for Children

**Brandi Hawkins** is an Offender Information Supervisor with the Department of Corrections. She began her career in State Government with the Cabinet for Health and Family Services in 2012, serving as a Family Support Specialist in both Franklin and Anderson counties. In 2014, she accepted a promotional opportunity as an Offender Information Specialist I with the Department of Corrections. She began working in the Sentence Credit section, reviewing and applying meritorious good time, calculating parole supervision credit, and scheduling Parole Board hearings for inmates facing revocation of parole and MRS. In October 2014, Brandi was promoted to Administrative Specialist III where she was the Open Records Coordinator and Office Support Section Supervisor. Brandi also oversaw the Scanned Document Project, which was implemented to transfer all paper inmate files to electronic format. In January 2016, Brandi was promoted to her current position as Offender Information Supervisor over the Pre-Release section. Brandi is the Kentucky DOC State Records Coordinator and recipient of the 2015 Kentucky Council on Crime and Delinquency “Chapter Award of Excellence”.

**Suzanne Hopf** is a staff attorney for the Department of Public Advocacy and has worked as a juvenile specialist since 1998 in the Juvenile Post Disposition Branch. She started with DPA as an appellate attorney with a focus on juvenile appeals, and in her early years as a public defender was involved in numerous published opinions that resulted in positive advancement of juvenile’s rights in Kentucky. Suzanne currently focuses on conditions of confinement, post-disposition advocacy, and representation at youthful offender sentencing hearings and parole advocacy. Suzanne graduated from the University of Louisville Brandeis School of Law in 1996, and previously earned a Master’s Degree in Sociology from Colorado State University in 1993. Suzanne has also worked as an adjunct faculty for the Indiana University Criminal Justice Division, for Spalding University in Louisville, and for the University of Louisville Department of Sociology during the past twenty years. She is a member of both the Kentucky and Indiana Bar Associations.

**Linda Roberts Horsman**, a Staff Attorney III in the Appeals Branch, is a native of Louisville and a graduate of Georgetown College and the University of Dayton School of Law. She began her legal work with AppalRed in Prestonsburg and then continued her career in public service as a staff attorney for the Legal Aid Society in Louisville, where she concentrated her practice on housing and consumer issues. After a brief stint with a private firm practicing estate planning, probate, and taxation, she came to DPA. She has been with DPA since 2001. She is married to Tom and they have two sons: David, who is thirteen, and T.J., who will soon be eleven.

**Ray Ibarra** is the Directing Attorney of the Cynthiana Trial Office of the Department of Public Advocacy. In 2011, he joined DPA as an Equal Justice Works Public Defender Corps Fellow specializing in Pre-Trial Release Litigation. He is also a graduate of Gideon’s Promise, a non-profit organization dedicated to building a community of committed and passionate advocates to drive public defense reform across the South. Graduating from Georgetown Law in Washington, DC in 2009, Ray has worked at public defender offices in San Diego, Los Angeles, Santa Barbara County, California, and Montgomery County, Maryland.

Ray and his wife Andrea Kendall—who is also a DPA attorney—have a combined total of sixteen years and seven household moves in the service of public defense reform.

**Antoinette Kavanaugh, Ph.D., ABPP**, is Board Certified in Forensic Psychology, is the former Clinical Director of the Juvenile Justice Division — Cook County Juvenile Court Clinic, served as a clinical professor at Northwestern University’s School of Law for ten years and is a Lecturer at the Feinberg School of Medicine, Northwestern University, Chicago, IL. She has authored several peer-reviewed articles and routinely trains lawyers and psychologists on issues related to adolescent development and obtaining and conducting forensic evaluations. In private practice since 1999, she evaluates juveniles and adults for civil cases, criminal state and federal court cases, has been retained in multiple *Miller v. Alabama* cases and testifies regularly in state and federal courts.

**Erin Kincaid** received her B.S. in Criminal Justice from the University of Cincinnati in 2009, and her J.D. from the University of Denver in 2012. She worked on corrections policy issues with the National Conference of State Legislatures from 2010-13, and with criminal defense teams on both trial and post-conviction capital cases in Colorado. Erin moved to Kentucky in October 2013 to join DPA’s Capital Trial Branch West as a Mitigation Specialist. She is the proud dog-mom of Agnes, a selectively misanthropic Australian cattle mutt.

