



PROGRAM ANNOUNCEMENT

The Advocacy Institute Is Pleased to Present

2018 BASIC PROSECUTOR'S COURSE: PHASE I, DAY 1

September 17, 2018

8:30 a.m. to 3:45 p.m.

**Richard J. Hughes Justice Complex
Fourth Floor Conference Center Room A
25 Market Street
Trenton, New Jersey 08625**

NOTICE REGARDING COURSE MATERIALS

You will receive the course materials approximately forty-eight (48) hours prior to the date of the course. The materials will be contained in an email attachment.

Program Summary

This four-day seminar series is part of an integrated curriculum designed for new assistant prosecutors and deputy attorneys general which culminates with an intensive five-day trial advocacy program. Topics to be addressed include Arrest, Search and Seizure; Discovery; Bail Reform and Grand Jury Issues. *Please see the attached schedule for a list of lectures and presenters.*

Who Should Attend?

This program is for new assistant prosecutors and Division of Criminal Justice deputies who have been selected to attend by each county prosecutor's office and the Division of Criminal Justice. Please do not attempt to register for this course if you have not been instructed to do so.

Who Is the Faculty?

Please see the attached schedule.

CLE Credit

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 5.7 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, 5.7 qualify as hours of credit toward certification in criminal trial law and up to 5.7 qualify as hours of credit towards newly admitted/criminal trial preparation.

NY CLE Credit: 5.5 Substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 4.5 Substantive credits (\$7.50 mandatory fee required)

LIST OF COURSES AND PRESENTERS

8:30 a.m. – 9:00 a.m. Student Registration

9:00 a.m. – 9:15 a.m. Opening Remarks
 Attorney General Advocacy Institute Director Margaret A. Cotoia

ARREST, SEARCH AND SEIZURE (9:15 a.m. – 11:15 a.m.)

This seminar will present a “whirlwind tour” of New Jersey search-and-seizure law, starting with the fundamental basics for prosecutors to analyze and litigate a stop, frisk, arrest, or search under both the Fourth Amendment and Article 1, paragraph 7 of the New Jersey Constitution. This interactive presentation will also provide guidance on the presentation of suppression motions, recent developments and trends in the law, and a practical exercise to apply the concepts learned

SDAG Robert Czepiel, Jr. has been a prosecutor at the county and State levels in New Jersey for over 22 years. Mr. Czepiel has been employed at the New Jersey Office of Attorney General’s Division of Criminal Justice in the Official Corruption Bureau for seven years and the Prosecutors Supervision & Training Bureau for five years, currently serving as Deputy Chief of the Training Bureau. His responsibilities include supervising and updating training for law enforcement officers and prosecutors and creating the curriculum for numerous courses offered by the Division of Criminal Justice and the Police Training Commission. He lectures and teaches on topics including Search Warrants, Warrantless Searches and Seizures, Trial Tactics, Report Writing, DRE Report Writing and Court Testimony, Ethics, Criminal Code, Use of Force,

Conductive Energy Devices, Cultural Diversity and De-Escalation, Special Needs Community and De-Escalation, Grand Jury Presentations, Constitutional Law, Court Testimony, Corruption Investigations/Prosecutions, Money Laundering Investigation/Prosecutions, White Collar Investigations/Prosecutions and Witness Preparation. He also supervises other training handled by the Training Bureau, including Top Gun, Unit, Delta, Radar Refresher Course, DWI Municipal Prosecutors Course, Bias Crime Training, and the Sex Assault and Domestic Violence Symposium. In 2016, SDAG Czepiel was also responsible for supervising the creation the of curriculum for required in-service police training that was mandated by Attorney General Porrino through the CLEAR Institute.

Mr. Czepiel has been an adjunct professor of law at Widener University School of Law in Delaware, teaching courses on white collar crimes and corruption and he is a volunteer instructor with Widener's Intensive Trial Advocacy Program. He is also an adjunct professor at Burlington County College, teaching law and criminal justice related courses. Mr. Czepiel is an instructor for the New Jersey Attorney General's Advocacy Institute, teaching courses in trial advocacy; search and seizure; search warrants; white collar and corruption prosecutions/investigations; and the basic prosecutors' skills course. SDAG Czepiel is also an instructor for the NAGTRI, teaching trial skills and ethics issues for prosecutors in human trafficking cases. He has been NITA certified for several years. Mr. Czepiel has also served as a professor/coach for several trial teams that have participated in national competitions. SDAG Czepiel graduated from Widener Law School in Harrisburg and was admitted to the New Jersey Bar in 1997. He is a member of the New Jersey Supreme Court Committee on Jury Selection.

11:15 a.m. – 11:30 a.m. Break

DISCOVERY ISSUES (11:30 a.m. to 12:30 p.m.)

This presentation will provide an overview of the constitutional and Court Rule based discovery obligations on the State, at both the pre-indictment and post-indictment stages. It will also include a review of the discovery rule changes that became effective on January 1, 2013.

DAG Annmarie Taggart is a Supervising Deputy Attorney General in the Division of Criminal Justice. She is the Deputy Chief of the Gangs and Organized Crime/North Bureau. DAG Taggart has gained extensive litigation experience working in the Gangs and Organized Crime Bureau, handling cases from inception to trial. She has prosecuted multi-defendant cases involving organized crime members, as well as leaders of drug trafficking networks. DAG Taggart is the Chairperson of the Law Enforcement Sub-Committee for the New Jersey Task Force on Human Trafficking and the Human Trafficking Liaison for the New Jersey Division of

Criminal Justice. Upon joining the Division of Criminal Justice in 2001, DAG Taggart was assigned to the Police and Prosecutor Supervision Bureau, where she prosecuted supersession cases, organized training and curriculum, and served as Counsel to the Police Training Commission.