**Jay Lambert** is a 1983 graduate of the University of Kentucky College 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. After a successful stint in private practice, Mr. Lambert returned to the Office of the Louisville-Jefferson County Public Defender in 2000 as an Adult Trial Division Chief. In 2003, he assumed leadership of the Capital Trial Division and served in that capacity until 2011 when he became the office’s Director of Training and Performance Evaluation. During his years of practice, Mr. Lambert has tried more than eighty jury trials in Circuit Court, including many high profile felony cases and a number of death penalty cases. 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 and Kentucky Bar Associations, the Kentucky Association of Criminal Defense Lawyers and the American Trial Lawyers Association. His current duties include the office’s new lawyer orientation and training program. Mr. Lambert is the recipient of the 2005 Gideon Award, presented by the Department of Public Advocacy for extraordinary commitment to equal justice and courage in advancing the right to counsel for the poor, and the 2009 Frank E. Haddad, Jr. Award, presented by the Kentucky Association of Criminal Defense Lawyers in recognition of exceptional professional achievement.

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**Dennie Leach** is a staff attorney at the Murray Trial Office. She received her undergraduate degree from Murray State University and her J.D. from Southern Illinois University. Dennie also attended Central Bible College for two years. Then, she went to police academy at Polk State College in Winter Haven, Florida. Dennie has not only represented clients who are transgender; but, is genderqueer herself. She prefers feminine pronouns, but is gender fluid in presentation and expression as she often feels both masculine and feminine.

**Melanie Lowe** received her Bachelor of Arts in Criminal Justice and English from Marshall University. She went on to graduate from the University of Kentucky, College of Law in May of 2000. She began her career as a public defender in the Elizabethtown Trial Office later that year. During her 16 years with DPA, she has proudly represented clients for the Elizabethtown Trial Office, the Kentucky Innocence Project, Post-Conviction, the LaGrange Trial Office and the Shelbyville Trial Office. In 2008, Melanie secured the release of her first wrongfully convicted client resulting in the unanimous, published opinion of *Commonwealth v. Bedingfield*. In 2011, after nearly six years of investigation, Melanie was successful in garnering the release of Kerry Porter, another wrongfully convicted client. While working for the LaGrange Trial Office in 2015, Melanie's work was featured in the *Courtier Journal* article "Thin Ranks, High Risks" exploring the shortcomings of the Commonwealth's underfunded public defender system. In May of 2016, she was named a Gideon Award Recipient. Currently, she is the Directing Attorney of the Shelbyville Trial Office.

**Joanne Lynch** is the supervising attorney for the Kentucky Department of Public Advocacy's Capital Trials Branch – West. She represents people who are charged with crimes that may be eligible to be punished by the death penalty, and she supervises other attorneys, investigators, mitigation specialists and administrative staff. Among the capital-eligible cases in which Joanne has served as counsel are *Commonwealth vs. Ryan Champion*, *Commonwealth vs. Pascasio Pacheco*, and *Commonwealth vs. Raleigh Sizemore*. Prior to joining DPA in 2005 Joanne worked as a sole practitioner, a partner in the law firm of Polk & Lynch and a staff attorney with the Louisville Metro Public Defender. She graduated from Franklin College (IN) in 1988 and Indiana University's Robert H. McKinney School of Law (Indianapolis) in 1994. Before going to law school Joanne worked as a sports reporter for *The Indianapolis Star*.

**Sam Marra** received residential treatment and support from the Kentucky Department of Juvenile Justice from the age of 16 until he was 21 years old. Sam was given vocational training and work experience at the Bluegrass Training and Therapy Center while he was in the Department of Juvenile Justice's care, and now works there as a full time employee. He also earned numerous trade certifications while he was in the Department's care. Sam considers himself blessed with the opportunity of having a second chance. Sam was appointed in 2015 by Governor Beshear as a member of the Kentucky Juvenile Justice Advisory Board. He has participated in a youth panel in Seattle, Washington for the Clinton Global Initiative, Casey Family Programs, and Youth Advocates. He has joined the former Department of Juvenile Justice's Commissioner, Mr. Hasan Davis, at the Clinton Global Initiative as a presenter. He also works with his local Dare to Care, and

participates in restorative justice projects and assists with substance abuse groups. Sam's journey through the Juvenile Justice System and his personal and civic growth speaks to the potential that all young people have when they enter the juvenile justice system. His own life experience with the justice system gives him a unique perspective to share with the at-risk youth that he works with on a daily basis as well as with decision makers in the juvenile justice system.

**Michele Flowers McCarthy** is currently the Director of Program Development for the Center for Behavioral Health, which provides addiction treatment services in eight states. She also previously served as Kentucky's State Opioid Treatment Authority Designee and is a Licensed Professional Clinical Counselor. Mrs. McCarthy has more than 18 years of experience in addiction services including direct patient care, outreach and education, policy, and compliance. She is currently on the Board for People Advocating Recovery, the Executive Committee for the Kentucky Safety & Prevention Alignment Network, and previously served as a member of the 6th Congressional District Drug Abuse Task Force.

**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 five 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.

**Tammy Meredith-Castle** is in her 13th year at the Commonwealth Educational Opportunity Center, one of several TRiO grants hosted by Morehead State University. Tammy has a Bachelors in Science in Elementary Education, a Masters Degree in Adult and Higher Education/Counseling. Currently, she is finalizing her certificate in Drug and Alcohol Counseling. Tammy also taught for 10 years at the post-secondary level and served as the Adult Education Director during that time in Johnson County, KY.

She feels that working with special populations with regard to their educational future and success is the most rewarding experience she has had in her work life.

**Edward C. Monahan** began as a public defender in 1976. He was appointed Kentucky Public Advocate by the Governor September 1, 2008 and was reappointed in 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.

**Kyle Morris** is a staff attorney in the Richmond trial office of DPA. He is a 2009 graduate of UK College of Law and a 2006 graduate of Middle Tennessee State University. He has presented on a variety of issues including digital forensics. He helped coordinate the first expungement workshop in Madison County to provide free eligibility assessments to the public.

**Kara Ottis** is a staff attorney at the London Trial Office. She graduated from Eastern Kentucky University with a Bachelor's in Political Science and a minor in Women's Studies. She attended law school at the University of Kentucky, graduating in 2012. While in law school, Kara participated in the Innocence Project, the Legal Clinic, and interned with the DPA Richmond Trial Office. Kara immediately took on a Circuit and District caseload upon becoming a Staff Attorney. Kara has been assigned dozens of sex cases, gaining knowledge and experience in the trenches.

**Julia K. Pearson**, a graduate of Berea College and the Brandeis School of Law, celebrated her 28th anniversary with the Department and her 14th anniversary in the Appeals Branch on June 1. She is a former Paralegal and Staff Attorney in the Capital Post-Conviction Branch. Her college sweetheart husband, Paul, served for 28 years in the Army/Army Reserve, including 15 months in Kuwait and Iraq, before he retired in 2011. In her spare time, Julia enjoys watching her beloved Pittsburgh Steelers and New Orleans Saints, trading books with Paul, indulging their eclectic tastes in music, and providing warm-blooded furniture for four cats and a yellow Lab, who range in age from 12 to 16.

**Damon Preston** is the Deputy Public Advocate for DPA. After graduating from Transylvania University, Damon attended Harvard Law School where he served on the Board of the Harvard Defenders and completed the Criminal Justice Institute under the instruction of Charles Ogletree. Upon graduation, he 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 assisting the Public Advocate in leadership, his work includes DPA's legislative efforts, policies, and information management system. In 2016, Governor Bevin appointed Damon to serve on the Criminal Justice Policy Assessment Council. In addition to work through DPA, Damon serves on the board of the Kentucky Association of Criminal Defense Lawyers and is a past chair of the Criminal Law Section of the Kentucky Bar Association. Damon lives with his wife Amy and daughters Abbie and Marissa in Georgetown.