DAG Heather Hausleben is a Deputy Attorney General with the New Jersey Division of Criminal Justice Gangs and Organized Crime Bureau. The Bureau handles cases involving racketeering, distribution of controlled dangerous substances, weapons offenses, human trafficking, and contraband smuggling into correctional facilities. Heather was a law clerk for Camden County Superior Court Judge Samuel Natal. She is a graduate of the University of South Florida and Seton Hall Law School.

12:30 p.m. – 1:30 p.m. Lunch (on your own)

BAIL REFORM ISSUES (1:30 p.m. to 2:30 p.m.)

This course will provide an analysis of the Attorney General Directive 2016-6, Establishing Interim Policies, Practices, and Procedures to Implement Criminal Justice Reform Pursuant to P.L. 2014, c. 31. Topics to be covered will include:

- LiveScan fingerprinting.
- Pre-charging case screening.
- The PSA and decision making framework for complaints (warrant vs. summons).
- Affidavits of Probable Cause and Preliminary Law Enforcement Incident Reports.
- The Prosecutor's role at first appearances.
- The decision making framework for pretrial detention applications.
- Motions to revoke release.
- Prosecutorial responses to violations of pretrial release conditions.
- Prioritization of reports and testing in detention cases.
- Web-based reporting.
- Escalating Plea Policy.

DAG Joseph F. Walsh is assigned to the Prosecutors Supervision and Training Bureau of the New Jersey Division of Criminal Justice. He coordinates training with the twenty-one County Prosecutor's Offices and State-wide law enforcement officials. He has participated in the development and implementation of numerous training initiatives, including Body Worn Cameras (BWCs), Conducted Energy Devices (CEDs), Strict Liability for Drug Induced Death Investigations and Training for Law Enforcement Officers in Dealing with Mentally Ill

Individuals. Mr. Walsh is also the Deputy Counsel to the New Jersey Police Training Commission (PTC),

Prior to joining the Division of Criminal Justice, DAG Walsh served as an Assistant County Prosecutor in both Camden and Burlington Counties, working in Motions and Appeals, the Grand Jury Unit, the Trial Team, and Special Investigations. As an Assistant Prosecutor, Mr. Walsh advised on criminal investigations, presented matters before the grand jury and handled numerous jury trials in homicide, narcotics, sexual assault, and robbery cases. DAG Walsh also served as a police officer in Moorestown Township, retiring in 2015 as a Sergeant. He was assigned for sixteen years as a supervisor in both the Patrol Division and the Detective Bureau.

DAG Walsh is a 1983 graduate of Drexel University, earning his undergraduate degree in Business Administration-Accounting. He graduated from the Rutgers University School of Law-Camden in 1986, earning his Juris Doctor with high honors, as well as American Jurisprudence Awards in Criminal Law and Evidence. Mr. Walsh is a graduate of the Burlington County Police Academy and a Police Training Commission Certified Instructor. He has taught criminal law and other related subjects at the Burlington and Camden County Police Academies. He has also taught at the DELTA Supervision and Leadership School. DAG Walsh received an Attorney General's Award for Outstanding Contributions to a Special Project in 2016 and 2017.

2:30 p.m. – 2:45 p.m. Break

GRAND JURY ISSUES (2:45 p.m. – 3:45 p.m.)

This presentation covers an in-depth review of Grand Jury practice. Subjects discussed include: the function of the grand jury, preliminary matters, the Brooke Murphy process, presentation of testimony, tactical considerations and when to present exculpatory evidence pursuant to the Supreme Court holding in State v. Hogan. The presenter will also discuss how to properly charge the grand jury.

Myrna Perez-Drace is the Director of the Pre-Indictment Unit at the Essex County Prosecutor's Office. She is responsible for all aspects of the Unit in conjunction with Criminal Justice Reform (CJR). These units include the Screening Unit, which screens all incoming indictable complaints within the County of Essex and the Criminal Judicial Processing Court (CJP), where all defendants detained under CJR within the County of Essex are produced for their First Appearance within 48 hours of their arrest. In addition, CJP also arraigns all walk-in indictable complaints (all defendants released on summonses); Remand Court, where indictable matters are remanded to a municipal level; the Detention Unit, which handles all detention motions filed by the Prosecutor's office in conjunction with Bail Reform, and speedy trial provisions and lastly, the Grand Jury Unit. Prior to her current position, she was the supervisor of this unit for

approximately one year. Before being promoted to Supervising AP, Director Perez-Drace was assigned to the Grand Jury Unit for approximately seven years where she presented hundreds of cases; including attempted murders, car-jackings, robberies, aggravated assaults, financial crimes and, narcotic offenses. She also presented specialty matters involving target presentations and superseding indictments. Before her assignment to the Grand Jury Unit, Director Perez-Drace spent approximately five years in the Adult Trial Team Unit, where she managed a case load numbering over 100 cases from the initial complaint stage through plea negotiations, motion practice, trials, sentencing proceedings and post-conviction relief matters.