**Gina Pruski** is the Director of Training and Development for the State Public Defender's Office (SPD) in Wisconsin. After obtaining both her undergraduate and law degrees from the University of Wisconsin-Madison, she began her career with the SPD in 1992 serving first as a staff attorney in the Trial Division and then as Legislative Liaison for the agency. Gina is the 2016-17 Chair of the National Alliance of Indigent Defense Educators, the trainers' section of the National Legal Aid and Defender Association. She has received extensive training in the area of racial justice facilitation, is one of the YWCA of Madison's Race to Equity facilitators and has presented on the topic of implicit racial bias for public defender offices around the country and the Criminal Lawyers' Association in Canada. Gina also serves on the Board of Directors for the Wisconsin Youth Company, is co-author of the WISCONSIN JUVENILE LAW HANDBOOK published by the State Bar of Wisconsin, volunteers as a judge for the Evan A. Evans Constitutional Law Moot Court Competition and is faculty for the Skills Intensive Training of the Lawyering Skills Course at the UW Law School. Gina is a 2011 recipient of the Women in the Law honor bestowed by the Wisconsin Law Journal.

**Juval Scott** joined the Training Division of the Defender Services Office as an Attorney Advisor in January 2015. Juval came to the Training Division from the Milwaukee office of the Federal Defender Services of Wisconsin, Inc., which she joined as an Assistant Federal Defender in November 2012. Prior to that, she was an AFD in the Southern District of Indiana. Before becoming an AFD, Juval worked as an associate in a small firm primarily handling criminal, personal injury, and family law matters; a deputy prosecutor for the Tippecanoe County Prosecutor's Office in Lafayette, Indiana; and as Associate General Counsel for a private investigation firm focusing on trademark litigation. She has also served as Judge Pro Tempore in the Marion County Criminal Courts. In 2002, Juval received her law degree from the Indiana University Robert H. McKinney School of Law, and she obtained her Bachelor of Science in Biology and Chemistry, from Xavier University of Louisiana in 1997. Juval teaches regularly at local panel trainings as well as programs sponsored by the Defender Services Office Training Division, The National Criminal Defense College, Wisconsin Association of Criminal Defense Lawyers, Wisconsin State Public Defender, The Bronx Defenders, Texas Association of Criminal Defense Lawyers, and the National Bar Association.

**Tamara Scull** obtained a Bachelor of Arts degree in English Literature from Lindsey Wilson College. Before going to law school, Tamara worked in sales and management, but wanted a more meaningful career. So, in 2011, Tamara moved from Owensboro to the Cincinnati area and

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began law school. While in law school, Tamara interned for the Bronx Defenders, Gideon's Promise, and The Brennan Center for Justice. In 2014, Tamara graduated Magna Cum Laude from the Salmon P. Chase College of Law. After graduating, she joined the Newport DPA office. Outside of work, Tamara sings with the Young Professionals Choral Collective of Cincinnati, Crossfits 5-6 days a week, and enjoys being outdoors on weekends.

**Jennifer Sellitti** is Training Director for the New Jersey Office of the Public Defender, where she is responsible for teaching trial advocacy and substantive law to public defenders in all practice areas of the agency. She also represents clients charged with felonies ranging from drug possession to murder. Prior to her appointment to director, she was the managing attorney for the Middlesex Trial Region and an assistant deputy public defender in the Essex County Adult Region. Before joining the New Jersey Office of the Public Defender, she worked as a staff attorney for the Committee for Public Counsel Services (CPCS), the Massachusetts Public Defender's Office. Jennifer began her legal career at Massachusetts Correctional Legal Services, where she worked on the organization's Prison Brutality Project investigating claims of prison violence and representing inmates housed in solitary confinement at super maximum security prisons in civil rights lawsuits against correctional facilities and individual officers. Before becoming an attorney, Jennifer was vice president of public relations for Kelley Habib John, an integrated marketing firm located in Charlestown, MA. Jennifer is a faculty member at trial advocacy programs across the country including the National Criminal Defense College, Bronx Defender's Academy, and the Wisconsin Public Defender's Office Trial Skills Academy; and she speaks nationally about issues surrounding legal representation for the accused. She is a graduate of Suffolk University Law School and obtained a B.S. degree in public relations from Boston University. When she is not training lawyers or advocating for clients, Jennifer spends as much time outdoors as possible and is an avid mountaineer, hiker, and crewmember on a dive boat that explores shipwrecks in the North Atlantic Ocean.

**Jessica Paris 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.

**Larry Simon** received his Bachelor of Arts from the University of Louisville in 1975 and his Juris Doctorate from the University of Louisville School of Law in 1980. Simon then served as an Assistant Commonwealth's Attorney in Jefferson County through 1985. Since entering private practice he has defended people charged with criminal offenses in state and federal courts at trial, appellate and post conviction levels. Simon has litigated cases under 42 U.S.C. Section 1983, as well as other federal and state personal injury claims resulting from governmental misconduct or negligence. In addition to his private

practice, Simon has continuously served as appointed conflict counsel under the Criminal Justice Act in the U.S. District Courts for the Western District of Kentucky and the Southern District of Indiana, as well as conflict counsel for the Louisville-Jefferson County Public Defender Corporation and the Kentucky Department of Public Advocacy. Simon is a Lifetime Member and past president of the Kentucky Association of Criminal Defense Lawyers and is a member of the National Police Accountability Project, which is a nationwide organization of plaintiff lawyers and activists dedicated to ending police abuse of authority and misconduct. Previously Simon served as Chair of the Louisville Bar Association's Criminal Practice Section and as a member of the LBA's Committee on Professional Responsibility. He was recognized as the LBA's Pro Bono Lawyer of the Year in 1992. He was presented with the Frank E. Haddad, Jr. Award by the Kentucky Association of Criminal Defense Lawyers in 2012, in recognition of his work in the profession and protecting the Constitutional Rights of people accused or convicted of criminal offenses.

**David A. Singleton** received his law degree from Harvard Law School in 1991, and his A.B. in Economics and Public Policy from Duke University in 1987. Upon graduation from law school, David received a Skadden Fellowship to work at the Legal Action Center for the Homeless in New York City, where he practiced for three years. He then worked as a public defender for seven years, first with the Neighborhood Defender Service of Harlem and then with the Public Defender Service for the District of Columbia. After moving to Cincinnati in 2001, David practiced at Thompson Hine until 2002, when he became the Executive Director of the Cincinnati-based Ohio Justice & Policy Center. David is also a Professor of Law at NKU Chase College of Law, where he teaches the Constitutional Litigation Clinic, among other courses.

**Elliot Slosar** joined Loevy & Loevy in the spring of 2008 as an investigator. As an investigator and then a lawyer at the firm, Mr. Slosar has concentrated his practice on wrongful convictions, police brutality, false arrests, and other constitutional issues. He spends much of his time representing prisoners wrongfully convicted of crimes in state and federal proceedings. He has successfully exonerated six wrongfully incarcerated individuals, as well as achieving substantial recoveries in civil cases, including *Sanders v. City of Chicago Heights*, which resulted in a \$15 million settlement for his wrongfully convicted client.

**Amy Robinson Staples** is an associate with Loevy & Loevy in Chicago. Most recently, she served as the Post-Conviction Branch Manager of DPA. 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. She also enjoyed stints as a staff attorney with the JPDB, the Kentucky Innocence Project, and the Frankfort Post-Conviction unit. In 2014, she was the proud recipient of DPA's Professionalism and Excellence Award.

Duffy B. Trager is an immigration attorney with the Russell Immigration Law Firm in Louisville, Kentucky. He represents detained and non-detained clients before the Immigration Courts, USCIS, ICE, and various U.S. consulates abroad in a wide variety of immigration cases

including asylum, cancellation of removal, naturalization, adjustment of status, Special Immigrant Juvenile Status as well as immigrant and non-immigrant visas. As Pro Bono Committee Chair and Liaison with the American Immigration Lawyers Association he has organized various initiatives to pair pro bono attorneys with non-citizens and mentor attorneys. Duffy practiced criminal defense as a Louisville Metro Public Defender. He represented individuals charged with a broad range of felonies and misdemeanors, including homicides. He received the Walker Award for excellence in a felony jury trial.

**Dr. James J. Van Nort, Psy. D** earned his doctoral degree from the Illinois School of Professional Psychology/Chicago in 1997. He completed a post-doctoral residency at Florida State University. Dr. Van Nort has worked for the Department of Corrections Sex Offender Risk Assessment and Treatment Programs for the past 19 years. During that time, Dr. Van Nort has developed an in-depth knowledge of all things related to sex offenders in the state of Kentucky. He has served as Chair of the Sex Offender Risk Assessment Advisory Board for the past 11 years.

**Andre Allen Vitale** is a Special Assistant Public Defender, Monroe County Public Defender's Office. Serves as a trial lawyer and Training Director. He has created new and innovative programs designed to help attorneys develop legal skills; confidence in their abilities; and inspire lawyers to serve as client-centered, relentless advocates. He has developed programs designed for new attorneys as they start their careers as public defenders, as well as advanced trial skills programs for more experienced lawyers. In the past two years he has assisted the Montana Office of the State Defender and the Missouri State Public Defender's Office in developing a Defending a Child Sex Case to train attorneys in their state. As a trial lawyer, Andre carries a full caseload representing individuals charged with Violent Felonies and Major Drug Crimes. He has significant trial experience having litigated more than 90 jury trials, developing an expertise in defending sex cases and challenging DNA evidence. Andre is on the faculty of Gideon's Promise ([gideonspromise.org](http://gideonspromise.org)); the Bronx Defenders Trial Academy; the Louisiana Public Defender Training Institute; the Litigation and Persuasion Institute (Department of Public Advocacy, Kentucky); the King County Public Defender (Seattle, WA) Litigation Training Academy; Harvard Law School's Criminal Justice Institute Trial Advocacy Workshop, the Trial Litigation Institute (New Jersey State Defender); the ADC Trial Advocacy Program (Colorado State Defender), and Legal Aid Society's (NYC) DNA Defense College. He is both a presenter and frequent blog contributor for the National Association of Public Defense ([publicdefenders.us](http://publicdefenders.us)). Andre is a Board Member of the New York State Association of Criminal Defense Lawyers (NYSACDL), where serves as the Chair of the Indigent Defense Committee as well as a member of the CLE Committee. He also serves as a member of the Indigent Defense Committee for the National Association of Criminal Defense Lawyers (NACDL) and the Racial Justice Committee for NAPD. Due to his passion and commitment to client-centered representation, Andre has received the Kevin Andersen Award by the New York State Defender's Association (NYSDA) and the Denison Ray Award by the New York State Bar Association. In addition to his legal accomplishments, Andre has finished eighteen marathons.

**Dani Waller** is a Licensed Clinical Social Worker who joined the Federal Community Defender's Office in Indianapolis as a Mitigation Specialist in March of 2015. From 2005-2015, she was in private practice working with capital clients in Illinois, Kentucky, South Carolina, Florida, California, Indiana, Nevada, Oklahoma, Alabama and at the federal level. From 2000-2005 she was a Mitigation Specialist in Illinois for the Office of the State Appellate Defender's Capital Trial Division. Over the past decade she has provided training in various states and at national conferences. She is currently involved with visual storytelling, advocating the humanizing potential of video.

**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 Beverly and father to Hannah. They live in Richmond.

**Audrey Woosnam** is an attorney in the Capital Trials Branch West Office. Prior to joining CTB in 2015 she worked in the Richmond Trial Office representing clients in juvenile, family, district and circuit courts for nearly 5 years. A New Jersey native, she graduated from the Wake Forest University School of Law in 2010 and the University of Pittsburgh in 2004. She and her rescue mutt Winston call Louisville home.

**Elizabeth Hope Zilberberg** began her career at the Louisville Metro Public Defender's Office in 2010 and has served as a staff attorney in the Juvenile, Mental Health, and Adult Trial Divisions. Elizabeth graduated summa cum laude from the University of Cincinnati, where she received a Bachelor of Arts Degree in Classics/Ancient Archaeology. Elizabeth attended law school at the University of Cincinnati, where she served as a board member of the Criminal Law Association. While in law school, Elizabeth interned with the Department of Public Advocacy and continued on to work as a volunteer throughout the remainder of the school year and also worked at Freking and Betz, a law firm specializing in civil rights litigation. Elizabeth worked as a fellow with the Ohio Innocence Project in several cases which led to exonerations of men who were wrongfully convicted and developed legislation that aimed to expand DNA testing, preserve evidence, and improve suspect interrogations.



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